

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES
Thursday, March 20, 2014**

ATTENDED BY:

COUNCIL:

David P. Fryer, Chair
Mary Shoemaker, Vice-Chair
L. Eric Bernier
Carla Stilson

STAFF:

Adam T. Brumbaugh, Township Manager/Secretary
Kent N. Baker, Township Engineer
Mark Holdren, CRPA Sr. Planner
Mary E. Wilson, Asst. Township Secretary

ABSENT:

Lynn B. Herman, Council Member
Robert T. Long, Jr., Finance Director
Michael Heath, Zoning Officer

CALL TO ORDER

Chair Fryer called to order the March 20, 2014, College Township Regular Council Meeting at 7:02 PM, followed by the Pledge of Allegiance.

OPEN DISCUSSION:

None.

SPECIAL PRESENTATION:

SP-1 College Township Parks & Recreation Committee Annual Update

Mr. Gregory T. Hayes, College Township Parks and Recreation Committee Chair, addressed Council regarding the *College Township Parks and Recreation Committee 2013 Annual Report and 2014 – 2018 Recommendation Report*. Parks and Recreation Committee members Kathleen Matason and Sue Smith were also present for this Committee update. Mr. Hayes described the goals and objectives of the Committee, which included future parkland and recreational area acquisitions; improve existing parks; develop new parks, as acquired; provide safe pedestrian and bike access; and provide an opportunity for neighbors of parks to have some input into park plans.

The following were highlighted projects started or completed in 2013:

- Spring Creek Park - Pedestrian Bridge Project started;
- Oak Grove Park - Playworld System “Challenger” play system installed;
- Nittany Orchard Park - “Pikes Peak” climbing apparatus installed;
- Penn Hills Park – Playworld System “Tri-Geo Climber” installed;
- Dalevue Park – Refurbishment and relocation of tot swing; and
- Fogleman Fields – Paving of a section of the walking path.

Mr. Hayes stressed the Committee’s hopes for the acquisition of additional parkland using The Villas at Happy Valley’s fee-in-lieu-of-parkland funds. The Committee expressed an interest in the current Hilltop area rezoning request and its possible impacts to the Thompson Woods Preserve.

Council offered its appreciation to the Parks and Recreation Committee members; and, although there will likely not be any parkland acquisitions in 2014, Council encouraged the involvement of residents in matters impacting their neighborhood parks.

Chair Fryer moved forward agenda item OB-2, Penn State University Turn Lane Agreement, for the convenience of the presenters.

OLD BUSINESS:

OB-2 Penn State Turn Lane Agreement

In correspondence to Council, dated March 14, 2014, Mr. Kent Baker, Township Engineer, stated that, on December 5, 2013, Council conceptually agreed with Penn State University on the revision of the Modification of Traffic Improvement Agreement. This agreement would supersede the existing agreement for turn lanes at University Drive and Park Avenue and at Park Avenue and Fox Hollow Road. The Township Solicitor, Louis T. Glantz, Esq., provided a review and approval of the revised agreement. Mr. Baker recommended Council’s approval of the subject agreement.

Ms. Shoemaker moved to approve the new Traffic Improvement Agreement with Penn State to supersede the existing Agreement for Turn Lanes at University Drive and Park Avenue and at Park Avenue and Fox Hollow Road.

Mr. Bernier seconded the motion.

Motion carried unanimously.

MANAGER'S UPDATE:

Mr. Brumbaugh, Township Manager, presented the March 20, 2014, Manager's Update, providing updates on the Pike Street Streetscape Design; Independence Place Private Roads Request for Take Over; the UAJA Kissinger Open Space (E. Branch Road) Stream Augmentation Project; Slab Cabin Run HQ Designation; PennDOT Road Turnback Proposals; and the recommended removal of the Lombardy Poplar trees along the bike path.

CONSENT AGENDA:

The following Consent Agenda items are presented for Council acceptance.

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| CA-1 Minutes: | | March 6, 2014, Regular Council Meeting |
| CA-2 Correspondence: | /1: | Letter from Nittany Oil Company, dtd Feb. 28, 2014, regarding Downstream Municipalities Annual Notification. |
| | /2: | SCASD 2014 All Night Party Comm., dtd March 2014, requesting support. |
| | /3: | Email from Eli Walters, dtd March 16, 2014, subject: Hilltop Rezoning Proposal. |

Mr. Bernier moved to accept and approve the March 20, 2014, Consent Agenda.
Ms. Shoemaker seconded the motion.
Motion carried unanimously.

OLD BUSINESS:

OB-1 Hilltop Mobile Home Park Rezoning Request to Gateway Commercial (GC)

Prior to the start of this matter, Chair Fryer briefly described the public comment protocol to ensure an orderly discussion.

a. Discussion

Mr. Mark Holdren, Sr. CRPA Planner, offered an analysis of the Hilltop Mobile Home Park Rezoning Request, as defined in Mr. Holdren's *Hilltop, Mitchell & Hendricks Rezoning Report*, dated January 17, 2014. That original request reflected the property owners' desire to see a combination of Gateway Commercial (GC), Two-family Residential (R-2), and Open Space Recreation Conservation (OSRC) Zoning Districts. Following Planning Commission (PC) discussion in February, a revised rezoning scenario was recommended that eliminated inclusion of any R-2 zoning. Mr. Holdren described PC's rationale for their recommendation to Council, which included 1) a preference for increasing the width of the OSRC area; 2) residents' and staff's concerns regarding impacts on Squirrel Drive, which would require a

change to the Township Official Map; 3) a desire to review the effects of a shifted GC/R-2 boundary; and 4) PC's interest in limiting residential density in the GC Zoning District.

In response to PC's and residents' earlier comments on rezoning this site, staff performed a subsequent analysis to look at rezoning the majority of the former Hilltop Mobile Home Park to Gateway Commercial, which would remove the possibility of this site being developed under Planned Residential Development (PRD) criteria. Mr. Holdren advised that, under the current rezoning recommendation, there would be a requirement placed upon the developer of this site to include some workforce housing units.

Council considered three proposed ordinance amendments, which would require Council's setting dates for three public hearings and subsequent adoption of those ordinances in order to make the changes to a combination of GC and OSRC for the Hilltop area.

- Ordinance O-14-05, Amendment of the College Township Official Map, would amend the current Official Map to add an additional access to the Hilltop area at Puddintown Road/E. College Avenue to Mobile Avenue.
- Ordinance O-14-06, Gateway Commercial Zoning District, would amend the subject zoning district to revise the list of permitted uses and establish limitations on both residential and retail uses with the Gateway Commercial Zoning District. The density would be placed at 15 dwelling units per acre.
- Ordinance O-14-07, Hilltop Area Rezoning, would amend the College Township Zoning Map to rezone lands in the Hilltop Area to Gateway Commercial and Open Space Recreation Conservation Districts.

Mr. Bernier expressed 1) concern about properly protecting the Thompson Woods Preserve; 2) support for Ordinance O-14-05, Official Map Amendment; 3) the recognition of the unique nature of this particular rezoning request due to the residents' level of passion and the request's being a moving target, modified numerous times. Mr. Bernier suggested that, if Council cannot reach a consensus, that this matter be considered for forwarding to an ad hoc committee of stakeholders to review rezoning options.

Ms. Stilson expressed 1) discomfort with rezoning impacts on the Walters property; 2) a preference of some R-1 above Mobile Avenue; and 3) support for the creativity utilized in the Gateway Commercial amendments.

Council subsequently 1) discussed whether or not to include the three remaining parcels in the Hilltop rezoning; 2) reviewed where the zoning line would run if there was a combination of GC and R-2, such as at Mobile Avenue; 3) expressed their interest in shifting some of the OSRC to run along Thompson Woods Preserve (TWP) as an additional buffer for the Preserve; 4) believed that the concept of a PRD was misunderstood by the general public (The Villas at Happy Valley, zoned R-2, has twice the density of The Retreat, a PRD); and, 5) supported the concept of the Puddintown Road extension as an additional access and Ordinance O-14-05 enacting that Official Map amendment.

Chair Fryer moved to set a public hearing for Ordinance O-14-05, Amendment of the College Township Official Map, as presented.

Ms. Shoemaker seconded the motion.

Mr. Brumbaugh, Township Manager, questioned the purpose of setting a public hearing on the proposed Official Map Amendment when Council was not feeling comfortable about moving forward with the other two proposed ordinances. Mr. Brumbaugh added that these three ordinances should move forward together. Council stated that this would correct a mistake made earlier when a second accessway was removed from the Official Map.

Chair Fryer called the question.

Motion carried unanimously.

Mr. Earl Moore, 1225 Oak Ridge Avenue, expressed concern with impervious coverage maximums in the GC; asked if the proposed road extension was a flood zone; requested clarification regarding the ability of a mixed-use building being allowed to have parking on the first floor; questioned the allowable number of unrelated individuals permitted to occupy a dwelling unit; expressed concern with allowable building heights; and asked if there would be a tree setback.

Staff replied that the proposed road extension was partially in a flood zone, but building there would require a permitting process; a mixed-use building in the GC must have a commercial establishment on the first floor, although parking could be below ground; three unrelated individuals would be allowed in residential units in the GC; and there would be an established setback, but a landscape buffer would not be required.

Chair Fryer requested that the applicant/developer offer some feedback on the Planning Commission's recommendation to Council.

Mr. Pat Ward, President, Uni-Tec Consulting Engineers, Inc., State College, representing the Hilltop property owners, stated that, although the PC recommended something different from what the developer originally requested, they were supportive of the revised zoning to GC and OSRC, abandoning all Residential zoning designations (R-1, R-2, R-3). That said, the developer is not in total agreement with everything about the recommendation, but believes it is fair as presented. Further, the developer supports the development of commercial uses but kept on the lower part of the site. Mr. Ward stated that he did not believe this would lead to a big student housing development and requested that Council give due consideration of this rezoning, as recommended.

Mr. Rich Francke, Planning Commission liaison to Council, reported that PC, in reaching its unanimous recommendation, took into account impacts to this site from development, such as traffic and per-unit and per-acre densities. It was recognized that the public wished for no student housing, but it was stressed that there is no student-housing-prohibited zoning designation that could be applied. Such zoning does not exist. Mr. Francke stressed that, when

considering a maximum height change, such an amendment would be applicable to all similarly zoned districts in the Township, not just the site being considered.

Mr. Pat Vernon, 858 Walnut Spring Lane, stated that a municipality can have too much rental housing; agreed with the extension of Puddintown Road; expressed concern with the boundary against Thompson Woods Preserve, suggesting taking a buffer out of the development and adding a tree buffer along Oak Ridge Avenue; recommended the maximum building heights be highest at the bottom and decrease up the hill; and suggested that this rezoning process be frozen pending the completion of a study from the duck pond to the Nittany Mall.

Mr. Matt Parkinson, 1034 Shamrock Avenue, expressed concerns regarding traffic and density and stated that placing R-2 zoning up to Mallard Road would make that portion large enough to make a PRD possible. Mr. Parkinson recommended that a number smaller than 15 be considered for dwelling units per acre.

Mr. Bob Ceschini, 1230 Shamrock Avenue, questioned whether or not the extended Puddintown Road access could be placed in the Open Space Recreation Conservation zone and thereby eliminating the need for Squirrel Drive. With the grade improved via the new access, the school buses could access the site.

Mr. Holdren replied that such a reconfiguration of roads could be negotiated with the developer at the time of land development.

Mr. Scott Smith, 1225 Cottonwood Avenue, appreciated the interest in lowering the densities and the change to the Official Map but added that the development of the Mitchell farm would magnify problems.

Ms. Michele Chernega, 1039 Oak Ridge Avenue, inquired into the locked status of the Hilltop gate into Thompson Woods Preserve.

Staff replied that the Hilltop property owner, for insurance purposes, requested that this gate be locked. Centre Region Parks and Recreation followed through with that request. Staff hoped that another access into the Preserve will be identified.

Mr. Bernier considered a way to buffer the area along the Thompson Woods Preserve and opposed making the buffer less than 55 feet.

Council and Mr. Francke expressed support for PC's recommendation with a modification to the height limits.

Mr. Bruce Pincus, 914 Walnut Spring Lane, had concerns relative to the boundary with Thompson Woods Preserve and whatever zoning is adjacent thereto and asked what the mitigation plan was for the Preserve.

Mr. Kent Baker, Township Engineer, advised that a mitigation plan exists and that a parks committee walks the Preserve regularly and has an annual inspection.

Mr. Kevin Abby, ClearWater Conservancy Conservation Manager, stated that he oversees the Thompson Woods Preserve. He felt that the concept of an OSR along the Preserve was good and suggested that the Township could take some of the buffer and rotate it 90 degrees so that it is perpendicular to E. College Avenue to the top of the property for 50 to 75 feet.

Ms. Laura Contino, 1140 Shamrock Avenue, asked if the Puddintown Road extension would incorporate a traffic signal and bike paths.

Mr. Holdren replied that the need for a traffic signal would be determined by a study, but probably it would be likely to need one. He added that a developer could request permission to put in a bike path instead of a sidewalk.

Mr. Holdren synopsized Council comments by stating that the Township should look at buffering along the Preserve and amend the maximum building heights

By consensus, Council concurred with Option 3 described in staff recommendations. Option 3 proposed rezoning all of the Mitchell and Hendricks' tracts to Gateway Commercial, as well as the majority of the former Hilltop Mobile Home Park, minus a 200-foot portion of the park to be rezoned Open Space Recreation Conservation District. This rezoning to GC would include the Walter property. However, Council clarified the zoning for the other individual parcels, as follows. The Koval property would be R-1; Barn Brewing property would be R-1; and the Mitchell farm and Payne townhomes would be R-2. Council also supported a reduction of building height maximums above Mallard Drive.

Staff will calculate the open space distance, apply the OSR buffer along the Thompson Woods Preserve, and develop height restrictions above Mallard Drive.

This matter will return to the next Regular Council Meeting on April 3, 2014.

Chair Fryer called for a brief recess at 9:45 PM to allow the room to clear; and the meeting was reconvened at 9:51 PM.

NEW BUSINESS:

NB-1 Resolution R-14-10; Puddintown to Orchard Bike Connection; Grant Application – Local Match Amount

Mr. Baker, Township Engineer, described grants available through the Department of Conservation and Natural Resources (DCNR) and PennDOT's Transportation Alternatives Program (TAP) and suggested that the Puddintown Road to Orchard Road Bike Connector Project would be a good candidate for these grants. This bike connector project to the Penn State campus has been planned for a number of years and is currently on the Centre County

Metropolitan Planning Organization's Long-Range Transportation Plan (LRTP). Mr. Baker estimated that the project of \$1,104,086. Broken down, the DCNR grant could cover \$100,000 for design engineering; the College Township's match of \$50,000 would be applied to utility relocation and/or construction; and the remaining \$954,086 for construction could be provided by the TAP grant.

Mr. Baker recommended that Council 1) support the grant applications to DCNR and TAP for the Puddintown to Orchard Bike Connector Project; 2) agree to a local match of \$50,000 for utility relocation/construction; and 3) approve Resolution R-14-10 as a requirement of the DCNR application submission.

Ms. Stilson moved to support the grant applications to DCNR and TAP for the Puddintown to Orchard Bike Connector; agree to a local match of \$50,000; and approve Resolution R-14-10 for the DCNR application.

Ms. Shoemaker seconded the motion.

Ms. Shoemaker asked if this project would tie in with the University's master bike path map; and staff responded that it would be able to be connected to the University's long-range plan of running it through their football parking area and would extend the current bike lanes to where they meet the path. The Township would also propose in the grant application some stormwater improvements along Orchard Road.

Motion carried unanimously.

STAFF AND ABC INFORMATIVES:

None were pulled for discussion.

COUNCIL/STAFF OTHER MATTERS:

Chair Fryer inquired into the status of the Dale Street reservoir; and the Township Manager advised that a meeting on this matter was scheduled for next week.

COMMITTEE REPORTS:

Finance Committee, March 13, 2014: Ms. Shoemaker reported that the Finance Committee set another limit for COG departmental budget overages at three percent (3%).

Parks Capital, March 13, 2014: Mr. Bernier reported that the Parks Capital Committee 1) received an update on the Whitehall Road Regional Park Phase I development and Toll Brothers plan submission; 2) received a presentation from APArchitects on the Centralized Parks Maintenance Facility; and 3) authorized staff to accept proposals to Trans Associates for a feasibility report for the relocation of the Hess Softball Fields Driveway relocation.

Executive Committee, March 18, 2014: Chair Fryer reported that the Executive Committee met to set the agenda for the March 24, 2014, General Forum Meeting.

ADJOURNMENT:

Hearing no further matters for discussion, Chair Fryer adjourned the March 20, 2014, Regular College Township Council Meeting at 10:02 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary