

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES
Thursday, November 21, 2013**

ATTENDED BY:

COUNCIL: David P. Fryer, Chair
David W. Koll, Vice-Chair
Mary C. Shoemaker
L. Eric Bernier
D. Richard Francke

STAFF: Adam T. Brumbaugh, Township Manager/Secretary
Kent N. Baker, Township Engineer
Robert T. Long, Jr., Finance Director
Michael Heath, Zoning Officer
Mark Holdren, CRPA Sr. Planner
Mary E. Wilson, Asst. Township Secretary

CALL TO ORDER

Chair Fryer called to order the November 21, 2013, College Township Council Regular Meeting at 7:45 PM following public hearings on Ordinances O-13-06, Lieb Rezoning Request, and O-13-07, Government Offices.

OPEN DISCUSSION:

Ms. Sue Smith, President, Lemont Village Association (LVA), invited the public to attend the LVA's *Christmas in Lemont* event on December 6 and 7 at the Grain Elevator and Village Green.

MANAGER'S UPDATE:

Mr. Adam Brumbaugh, Township Manager, presented the November 21, 2013, Manager's Update. Council received this report without comment.

CONSENT AGENDA:

- CA-1** Minutes: November 7, 2013, Regular Council Meeting.
- CA-2** Correspondence: /1: Ltr from Benner Township, dtd Nov. 5, 2013, regarding Spring Benner Walker Joint Authority Meeting Minutes.
/2: Ltr from Rettew, dtd Nov. 7, 2013, Re: Water Quality Management Permit; UAJA.
- CA-3** Burn Waiver Request: Mr. Jeffrey Schmid, 2404 Buchenhorst Road for Japanese Knotwood, as per COG Fire Director criteria.
- CA-4** Policy Approval: Policy P-005, Rev. 3; Open Records (with required, revised request form).
- CA-5** Agreement: Modified CTWA/CRPRA/COG/CT Council Lease Agreement at Oak Hall Park.

**Ms. Shoemaker moved to approve the November 21, 2013, Consent Agenda, as presented.
Mr. Koll seconded the motion.
Motion carried unanimously.**

OLD BUSINESS:

OB-1 Ordinance O-13-06; Lieb Rezoning Request

Ordinance O-13-06, Lieb Rezoning Request, proposes an amendment to the College Township Zoning Map to rezoning College Township Tax Parcel 19-006-,008-,0000 from Rural Residential (RR) to Single-Family Residential (R-1). This wooded, four-acre parcel is situated along Villa Crest Drive adjacent to the Panorama Elementary School. This proposed ordinance amendment went to a duly advertised public hearing this date and was before Council for comment and action.

Council considered traffic impacts, stormwater improvements, pedestrian safety, lot sizes, sidewalks, school cut-throughs, and consistencies with the regional comprehensive plan before receiving public comments.

Mr. Francke noted that issues raised by the public during the public hearing on this rezoning request could be addressed during the required land development review process and noted that this request is consistent with the Centre Region Comprehensive Plan, offers infill, and believes the developer would be utilizing larger lot sizes that could be complementary.

Ms. Claire Behe, 143 Panorama Drive, reported that one school bus comes into Panorama Village to pick up students and reminded Council that there are no sidewalks in the subdivision, although there are always children walking along the road.

Ms. Lauren Haag, 148 Villa Crest Drive, added that school buses other than those picking up local students use Villa Crest Drive as a cut through.

Ms. Carla Stilson, 1528 Puddintown Road, asked if turning Villa Crest Drive into a one-way road or an emergency-out only would offset the traffic problem; and staff reported that development at the Lieb property would not be significant to warrant such modifications.

Ms. Shoemaker expressed concerns over losing Township Agriculture or Rural Residential zoning properties and was not in favor of making the school district land all R-1.

Chair Fryer suggested that, if the rezoning were to be approved, staff should look at the road width and hold the developer to the Township standards.

Mr. John Corr, 221 Villa Crest Drive, raised the issue of sink holes and questioned whether or not the substrata could hold the stormwater runoff. Mr. Corr recommended that this request be tabled in order to allow this matter to be studied.

Mr. John Lieb, property owner and developer, stated that, if a study were requested, it would be done regardless of the zoning. Mr. Lieb advised that this property would be developed whether under current RR zoning or the requested R-1, adding that problems in the vicinity existed prior to any consideration of a rezoning.

Council held further dialogue on stormwater issues, traffic impacts, and lack of sidewalks prior to taking action on this ordinance amendment.

Mr. Koll moved to approve Ordinance O-13-06, Lieb Rezoning Request, for Tax Parcel 19-006-,008-,0000 from Rural Residential (RR) to Single-Family Residential (R-1). Ms. Shoemaker seconded the motion.

Mr. Bernier asked a procedural question relative to a non-residential development coming forward for this site, which could trigger a traffic study that might require traffic/transportation modifications. Mr. Holdren, CRPA Sr. Planner, advised that off-site improvements cannot be required of a development on a private street, such as Villa Crest Drive.

**Chair Fryer called the question.
Motion failed 1 – 4 (Fryer, Francke, Bernier and Shoemaker voting nay).**

OB-2 Ordinance O-13-07, Government Offices

Ordinance O-13-07, Government Offices, proposes an amendment to the College Township Code by amending the definition of “Government Office”, amending the parking requirements for government-operated medical clinics, and adding “Government Office” as a

permitted use-by-right in the General Industrial Zone (I-1). A duly advertised public hearing on this proposed ordinance was held this date, and the ordinance was before Council for comment and action.

Ms. Shoemaker opposed changing the General Industrial (I-1) Zoning District, although supported the concept of a VA clinic in the Township.

Mr. Koll spoke in support of the ordinance amendment.

Mr. Bernier questioned whether or not it was too late to rezone the entire piece that borders College Avenue for another use.

Mr. Brumbaugh, Township Manager, advised that College Township already allows a number of different uses in the I-1 Zoning District, such as corporate office and professional office. This ordinance amendment would allow a slight expansion because the Code currently excludes medical offices, even though it allows other office uses, such as software offices and pharmaceutical research.

Mr. Francke offered support for the reduction of the Township's I-1 inventory.

Chair Fryer stated that he had no philosophical objection to this ordinance amendment, which would allow for a VA clinic in the Industrial Zone.

Ms. Sue Smith, Dale Street, Lemont, asked if the cheerleading school was located in the I-1 Zone; and staff confirmed.

Mr. Pat Vernon, 585 Walnut Spring Lane, State College, supported the development of a VA clinic in College Township.

Chair Fryer moved to approve Ordinance O-13-07, Government Offices, to amend the definition of "Government Office", amend the parking requirements for government-operated medical clinics, and to add Government Office as a permitted use-by-right in the General Industrial Zone (I-1).

Mr. Koll seconded the motion.

Ms. Shoemaker questioned why the use of a particular parcel could not be approved without having to affect the entire Industrial Zone.

Mr. Vernon asked if Council could approve this motion and then start the rezoning process on the rest of it.

Chair Fryer called the question.

Motion carried 3 – 2 (Francke, Shoemaker voting nay).

NEW BUSINESS:

NB-1 Rezoning Requests

a. Hilltop Mobile Home Park Rezoning Request; b. Hendricks Rezoning Request; and c. Mitchell Rezoning Request

In correspondence to Council, dated November 15, 2013, Mr. Mark Holdren, CRPA Sr. Planner, reported that College Township was in receipt of four rezoning requests from separate property owners, the first three of whom were represented by Uni-Tech Engineering President Patrick J. Ward, P.E. The requests are as follows:

- a. Hilltop Mobile Home Park – from Mobile Home Park Zoning to three zoning districts; namely, Gateway Commercial, Two-Family Residential, and Parkland and Open Space;
- b. Mr. Rodney Hendricks – from Mobile Home Park and Two-Family Residential to Gateway Commercial;
- c. Mr. John H. Mitchell, Jr. – from Mobile Home Park to Two-Family Residential; and
- d. Barn Brewing Company, LLC – to Gateway Commercial. Developer of the Barn Brewing Company requested expedited consideration to assist them in alleviating a parking problem they are experiencing at their business on Elmwood Street.

All four properties are in the vicinity of the Hilltop Mobile Home Park, and Mr. Holdren, CRPA Sr. Planner, suggested that Council had three options in responding to them. Council could remand them to Planning Commission (PC) as presented; remand the requests to PC with modifications to the boundaries of the proposed zoning designations; or deny the requests outright. Mr. Holdren requested Council's direction on whether or not to address the Barn Brewing request separately from the others in order to address their particular circumstances. Staff supported this fourth request being considered separately due to its access being different from the others.

Council inquired about the two adjoining single-family parcels being considered as part of this request; additional parkland requirements; buffering along the southwest side between the Hilltop parcel and the Thompson Woods Preserve; densities; and official map considerations relative to access.

Mr. Greg Somers, Managing Partner, Barn Brewing Company, LLC, stated that he was willing to be considered as part of the whole review process; however, if that combined request might entail a longer term process, he would want his request to be considered separately.

Mr. Robert Ceschini, 1230 Shamrock Avenue, inquired into the availability of a Planned Residential Development (PRD) for these sites; and staff advised that a PRD could be utilized on the R-2 portion. Mr. Ceschini spoke in opposition to the development of this site under PRD criteria.

Mr. Russ Graham, 864 Shamrock Avenue, expressed opposition to higher densities at these sites, adding that what is in the best interest of the Township may not be in the best interest of the nearby residents of a development.

Ms. Michele Chernega, 1039 Oak Ridge Avenue, expressed concern about the rezoning of these properties based on increased traffic and density and opposed this going to Planning Commission.

Ms. Carla Stilson, 1528 Puddintown Road, state that semantics used with R-2 zoning is misleading relative to two-family R-2 and requested an explanation from staff on two-family units in the R-2 Zoning District.

Mr. Holdren explained that the R-2 Zoning District allows up to 14.52 dwelling units per acre and could include schools, churches, duplexes, and townhomes, regardless of whether the units are owner occupied or rentals. Mr. Holdren further explained that under PRD criteria, a developer is afforded greater flexibility in terms of what types of residential uses could be incorporated, which could include, under this special Council-developer negotiated process, an increase of up to five unrelated individuals per dwelling unit and up to 15 units per acre. When considering a PRD, the Township Council would be afforded the ability to restrict aspects of the development that it would not have the ability to mitigate or control under the standard Township ordinance regulations.

Mr. Ceschini asked what recourse residents have to prevent a PRD from being considered on this site, as increasing density was a concern. Staff advised that The Villas at Happy Valley is an example of a development that increased its density without utilizing the PRD process. Therefore, controlling a developer's use of the PRD process was no guarantee that the chosen density would not be high.

Mr. Brumbaugh agreed to gather some additional information from the township solicitor on this aspect of land development and provide that to Mr. Ceschini.

Ms. Kathleen Kuhns, 942 Shamrock Avenue, expressed disappointment with the depth of the Gateway Commercial Zoning District off of E. College Avenue and preferred an R-1 development for the lands being considered for this rezoning.

Mr. Greg Johnson, 1240 Shamrock Avenue, suggested that recourse for residents against this rezoning would be to go to the newly elected officials coming into office at the new year.

Mr. Ward, Uni-Tech Engineering, volunteered to meet with residents to discuss their concerns relative to the development of this parcel. Mr. Ward added that the developer is trying to

arrive at a zoning scheme appropriate to this property, not for a specific buyer waiting in the wings.

In response to Mr. Bernier's stated preference for more succinct direction being given to PC, Mr. Koll replied that it was important that PC be given the flexibility to review and develop what they believe to be the optimal zoning for these parcels, a recommendation they believe would be in the best interest of the entire Township, not just the local residents.

Mr. Francke moved to remand the rezoning requests on the Hilltop Mobile Home Park, Rodney Hendricks property, and John H. Mitchell property to Planning Commission (PC) with the flexibility, but with some guidance from Council that PC is to review the plan as proposed with appropriateness of buffers on the property; the use of various residential planning districts and the Gateway Commercial District within that for what is most beneficial to the Township and the local residents; and that Planning Commission also considers any adjoining parcels not part of this recommendation for the appropriateness of rezoning those parcels as part of this request.

Mr. Bernier seconded the motion.

Ms. Shoemaker asked if Council could be advised as to the maximum density that this presented scenario would offer, and Mr. Holdren agreed to provide that information.

Motion carried unanimously.

d. Barn Brewing Company Rezoning Request

Mr. Koll moved to remand the Barn Brewing Company, LLC, rezoning request to Planning Commission to evaluate the rezoning request to Gateway Commercial.

Ms. Shoemaker seconded the motion.

Motion carried unanimously.

Chair Fryer called for a five-minute recess at 9:50 PM, reconvening the meeting at 9:55 PM.

NB-2 2014 Tentative College Township Budget; Approval of and Setting of Public Hearing

Council held a Special Meeting on November 18, 2013, for the purpose of reviewing the Proposed 2014 College Township Budget.

Mr. Brumbaugh advised that the 2014 College Township Tentative Budget calls for no tax increase on total revenues of \$5,935,743 and total expenditures of \$6,845,405. The 2014 tax

rate will remain at 4.9 mils on an assessed property valuation total of \$424,340,000.

Ms. Shoemaker moved to approve the College Township 2014 Tentative Budget, advertise same in accordance with the Second Class Township Code, and schedule a public hearing on the 2014 Budget for Thursday, December 19, 2013.

Mr. Koll seconded the motion.

Motion carried unanimously.

NB-3 Proposed Newly Elected Officials' Orientation Presentation; Review of

Mr. Brumbaugh provided to each Council member a CD containing a draft newly elected officials orientation PowerPoint presentation and requested that Council members review that CD and provide comments to staff. Offered modifications will be incorporated into a final orientation product to be presented to new and existing Council members prior to the January Reorganization Meeting.

STAFF AND ABC INFORMATIVES:

No comments on "Staff and ABC Informatives" were forthcoming.

OTHERS MATTERS:

No 'Other Matters' were presented.

COMMITTEE REPORTS:

Finance Committee, November 19, 2013: Ms. Shoemaker reported that the Finance Committee received a presentation from the COG staff, highlighting budget reductions and adjustments. The Committee also considered whether or not funds should be budgeted to improve the access road to the John Hess Softball Field Complex. Committee members recommended the removal of the accessway's passing lane prior to any COG budget consideration.

Joint Public Safety Committee and Public Services and Environmental Committee, November 13, 2013: Messrs. Koll and Francke reported that this annual joint meeting included representatives from PennDOT, utility companies, and fire and police departments. Attendees learned that the new 911 radio system coverage is 98.6% of Centre County, as opposed to 48% of the old systems' coverages.

Parks Capital Committee and Centre Region Recreational Authority Board, November 14, 2013: Mr. Bernier reported that attendees at this joint meeting received updates on Oak Hall Regional Park and Whitehall Road Regional Park. The development of the latter is connected to the development of the adjoining Toll Brothers property, which has now begun its land

development review process. Attendees discussed the “CRPR Strategic Plan” and the “CRPR Regional Parks Business Plan”; and reviewed Harris Township’s request for COG’s assistance with the Hess Softball Field Complex driveway access.

ADJOURNMENT:

Hearing no further matters for discussion, Chair Fryer adjourned the November 21, 2013, College Township Council Regular Meeting at 10:10 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary