

BOROUGH OF SUGARCREEK

ORDINANCE NO. 253 OF 2007

AN ORDINANCE OF THE BOROUGH OF SUGARCREEK AMENDING ORDINANCE NO. 111 OF 1986, THE ZONING ORDINANCE OF THE BOROUGH OF SUGARCREEK, AS AMENDED BY ORDINANCE NO. 123 OF 1989, IN ORDER TO AMEND THE ZONING MAP OF THE BOROUGH OF SUGARCREEK IN THE AREA OF FORMER UPMC NORTHWEST MEDICAL CENTER FROM AN IZ - INSTITUTIONAL ZONE TO A COMBINED C-1 COMMERCIAL ZONE AND R-2 URBAN RESIDENTIAL ZONE.

WHEREAS, the Sugarcreek Borough Planning Commission entered upon its duties at the request of the Council of the Borough of Sugarcreek, and, after proper study and due reference to the Sugarcreek Borough Comprehensive Plan, at its public meeting held on October 11, 2006, recommended an amendment to the Zoning Ordinance of the Borough of Sugarcreek and the zoning map; and

WHEREAS, the Sugarcreek Borough Planning Commission recommended that the area of the former UPMC Northwest Medical Center, which is currently designated as a IZ - Institutional Zone, be rezoned such that it is a combined C-1 Commercial Zone and R-2 Urban Residential Zone; and

WHEREAS, the Council of the Borough of Sugarcreek held a public hearing on the proposed amendment to the zoning map on February 7, 2007, after notice of said hearing was published once each week for two (2) consecutive weeks in the Franklin News-Herald with the first publication occurring at least fourteen (14) days, but not more than thirty (30) days, prior to the public hearing in accordance with Section 804 of the Zoning Ordinance of the Borough of Sugarcreek; and

WHEREAS, in accordance with Section 10609 of the Municipalities Planning Code, the Council of the Borough of Sugarcreek caused to be conspicuously posted notice of said public hearing at points deemed sufficient by the Council of the Borough of Sugarcreek along the tract to notify potentially interested citizens, and further caused to be mailed notice of said public hearing at least thirty (30) days before the public hearing by first class mail to the addresses to which real estate tax bills are sent for all real property located within the area being rezoned, as evidenced by the tax records within the possession of the Borough of Sugarcreek, said notice in both instances setting forth the location, date and time of the public hearing; and

WHEREAS, in further accordance with Section 10609 of the Municipalities Planning Code, the Council of the Borough of Sugarcreek submitted for recommendations this proposed ordinance and zoning map amendment to the Venango County Planning Commission at least thirty (30) days before the public hearing; and

WHEREAS, after the public hearing, notice was published by the Council of the Borough of Sugarcreek in accordance with The Borough Code of its intention to enact this ordinance and proposed amendment to the zoning map at its regularly scheduled meeting on February 21, 2007; and

WHEREAS, the proposed amendment to the zoning map is more fully described below and further evidenced on the zoning map annexed hereto as Exhibit "A."

BE IT ORDAINED AND ENACTED, by the Council of the Borough of Sugarcreek, Venango County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same:

Section One: Ordinance No. 111 of 1986, the Zoning Ordinance of the Borough of Sugarcreek, as amended by Ordinance No. 123 of 1989, is hereby amended such that the IZ - Institutional Zone in the area of the former UPMC Northwest Medical Center is rezoned into a combined C-1 Commercial District and R-2 Urban Residential District as follows:

- (a) The following geographical area bounded and described as follows is hereby rezoned as C-1 Commercial: Beginning at a point at the intersection of the centerline of Meadville Pike and State Route 417, thence along the centerline of Meadville Pike in a northern and eastern direction to the intersection of the centerline of Meadville Pike and the centerline of an alleyway located between Lots No. 28-10-44 and 28-10-23 as identified on the Venango County Assessment Map, thence along the centerline of said alleyway in a southern and eastern direction to the intersection of the centerline of said alleyway and the centerline of Prospect Avenue, thence along the centerline of Prospect Avenue in a northern and eastern direction to the intersection of the centerline of Prospect Avenue and the arc of the centerline of Murdock Street, thence along the arc of the centerline of Murdock Street in an eastern and southern direction to centerline of the boundary line between Lots No. 28-10-114 and 28-10-113 as identified on the Venango County Assessment Map, thence along the boundary line between the aforesaid lots in a southern direction to the intersection of said boundary line and the arc of the boundary line of Lot No. 28-10-164 as identified on the Venango County Assessment Map, also known as Miller-Sibley Park, at the southeast corner of Lot No. 28-10-114, thence traveling the arc of the boundary line of Miller-Sibley Park in an eastern and southern direction to the intersection of said boundary line and the centerline of Walnut Street, thence along the centerline of Walnut Street in an eastern direction to the intersection of the centerline of Walnut Street and the centerline of Palmer Avenue, thence along the centerline of Palmer Avenue in an eastern and southern direction to the intersection of the centerline of Palmer Avenue and the arc of the centerline of the Park Avenue, thence along the

centerline of Park Avenue, which travels in an arc through various points, in a southern and western direction to the intersection of the centerline of Park Avenue and the centerline of Oak Street, then along the centerline of Oak Street in a western and northern direction to the intersection of the centerline of Oak Street and the arc of the centerline of Circle Alley, thence along the arc of the centerline of Circle Alley in a southern, western and northern direction to the point along the centerline of Circle Alley between Lots No. 28-10-133 and 28-10-131 as identified on the Venango County Assessment Map, thence from that point continuing along the centerline of Circle Alley in a southern and western direction to the intersection of the centerline of Circle Alley and the centerline of Prospect Avenue, thence along the centerline of Prospect Avenue in a southern direction through lands of the City of Franklin to a point that is the place of beginning.

- (b) The following geographical area bounded and described as follows is hereby rezoned as R-2 Urban Residential: Beginning at a point at the intersection of the centerline of Meadville Pike and State Route 417, thence along the centerline of Route 417 in an eastern and northern direction to a point that would be the intersection of the centerline of Route 417 and the western boundary line of The Franklin Cemetery, thence along the western boundary line of the Franklin Cemetery generally in a northern and western direction to a point that marks the northeast corner of Lot No. 28-10-228 as identified on the Venango County Assessment Map on the boundary line of The Franklin Cemetery, thence along the boundary line of said Lot No. 28-10-228 in a western and southern direction to the centerline of Palmer Avenue, thence along the centerline of Palmer Avenue in a northern direction to the intersection of the centerline of Palmer Avenue and the centerline of Kistler Street, thence along the centerline of Kistler Street in a western and southern direction to the intersection of the centerline of Kistler Street and the centerline of Meadville Pike, thence along the centerline of Meadville Pike, which travels through an arc at various points, in a southern and western direction to the intersection of the centerline of Meadville Pike and the centerline of an alleyway located between Lots No. 28-10-44 and 28-10-23 as identified on the Venango County Assessment Map, thence along the centerline of said alleyway in a southern and eastern direction to the intersection of the centerline of said alleyway and the centerline of Prospect Avenue, thence along the centerline of Prospect Avenue in a northern and eastern direction to the intersection of the centerline of Prospect Avenue and the arc of the centerline of Murdock Street, thence along the arc of the centerline of Murdock Street in an eastern and southern direction to centerline of the boundary line between Lots No. 28-10-114 and 28-10-113 as identified on the Venango County Assessment Map, thence along the boundary line between the aforesaid lots in a

southern direction to the intersection of said boundary line and the arc of the boundary line of Lot No. 28-10-164 as identified on the Venango County Assessment Map, also known as Miller-Sibley Park, at the southeast corner of Lot No. 28-10-114, thence traveling the arc of the boundary line of Miller-Sibley Park in an eastern and southern direction to the intersection of said boundary line and the centerline of Walnut Street, thence along the centerline of Walnut Street in an eastern direction to the intersection of the centerline of Walnut Street and the centerline of Palmer Avenue, thence along the centerline of Palmer Avenue in an eastern and southern direction to the intersection of the centerline of Palmer Avenue and the arc of the centerline of the Park Avenue, thence along the centerline of Park Avenue, which travels in an arc through various points, in a southern and western direction to the intersection of the centerline of Park Avenue and the centerline of Oak Street, then along the centerline of Oak Street in a western and northern direction to the intersection of the centerline of Oak Street and the arc of the centerline of Circle Alley, thence along the arc of the centerline of Circle Alley in a southern, western and northern direction to the point along the centerline of Circle Alley between Lots No. 28-10-133 and 28-10-131 as identified on the Venango County Assessment Map, thence from that point continuing along the centerline of Circle Alley in a southern and western direction to the intersection of the centerline of Circle Alley and the centerline of Prospect Avenue, thence along the centerline of Prospect Avenue in a southern direction through lands of the City of Franklin to a point that is the place of beginning.

Section Two: All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

Section Three: In the event any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance, it being the intent of the Council of the Borough of Sugarcreek that the remainder of this Ordinance shall be and shall remain in full force and effect.

Section Four: This Ordinance shall become effective immediately.

APPROVED this 21st day of February, 2007.

BOROUGH OF SUGARCREEK

By   
President of Council

ATTEST:

  
Borough Secretary

By   
Mayor

Voting For: 4

Voting Against: 0