

**COLLEGE TOWNSHIP COUNCIL PUBLIC HEARING-3**  
**ORDINANCE O-14-07**  
**HILLTOP AREA REZONING**  
**Thursday, May 15, 2014**

**ATTENDED BY:**

**COUNCIL:** David P. Fryer, Chair  
Mary C. Shoemaker, Vice-Chair  
L. Eric Bernier  
Lynn B. Herman  
Carla Stilson

**STAFF:** Adam T. Brumbaugh, Township Manager/Secretary  
Kent N. Baker, Township Engineer  
Michael W. Heath, Zoning Officer  
Mark Holdren, CRPA Sr. Planner  
Mary E. Wilson, Asst. Township Secretary  
Louis T. Glantz, Esq., Township Solicitor

**ABSENT:** Robert T. Long, Jr., Finance Director

**CALL TO ORDER**

Chair Fryer called to order at 7:27 PM the duly advertised May 15, 2014, College Township Public Hearing-3 on Ordinance O-14-07, Hilltop Area Rezoning.

Prior to receiving public comment on any of the three, inter-related proposed ordinances before Council this date, Chair Fryer requested that Mr. Mark Holdren, CRPA Sr. Planner, offer ordinance overviews, excerpted here for convenience.

Ordinance O-14-07, Hilltop Area Rezoning, proposes to amend the Code of College Township, Chapter 200, §200-10, Zoning Map, to rezone seventeen properties totaling 75 acres in the Hilltop area. The Hilltop, Mitchell, Hendricks, and Walters properties are proposed to be rezoned to Gateway Commercial (GC); Single-Family Residential (R-1), Open Space Recreation Conservation (OSR); and/or a combined GC/OSR.

**PUBLIC COMMENT:**

Mr. Pat Ward, President, Uni-Tec Consulting Engineers, representing the property owners making the rezoning request, stated that 1) rezoning the Hilltop area began during the Summer of 2012; 2) Trinitas Ventures, an out-of-town land development entity, made the first rezoning request for the Hilltop Mobile Home Park (MHP) parcel, not College Township; 3) affected parties held dialogues about the future of the MHP properties; 4) following Trinitas's withdrawing their interest in the property, the property owners pursued a modified rezoning request without the pressure of a developer's plan; and 5) the proposed rezoning limits residential density, would offer discouragement to an all-student housing complex, and would not hurt neighborhoods but would improve the community atmosphere. Mr. Ward highlighted the key points of the proposed zoning changes for the Open Space Recreation Conservation Zoning District and the Gateway Commercial Zoning District before stating that the current rezoning request is an excellently devised, collaboratively executed plan and requested Council's approval of this request.

Council inquired about or commented on the possible impacts to neighborhoods resulting from an extension of Puddintown Road; workforce housing percentages; timelines for the prior R-1/R-2 rezoning proposal; limitations on student housing; and the stated rezoning designation for the Hilltop area in the Centre Region Comprehensive Plan.

Mr. Holdren, CRPA Sr. Planner, advised that the Gateway Commercial Zoning District dissuades student housing and is, therefore, better than R-1 or R-2.

Mr. Ward added that the Centre Region Comprehensive Plan does not call out a specific zoning for this area.

Mr. Bernier, Council member, clarified that this rezoning has evolved, not for two years, but, in its current form as submitted by the requesters in November 2013.

Ms. Lisa McMullan, Squirrel Drive resident, offered support for the rezoning request, as the land has been sitting vacant and cannot be left as it is.

Mr. William Brandt, Thompson Woods Subdivision resident, opposed the proposed rezoning request based on a lack of clarity on how the rezoning will affect his family and community and questioned how many people could be permitted to live in the rezoned area. Mr. Brandt requested more time to allow for more public discussion on the matter.

Chair Fryer clarified that the matter before Council was a rezoning request, and Mr. Brandt's question relative to density was a land development phase question. Mr. Holdren added that rough density calculations could be based on 26 acres in the GC Zone multiplied by 15 dwelling units per acre (=396 dwelling units) times three people per unit; however, a true number is hard to pinpoint without a development plan to look at.

Mr. Greg Johnson, Shamrock Avenue, opposed the proposed rezoning request based on concerns about Country Club Road, safety, security, infrastructure, and traffic. Mr. Johnson preferred family housing being constructed, as opposed to student housing.

Mr. Kevin Abbey, Land Conservation Manager, ClearWater Conservancy (CWC), expressed the need for the preservation of the adjacent Thompson Woods Preserve (TWP), which was acquired by ClearWater Conservancy and deeded to College Township and the Borough of State College. By conditions established in the TWP Conservation Easement, CWC is required to be the Preserve's steward. Mr. Abbey requested that Council consider the importance of the TWP in their decision. In response to Council inquiry on CWC's position on the proposed 50-foot Open Space buffer along the Preserve, Mr. Abbey stated that CWC was appreciative of the protection and buffering of the Preserve.

Mr. Eli Walters, Pennsylvania Avenue, introduced his wife Lauren and daughter Victoria before offering his opposition to his currently zoned R-2 property being proposed for a change to GC zoning and objecting to his family being ignored and left vulnerable. Mr. Walters requested that Council consider a variant to R-1 zoning that would prohibit PRDs and deny the proposed rezoning request. Mr. Walters recommended that his parcel be rezoned instead to R-1, along with an adjacent parcel that borders the R-1 Zone at the top of the hill, in order to protect his family from 55-foot buildings being constructed within 10 to 30 feet from their house.

Mr. Pete Roy, Winchester Street, opposed the proposed rezoning request due to its benefiting two people at the expense of many. Mr. Roy suggested removing some of the variations; spelling out the transition more with commercial being closer to East College Avenue, and the top of the hill being expanded to more single-family residential.

Mr. Richard Alley, Shamrock Avenue, opposed the proposed rezoning request based on concerns about the high-density residential; lack of bicycle connections; and anticipated increases in traffic both day and night.

Ms. Michele Chernega, Oak Ridge Avenue, asked if College Township could institute no-through traffic on Oak Ridge Avenue and add a turn lane at the bottom of Squirrel Drive. Ms. Chernega expressed concern about the bike crossing; suggested a larger buffer around Thompson Woods Preserve, although would prefer a buffer be identified for the Oak Ridge Avenue neighborhood; asked if there could be some restrictions on lighting; and suggested increasing the CATA bus services and establishing a connection to Slab Cabin Park.

Ms. Jasmin Ruback, President, Vallamont Association, recommended that the proposed rezoning request be tabled so that stakeholders could evaluate the information that has been collected, including environmental impacts and traffic analyses.

Mr. Jimmy Voccolo, Shamrock Avenue, expressed concern about safety.

Mr. Bill Saxton, Lexington Circle, stated that he was a 32-year resident of College Township; expressed concern with density; and recommended that Council rethink the rezoning proposal to consider what the concerns of the homeowners are.

Mr. Dan Klees, Claremont Avenue, former College Township Council member, advised that the purpose of the Gateway Commercial Zoning District is to provide for the redevelopment along East College Avenue between the bypass and State College Borough; stated that mobile home parks are now allowed in the R-3 Zoning District; stated that there was no better zoning for the Hilltop area than what is being proposed; and added that concerns expressed here by residents cannot be addressed because there are no land development plans to look at. Mr. Klees asked that Council not allow the land to stand vacant for years to come.

Council asked Mr. Klees for his thoughts on the suggested revisions to the GC as it applies to the existing GC District. Mr. Klees replied that the residential component in the current GC Zoning District was established because there were existing residences behind Hickey's.

Council asked if Mr. Klees felt that the proposed changes to the GC Zoning District detracted from the GC use; and Mr. Klees stated that the proposed changes do not detract from the GC use.

Mr. Michael Krentzman, Walnut Spring Lane, SEDA-COG Joint Authority Board member and 31-year resident of the Centre Region, asked Council to give this request some more time and thought in order to consider in its review the number of people instead of the number of units allowed under new zoning. Mr. Krentzman expressed concern with new residents destroying the Preserve; did not believe that the GC Zone would discourage the development of student housing; and added that this was being rushed.

Mr. Gordon Kauffman III, E. McCormick Avenue, voiced concern about high-density residential development creating traffic through the park.

Mr. Xiaochuan Hu, Cottonwood Avenue, expressed concern about the lowering of property values, quality of life, security, safety, and traffic through his community, adding that the GC does not give a clear picture of the number of people who could live in this redeveloped area. Mr. Hu stated that there was no evident remedy to the dangerous condition of Country Club Road and that the proposed rezoning request does not provide any protection to the Walters family.

Ms. Laura Contino, Shamrock Avenue, noted that this rezoning has not been a two-year process but closer to three or four months; stated that there was not enough data to support the rezoning or to know the answers; and requested that Council deny the request in order to look at the commercial growth of the community. Additionally, Ms. Contino expressed support for the Walters' position.

Mr. Scott Smith, Cottonwood Avenue, expressed concern with increased traffic; cut-through traffic; and the lack of control over Country Club Road. Mr. Smith supported the Puddintown Road extension; asked if there was any way to stop or decrease traffic, as it is a safety issue; suggested that any future development of the old Mitchell Farm would only add to the traffic; and recommended that more work needed to be done to control the roads.

Ms. Liz Kisenwether, Oak Ridge Avenue, opposed the proposed rezoning request based on concerns about increased traffic turning the area into another North Atherton Street.

Mr. Pat Bisbey, Shamrock Avenue, opposed the proposed rezoning request due to a lack of knowledge about what would be built there once rezoned.

Ms. Christine Novinskie, Squirrel Drive, opposed the proposed rezoning request and asked Council not to rush it in order that a rezoning would accommodate the nearby residents.

Mr. Rodney Hendricks, E. Branch Road, Mitchell Farm property owner, advised that he has no plans to develop his farm, as it is his home. Mr. Hendricks supported the rezoning, as the current GC Zoning District is not wide enough to encourage development, which means that the old buildings along East College Avenue would remain without rezoning.

Mr. Don Wagner, Walnut Spring Lane, stated that, as an infant, he lived in the Hilltop Mobile Home Park and expressed concern about the increased density; the safety of any University students biking to campus along East College Avenue; and the unknown development that could be constructed in the Hilltop area.

Mr. Lynn Herman, Council member, recalled Mr. Greg Johnson for questioning, as it was unclear to Mr. Herman what Mr. Johnson was specifically concerned about in his recent letter to Council. Mr. Johnson replied that he would like to discuss with Mr. Ward the development of family housing vs. student housing.

Atty. Louis Glantz, Township Solicitor, advised that, first, an area is rezoned, then the municipality may review a land development plan for the rezoned area. Under Gateway Commercial zoning, the Township could have all commercial with some apartments or no apartments. However, these specifics, such as how to address traffic, are described on a proposed land development plan.

Mr. Brumbaugh, Township Manager, clarified that Trinitas presented a sketch plan to Council at the same time as making their rezoning request. However, that presentation of their sketch plan was not required in order for College Township to consider their rezoning request. To rezone based on a specific plan is considered by the Commonwealth as “contract zoning” or “spot zoning”; and municipalities are precluded from such.

Hearing no further public comment, Chair Fryer called for a motion to close Public Hearing-3 on Ordinance O-14-07, Hilltop Area Rezoning.

**Ms. Stilson moved to close Public Hearing-3 on Ordinance O-14-07, Hilltop Area Rezoning.**  
**Ms. Shoemaker seconded the motion.**  
**Motion carried unanimously.**

**ADJOURNMENT:**

Chair Fryer adjourned the May 15, 2014, Public Hearing-3 on Ordinance O-14-07, Hilltop Area Rezoning, at 9:03 PM.

Respectfully submitted,

*Adam T. Brumbaugh*

Adam T. Brumbaugh  
Township Manager/Secretary