

ATTENDANCE

Planning Commission

John O'Neil, Chairman
Kate Domico, Vice-Chairman
Bill Steudler, Secretary
Brian Rater, Alt. Secretary
Paul Silvis
Robert Prosek
Richard Schmidt

Township Staff

Stephen Casson, Township Engineer/Dir. Public Works
Ken Soder, Zoning Officer
Greg Garthe, CRPA
Nicole Harter, Public Works Secretary

Audience

Chad Stafford, Penn Terra Engineering
John Sepp, Penn Terra Engineering
Mark Torretti, Penn Terra Engineering
Robert Poole, 1752 North Atherton Street Associates
Heidi Nicholas, 1752 North Atherton Street Associates
Ara Keruamtian, 1752 North Atherton Street Associates
John Crouse, Sanders & Crouse Architects
Vince Romanini, Wynwood House
Rich Francke, UPPC
Betsy Whitman, Resident - 133 Sandy Ridge Road

1. CALL TO ORDER – REGULAR MEETING

The April 3, 2017 regular meeting was called to order at 7:02 PM by Chairman, Mr. John O'Neill.

2. ITEMS OF CORRECTION

There were no additions or deletions to the agenda.

3. APPROVAL OF MINUTES

Meeting minutes from the March 13, 2017 combined Regular Meeting and Work Session were brought before the Planning Commission for approval.

Mr. Robert Prosek made a motion to approve the meeting minutes as submitted. The motion was seconded by Mr. Brian Rater. The motion passed with a vote of 7-0.

4. PUBLIC COMMENTS

There were no public comments at this point in the meeting.

5. NURSING HOME – NVSC LOT 3 – 2350 BERNEL ROAD

Patton Township received a land development plan that proposes to construct a nursing home facility on the 3.9 acre Lot 3 of the Nittany Valley Sports Centre site. Lot 3 is located in the Mixed-Use area of the Planned Airport District (PAD) and is adjacent to the proposed Nittany Valley Sports Centre building and outdoor sports field on Lot 1A, and the existing group home on Lot 2. The plan proposes to construct a 20,400 square foot 40-bed nursing home facility and related parking areas and sidewalks. A total of 28 parking spaces will be provided (2 ADA). Total impervious coverage on the lot will be 50,241 (30%).

5. NURSING HOME – NVSC LOT 3 – 2350 BERNEL ROAD (cont.)

“Nursing homes” are not currently permitted in the PAD but the use is under consideration by the Board of Supervisors. On January 25, 2017, the Board held a public hearing for an ordinance that would allow the use in the Mixed-Use, Non-residential, and Residential areas of the PAD, but did not approve it and sent the item back to the Planning Commission for further discussion. At their March 13, 2017 meeting, the Planning Commission recommended approval of a revised ordinance that would permit nursing homes in the Mixed-Use area of the PAD only. At their March 22, 2017 meeting, the Board of Supervisors set an April 26, 2017 public hearing for the ordinance and also approved the Revised Master Plan for the Nittany Valley Sports Centre, which does not indicate construction of a nursing home on the lot. Therefore, any recommendation to approve of this land development plan must be conditioned on approval of the use of nursing homes.

Per PAD master planning requirements, when a minor change to an approved master plan is proposed as part of a subdivision or land development plan, the developer is not required to submit an amended master plan. The change will be approved through the normal review process for subdivision and land development plans, so approval of this plan must also include this condition.

Township Staff finds that the Plan meets all Township regulations upon completion of all items noted on Staff’s marked up comment letter, approval of “nursing homes” as permitted use in the PAD, and acceptance of a minor revision to the Nittany Valley Sports Centre Master Plan, which changes the proposed development on Lot 3.

Mr. Chad Stafford, Penn Terra Engineering, presented the land development plan and was available to answer any comments or questions from the Planning Commission.

Mr. Stafford noted they have requested a waiver from installing the sidewalk along Bernel Road. Mr. Stafford does not believe that the sidewalk will be used and is concerned with the speed along Bernel Road.

Ms. Kate Domico and Mr. Brian Rater expressed concern for not having the sidewalk for those using the sports complex and those living in the proposed duplexes. Mr. Stafford and Mr. Vincent Romanini, Wynwood House, is concerned with the speed and asked for the possibility to have a note added to the plan that the Township could require the installation of the sidewalk on a certain date.

The Planning Commission asked Staff their feelings on the sidewalk. Mr. Ken Soder noted that in reviewing the plans and issuing the comment letter, there needs to be a sidewalk and at this time, that it why it is a discussion item. Mr. Steve Casson noted that the Board conditionally approved Lot 5 of the Development with the condition that the sidewalk be installed along Bernel Road.

Mr. Stafford noted that they would pull the request for the waiver of the sidewalk since the Board of Supervisors requested that the sidewalk be installed along Bernel Road.

5. NURSING HOME – NVSC LOT 3 – 2350 BERNEL ROAD (cont.)

Mr. Paul Silvis made a motion to recommend approval of the Nursing Home – NVSC Lot 3 – 2350 Bernel Road Land Development Plan upon completion of minor/technical items as noted on the staff comment letter, approval of “nursing homes” as a permitted use in the PAD, and acceptance of a minor revision to the Nittany Valley Sports Centre Master Plan. The motion was seconded by Mr. Robert Prosek. The motion passed with a vote of 7-0.

6. SELF-STORAGE FACILITIES IN THE PLANNED AIRPORT DISTRICT

Mr. Greg Garthe noted that the owners of Tax Parcel 18-002-029C, a 13.6 acre parcel located along Bernel Road in the Mixed-Use and Non-residential areas of the Planned Airport District (PAD) have requested that the Township revise the PAD zoning regulations to permit a business that would lease self-storage units to the general public. Additionally, the owners of Parcel 18-002-029B, a 10 acre parcel at the intersection of Bernel Road and Fox Hill Road in the Non-residential area of the PAD, have also requested that the Township revise the PAD zoning regulations to permit self-storage units in the Non-residential area of the district.

The use, or anything similar, is not currently permitted in the district. Recall that unlike most zoning districts, the PAD tightly details specific types of allowed uses, and if a use is not listed in the table of Permitted Uses it is deemed to be prohibited. Furthermore, the permitted uses are subcategorized as residential uses, commercial uses, and general airport area uses.

The PAD regulations also strictly prohibit certain uses as a protection of the State College Borough Water Authority well field that lies east of Fillmore Road. These include uses such as storage, treatment, or disposal of hazardous or solid waste, scrap and junkyards, and several other uses. In addition, a buffer of at least 150 feet is required from all designated well sites. No buildings, structures, parking lots, or other impervious surfaces are permitted to be constructed within the buffer yard.

At their November 7, 2016 meeting, the Planning Commission discussed the request to allow the use and recommended approval of an ordinance that would permit it in the Non-residential and Mixed-Use areas of the PAD. At their November 16, 2016 meeting, the Board of Supervisors set a January 25, 2017 public hearing for the ordinance. The Centre Regional Planning Commission and the Centre County Planning and Development Office have both supported the use and offered no comments.

The ordinance proposed to add self-storage facilities as a commercial use in the Non-residential and Mixed-Use areas of the district. Currently, a limited number of commercial uses are allowed in both areas, including eating and drinking establishments, neighborhood shopping centers (not to exceed 75,000 square feet), and retail trade. Several additional commercial uses are permitted in the Non-residential area including amusement enterprises, business services, hotels and motels, and motion picture theaters.

6. **SELF-STORAGE FACILITIES IN THE PLANNED AIRPORT DISTRICT (cont.)**

At the public hearing, a number of attendees and several of the Board members voiced concerns related to the use. At the conclusion of the public hearing, the Board elected not to adopt the ordinance, but to instead refer the comments to the Planning Commission for further discussion. Additionally, the Manager received comments via email from a representative of the University Park Airport. The comments are provided as a memorandum included with the agenda. A copy of the memorandum has also been provided to the applicants to make them aware of the concerns. They were asked to attend the March 13, 2017 meeting to address the comments and any additional questions.

In response to the comments offered and upon further staff discussion, an updated ordinance that may address some of the concerns related to the potential for unlawful storage of hazardous materials has been provided to the Planning Commission.

Mr. John O'Neill noted that during the public hearing, traffic was a concern. Mr. Mark Torretti, Penn Terra Engineering, addressed the Planning Commission and noted that the trips for an office use on a Saturday and a weekday, would generate more traffic than that of a storage facility site.

Mr. John O'Neill recalled a discussion on aesthetics and the concern of storage of items outside of the structure. Mr. Ken Soder noted that the self-storage would not have any exterior storage, such as recreational vehicles.

Mr. Rich Franke, UPPC, noted that they have other facilities; some have fencing and some do not. Mr. Brian Rater asked why some would have fencing. Mr. Franke noted that fencing is sometimes used when the facility is gated.

The Planning Commission agreed to note in the ordinance that all storage must be inside the structure and no outside storage.

Mr. Brian Rater made a motion to recommend approval of the Self-Storage Facilities in the Planned Airport District Ordinance and to add an item that all items be stored within the structure. The motion was seconded by Mr. Bill Steudler. The motion passed with a vote of 7-0.

7. **SOLAR ENERGY SYSTEMS ORDINANCE**

Mr. Greg Garthe noted that the Planning Commission has been working to develop an ordinance to regulate solar energy systems in the Township. The latest version of a draft ordinance was presented for action at the December 5, 2016 Planning Commission meeting, but clarification on several items was requested and action was deferred to a future meeting.

The Planner has contacted the North Carolina Clean Energy Technology Center, who developed the US Department of Energy's recommended guidance document, *Template Solar Energy Development Ordinance for North Carolina*, and the Federal Aviation Administration (FAA) for clarification on two glared-related items. Recall that the template had been used as a resource for developing the Patton Township ordinance.

7. **SOLAR ENERGY SYSTEMS ORDINANCE (cont.)**

One item of clarification was the recommended distance around airports wherein a solar developer proposing facilities of a certain size would be required to notify the airport to ensure that there would be no adverse impacts to aviation. Installations on airport property are subject to the *FAA Interim Policy on Solar Energy Projects on Federally Obligated Airports*, but “off-airport” projects are not. Information related to a recommended distance for off-airport installations that would trigger notification of the local airport has been provided to the Planning Commission in the form of an email correspondence with an Aviation Planning Specialist at the FAA. Accordingly, changes to the draft ordinance have been proposed.

The other item of clarification was related to the provision stating that “*the solar energy system will have no ocular impact or low potential for temporary after-image ocular impact for no more than a half hour in any given day*”. The FAA representative agreed that, from an aviation perspective, the provision related to ocular impacts is advisable, but did not recommend any specific time limit for which this level of glare should be maintained. Glare and glint, such as that which occurs naturally from the sun, cannot be completely eliminated and the representative recommended utilizing the Forge Solar Glare Gauge tool (referred to as SGHAT in the FAA policy) to provide some level of assurance to the Township that any glare or glint from the system will have a minimal impact on adjacent properties, roadways, etc. Accordingly, the provision in the draft has been revised to remove the specific reference to a time limit and to add the ocular hazard plot used by the FAA for greater clarity.

Planning Commission members were also contemplating whether the required glare study from the Glare Gauge tool should be provided by a qualified professional. Currently, the draft ordinance requires the use of the Glare Gauge tool, which is strongly encouraged by the FAA for off-airport projects (required for proposals on airport property) and is intended to be used as a means of demonstrating any glare impacts from a system based on a series of user-defined inputs, but the policy does not specify who must submit the study. However, the Planning Commission may wish to consider incorporating either of the following definitions from the Township Code and the PA Municipalities Planning Code as a means of specifying who must submit the study:

REGISTERED PROFESSIONAL (*from Patton Twp. Code*)

An individual registered in and licensed by the State of Pennsylvania and authorized to certify subdivision and land development plans in accordance with §503.(1) of the Pennsylvania Municipalities Planning Code.

PROFESSIONAL CONSULTANTS (*from PA MPC*)

Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects, or planners.

Mr. John O’Neill asked what the basis for the level of glare is and is concerned without having that information. Mr. Greg Garthe noted that the proposal would be looked at as to what impact would take place. Resident, Ms. Betsy Whitman, noted that she has researched and has noted that there is a technical way to measure glare.

7. SOLAR ENERGY SYSTEMS ORDINANCE (cont.)

Mr. Ken Soder noted that when a professional engineer or land surveyor surveys, they are putting their license on the line that what they have performed is according to the state requirements.

Mr. Paul Silvis made a motion to recommend forwarding the Solar Energy Systems Ordinance onto the Board of Supervisors with the addition of having a registered professional submit the glare study. The motion was seconded by Mr. Brian Rater. The motion passed with a vote of 7-0.

8. FERGUSON TOWNSHIP OFFICIAL MAP AMENDMENTS

Mr. Greg Garthe noted that Ferguson Township is proposing updates to their Official Map. An Official Map is a map and ordinance adopted by the municipal governing body that typically shows elements related to the municipal or regional comprehensive plan such as public lands and facilities including, but not limited to:

- Existing and proposed public streets, watercourses and public grounds, including widenings, narrowings, extensions, diminutions, openings or closing of same.
- Existing and proposed public parks, playgrounds, and open space reservations.
- Pedestrian ways and easements.
- Railroad and transit rights-of-way and easements.
- Flood control basins, floodways and floodplains, stormwater management areas and drainage easements.
- Support facilities, easements, and other properties held by public bodies undertaking the elements described in the comprehensive plan.

Pursuant to Section 402(b) and 408(c) of the Pennsylvania Municipalities Planning Code, if there are existing or proposed streets or public lands that lead into any adjacent municipality, the Township is required to transmit a copy of the proposed ordinance and map to the adjacent municipality for comments.

The current Ferguson Township Official Map was adopted in 2001 and amended in 2008. The amendments proposed with this revision relate to numerous goals, objectives, and policies of the 2013 Centre Region Comprehensive Plan in the areas of open space, municipal resources, and transportation, and specifically include the following elements which are intended to lead into Patton Township:

1. A proposed public bicycle facility along Valley Vista Drive, a municipally-owned roadway in Ferguson and Patton Township, and;
2. a proposed public bicycle facility from the Tudek Circleville Bikeway at West Aaron Drive through Copper Beach II into Patton Township.

Staff offers the following comments on the proposed updates to the Ferguson Township Official Map as they relate to connectivity with Patton Township:

8. **FERGUSON TOWNSHIP OFFICIAL MAP AMENDMENTS (cont.)**

Proposed Bicycle Facilities

1. The proposed public bicycle facility along Valley Vista Drive will provide excellent connectivity to the proposed Valley Vista Path shared use facility in Patton Township, which will help improve safety for cyclists and motorists utilizing Valley Vista Drive.
2. The proposed public bicycle facility from the Tudek Circleville Bikeway at West Aaron Drive through Copper Beach II into Patton Township appears to terminate within an area of multi-family dwellings, offering little benefit to residents and the general public in Patton Township. However, it may provide future opportunities to extend the path to connect to residential streets in the Park Forest neighborhood or into future redevelopments of the former mobile home park sites along North Atherton Street.

Other Comments

1. Some of the municipal labels on the map are missing or incorrectly placed. There is no label for Patton Township and there are extraneous labels for College Township and State College Borough placed in Halfmoon Township. *(from Board of Supervisors – March 22, 2017)*

The Planning Commission had no further comments related to Ferguson Township's map amendments.

9. **STATUS ON PENDING ITEMS**

There were no comments from the Planning Commission on the pending work task items.

10. **REPORTS**

No additional reports were given.

11. **OTHER BUSINESS**

There was no other business brought before the Planning Commission.

12. **ADJOURN – REGULAR MEETING**

The meeting was adjourned at 8:13 PM.

ATTENDANCE – WORK SESSION

Planning Commission

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John Crouse, Sanders & Crouse Architects
Betsy Whitman, Resident - 133 Sandy Ridge Road

13. CALL TO ORDER – WORK SESSION MEETING

The April 3, 2017 work session meeting was called to order at 8:14 PM by Chairman, Mr. John O’Neill.

14. REQUEST TO CONSIDER REZONING OF FORMER PENN STATE MOBILE HOME PARK AND ADJACENT PARCELS

From the March 22, 2017 Board of Supervisors agenda:

The developers of the subject parcel have submitted a request to have the Township consider their request to rezone the properties for a mix of commercial and residential development. The agenda materials include a request letter and conceptual graphics showing a potential layout for the property.

The Manager will discuss potential routes to enable mixed-use development on the property.

End of agenda materials

The Board referred the request to the Planning Commission for further study. The request includes the former Penn State Mobile Home Park property and two adjacent parcels. The total site is approximately 30 acres and has frontage on North Atherton Street (SR 3014) and Park Forest Avenue (T-669). The existing access points to the site are near the North Atherton Street/Woodycrest Street intersection. The mobile home park, which was located on tax parcel 18-012-,021-,0000-, officially closed in 2014 and the only structures that remain include the Penn State Home Sales building and several associated outbuildings. Tax parcel 18-012-,020-,0000- contains the Hawbaker-Brower Building and several accessory structures, and tax parcel 18-012-,177-,0000- is a small Patton Township open space park, known as Northbrook Green, which contains no recreational amenities.

14. **REQUEST TO CONSIDER REZONING OF FORMER PENN STATE MOBILE HOME PARK AND ADJACENT PARCELS (cont.)**

The developers are requesting a rezoning of the properties in order to redevelop the site as a mixed-use development called Patton Crossing. The request letter and a conceptual master plan for the site has been provided as an attachment. The developers have been asked to attend the April 3, 2017 Planning Commission meeting to present their concept for the site. The vision is to redevelop the land as a town-center style development that would include residential and commercial uses. The concept plan proposes a grocery store, hotel, commercial/office buildings, commercial/residential buildings, and several multi-family residential structures. The properties lie within the C1 (General Commercial), R3 (Medium Density Residence), and R2 (Low Density Residence) zoning districts. Under the existing zoning, some of the uses proposed in the concept plan would not be permitted in parts of the site. Therefore, the proposed type of development cannot occur on the site under existing zoning regulations. Maps of existing conditions and zoning on the site have been included with the agenda.

If the Planning Commission wishes to achieve this type of development on this site, the following rezoning options may be considered:

- Establish a new zoning district because there are no existing districts that would facilitate this type of development on a site of this size. See comments related to the Mixed-Use Overlay below.
- Rezone the properties to C2 (Planned Commercial) and amend the Township's existing Mixed-Use Overlay District to allow it to be applied in the C2 district. The existing overlay can only be applied to C1 properties.
- Rezone the properties to C2 (Planned Commercial) and create a new Mixed-Use Overlay District that could be applied in the C1 or C2 districts.

In the scenarios where a Mixed-Use Overlay District would be applied, staff recommends that the regulations are structured so that any rezoning of the site would be required to utilize the overlay zoning to ensure that any proposed development is consistent with the intended use of the site. The Mixed-Use Overlay District was developed to "permit and encourage a mix of land uses on previously developed lands and in new construction in the C1 General Commercial zoning district" but was generally intended for smaller sites (less than 3 acres). However, because of the size of this site and the proposed uses, the setback requirements of the C2 district would offer greater flexibility than the C1 setbacks. Staff recommends that any rezoning for this type of development would utilize C2 base zoning with the mixed-use overlay. The Mixed-Use Overlay regulations have been provided as an attachment.

Staff also recommends that any new zoning district or overlay district should include master planning requirements. Master plans are required in several of the Township's zoning districts, such as the Planned Community District, and any land development plans are required to be consistent with their approved master plans. Master plan requirements might include proposed phasing/scheduling, a narrative statement, architectural renderings, a transportation impact report, and other details related to the overall development site.

14. **REQUEST TO CONSIDER REZONING OF FORMER PENN STATE MOBILE HOME PARK AND ADJACENT PARCELS (cont.)**

A Traffic Impact Study (TIS) is currently being performed by the developers and will be required for Township review prior to any consideration of rezoning. The Township expects to receive the TIS in the near future.

In considering the proposed redevelopment of the site, the following additional topics should be discussed:

- Vehicular connections to Park Forest Avenue and the adjacent vacant Temple property (former site of the Franklin Manor Mobile Home Park)
- Traffic mitigations for impacts to surrounding roadways based on the TIS
- Public and private roads on the site
- CATA service/bus stop(s) within the site
- Bicycle and pedestrian connections to and from surrounding properties including, but not limited to Northbrook Greens and Aaron Drive apartments
- Affordable housing provisions (onsite, offsite, or fee-in-lieu)
- Opportunities for small retail activities (non-chain retail space)
- Onsite parkland/open space requirement
- Parkland 'swap' with existing open space along Park Forest Avenue

Mr. Bob Poole, 1752 North Atherton Street Associates, presented the proposed project and request to consider the rezoning of the former Penn State Mobile Home Park.

Mr. Brian Rater asked what the property is currently zoned as. Mr. Ken Soder noted that it is zoned C-1 (General Commercial) and R-3 (Multi-Family Residential). Mr. Soder noted that it would be zoned C-2 with an overlay applied.

The Planning Commission was in favor of the project and requested Township Staff work with the developers to begin working on a proposed ordinance.

15. **ADJOURN – WORK SESSION MEETING**

The meeting was adjourned at 8:50 PM.