

ATTENDANCE

Planning Commission

Kate Domico, Chairman
Bill Steudler, Vice-Chairman
Brian Rater, Secretary
Richard Schmidt, Alt. Secretary
Robert Prosek

Township Staff

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

Audience

Kathleen Domenity, Resident
Brian Henry, Resident
Mary Lou Dubil, Resident
Jim Payne, Resident
Anita Thies, Resident
Mel Mark, Resident
Charlie Campbell, Glenn O. Hawbaker, Inc.
Heidi Nicholas, 1752 North Atherton Street Associates
Bob Poole, 1752 North Atherton Street Associates
Dan Trevino, Patton Township Board of Supervisors

1. CALL TO ORDER – REGULAR MEETING

The March 12, 2018 regular meeting was called to order at 7:00 PM by Chairman, Ms. Kate Domico.

2. ITEMS OF CORRECTION

There were no additions or deletions to the agenda.

3. APPROVAL OF MINUTES

Meeting minutes from the January 8, 2018 combined Organizational/Regular Meeting and Work Session were brought before the Planning Commission for approval.

Mr. Bill Steudler made a motion to approve the meeting minutes as submitted. The motion was seconded by Mr. Robert Prosek. The motion passed with a vote of 5-0.

4. PUBLIC COMMENTS

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

5. WALMART #1640 – ONLINE GROCERY PICK-UP

Mr. Greg Garthe noted that Patton Township has received the land development plan that proposes the construction of a covered outdoor pick up area for Walmart's online grocery service. The site is located at 1665 North Atherton Street in the Planned Commercial (C2) zoning district. The plan proposes the demolition of 11 existing parking spaces adjacent to the northeast side of the Walmart store, and the construction of seven new parking spaces and a canopy.

Township Staff finds that the Plan meets all Township regulations upon completion of all items noted on Staff's marked up comment letter.

5. **WALMART #1640 – ONLINE GROCERY PICK-UP (cont.)**

Mr. Bill Steudler made a motion to recommend approval of the Walmart Online Grocery Pick-up Land Development Plan, upon completion of the minor/technical items as noted on Staff's comment letter. The motion was seconded by Mr. Robert Prosek. The motion passed with a vote of 5-0.

6. **ORDINANCE REMOVING THE TOWN CENTER REQUIREMENTS FOR THE GRAY'S WOODS PLANNED COMMUNITY**

Mr. Greg Garthe noted that at the December 2017 and January 2018 Planning commission meetings, the members discussed the need for a town center in the Gray's Woods Planned Community. Currently, a town center is required by the Planned Community zoning regulations, and the master plan for the community. The discussion was initiated by a request from the Gray's Woods Partnership to modify certain elements of the town center requirements due to a belief that there may not be any interest from the commercial development community to build anything in the town center, and the ordinance requirement was not viable. Modifying the regulations as requested was not possible because the changes would have resulted in a town center that did not meet the Township's definition of a town center, which requires a mix of residential and non-residential uses.

The Township Code contains the following definition of a town center:

TOWN CENTER

An area within a planned community that contains a variety of land uses, including but not limited to residential, retail, office, professional, services, education, cultural, governmental and recreational within a defined area shown on a master plan. The land uses are to be located in close proximity to each other. The town center shall promote pedestrian movement, social interaction and the environmentally sound conservation and development of land. The design and development of a town center core area should not exceed an area with a radius of approximately one-fourth (1/4) mile.

At the January 2018 meeting, the Planning Commission discussed the need for a town center in Gray's Woods, and agreed with the developers that it was not needed, and subsequently directed Staff to draft an ordinance to remove the requirement.

Recall that Patton Township has three Planned Communities: Toftrees, Oakwood, and Gray's Woods. Currently, the Township Code states that a town center shall be provided in communities containing a total of 150 acres or more, unless it is deemed by the Township that the location of a town center is inconsistent with the 2013 Centre Region Comprehensive Plan. **Chapter 3 (Land Use) of the Comprehensive Plan** provides the following policies and objectives that may relate to town centers:

- **Policy 3.1.3** – Integrate residential and commercial uses at densities that support continued transit access and usage.
- **Objective 4.2** – Locate higher-density housing in areas zoned for intense mixed-use development where commercial, civic, and recreational opportunities are available.

6. ORDINANCE REMOVING THE TOWN CENTER REQUIREMENTS FOR THE GRAY'S WOODS PLANNED COMMUNITY (cont.)

- **Objective 4.4** – Encourage mixed-use development opportunities in appropriately identified areas of the Centre Region.

Staff notes that the Comprehensive Plan is a tool that municipalities can use to guide decisions on growth and development in the region, but that municipalities are the unit of government responsible for implementing the recommendations of the plan through their regulatory authority conferred by the PA Municipalities Planning Code. A determination that the “location of a town center is inconsistent with the 2013 Centre Region Comprehensive Plan” is a matter of discretion by the Board of Supervisors, but the Planning Commission members should continue to consider whether the location of the town center supports the goals, objectives, and policies of the Plan when making their recommendation on the draft ordinance.

The Planned Community Zoning District is intended to achieve the following purposes:

- (1) Provision of a means for determination, review and mitigation of potential community and environmental impacts.
- (2) Provision of adequate and well-designed open space for the use of all residents and general public.
- (3) Provision for an orderly and creative arrangement of all land uses with respect to each other within the development, those on adjoining properties and to the entire community.
- (4) Assurance that, to the maximum extent possible, the community is afforded the opportunity to participate in the review of master plans for proposed development in the district.
- (5) Provision for innovative design and the use of density zoning that allows the clustering of buildings, structures and open space which preserves natural features, woodlands and prevents soil erosion.
- (6) Encouragement of innovative strategies to reduce transportation impacts from proposed development that will improve safety, reduce congestion, provide adequate access and promote the use of transportation demand management strategies.

The 2012 conditionally approved land development plan for Phase 6 of Gray's Woods includes 1.22 acres reserved for non-residential or mixed-use development in the town center. The developers intend to submit a revised land development plan for the area that includes strictly residential dwellings. The draft ordinance would remove the requirement to provide any type of town center in Gray's Woods, so a 100% residential development in Phase 6 would be acceptable if the ordinance is approved, the master plan is amended to remove the town center, and the land development plan meets all other Township regulations.

6. **ORDINANCE REMOVING THE TOWN CENTER REQUIREMENTS FOR THE GRAY'S WOODS PLANNED COMMUNITY (cont.)**

The draft ordinance amends the Planned Community regulations to specifically exempt the Gray's Woods Planned Community from the general requirement to provide a town center in any planned community 150 acres in size or greater. Staff notes that the changes would only apply to Gray's Woods and not the other Planned Communities in the Township. Currently, Toftrees is the only other Planned Community over 150 acres in size. A town center is shown on the Toftrees Master Plan, in the Toftrees West area.

Ms. Kate Domico asked what would be proposed where the town center was proposed. Mr. Bob Poole noted that it would be townhouses.

Mr. Brian Rater made a motion to recommend removing the town center requirement from the Gray's Woods Planned Community. The motion was seconded by Richard Schmidt. The motion passed with a vote of 5-0.

7. **REQUEST TO REZONE 1932 WADDLE ROAD AND 1943 WEAVER STREET TO OFFICE BUFFER DISTRICT**

Mr. Greg Garthe noted that the Township received a request to rezone the properties located at 1932 Waddle Road (Tax Parcel 18-013-,078-,0000-) and 1943 Weaver Street (Tax Parcel 18-013-,069-,0000-). Currently, both of the properties are zoned Medium Density Residence (R3), and the request is to rezone them to Office Buffer District (OBD), which is consistent with the adjacent property to the north.

The intent of the Office Buffer District is:

- (1) To allow office development to occur in appropriate locations within the Township.
- (2) To establish a zoning district which will serve as a buffer between major highway corridors and established residential neighborhoods.
- (3) To avoid the problems associated with highway-oriented development by encouraging professional office development to occur in a manner which implements sound highway corridor planning approaches.
- (4) To minimize access points to collector and arterial roads.

The properties are also within the I-99 Interchange Overlay District, which is intended to encourage controlled, sensible interchange development by providing an additional set of protective measures on top of existing regulations. These measures relate to highway access and safety, setbacks and landscaping, building and site design, and environmentally sensitive areas.

At their January 24, 2018 meeting, the Board of Supervisors referred the request to the Planning Commission for study and a recommendation.

Mr. Charlie Campbell, Glenn O. Hawbaker, Inc., was present to answer any comments or questions from the Planning Commission.

7. **REQUEST TO REZONE 1932 WADDLE ROAD AND 1943 WEAVER STREET TO OFFICE BUFFER DISTRICT (cont.)**

Mr. Kate Domico asked what would be proposed for the area wanting to be rezoned. Mr. Campbell noted that it would be a vacant lot for the time being. Mr. Doug Erickson noted that the Township may require a lot consolidation to combine the parcels.

Mr. Robert Prosek made a motion to recommend the rezoning of 1932 Waddle Road and 1943 Weaver Street to the Office Buffer District. The motion was seconded by Richard Schmidt. The motion passed with a vote of 5-0.

8. **UPDATE ON PATTON CROSSING ADVISORY COMMITTEE**

Mr. Greg Garthe noted that the Patton Crossing Advisory Committee (PCAC) met four times in late 2017 and early 2018. The Board of Supervisors established the committee in response to a substantial amount of public input related to the proposed rezoning of 1752 North Atherton Street and the establishment of a Mixed-Use Overlay 2 (MXD2) zoning district; both related to the Patton Crossing mixed-use development proposal. The purpose of the committee was to gather additional community input on the rezoning request, proposed MXD2 regulations, and the specific proposal for Patton Crossing. The committee is composed of residents, Planning Commission members, the developers, and Township Staff.

After four meetings, the Committee has not reached consensus on the major areas of disagreement between the developers and the Park Forest residents participating as the citizens' advisory group on the PCAC. A summary of the February 12, 2018 meeting and table of the opposing positions of each group were provided to the Planning Commission. The major areas of disagreement include maximum permitted height for building and landmark features, building and parking setbacks, and maximum impervious coverage. In addition, the PCAC has not come to agreement on access to and from the site via Park Forest Avenue. Staff notes that this is not a matter of zoning regulations, and can be determined at the time of master plan approval, but the opposing positions have been included in the table.

After the February PCAC meeting, the developers met with Township Staff and offered revised proposals for height and setbacks, which are shown on the table. In addition, the citizen's advisory group has offered a specific position on maximum allowable impervious coverage, which is also shown.

At their March 14, 2018 meeting, the Board of Supervisors will be presented with the positions of both groups, and may opt to set a public hearing to consider action on the MXD2 ordinance.

Planning Commission members Mr. Bill Steudler and Mr. Richard Schmidt attended the February 12, 2018 PCAC meeting and provided an update.

Prior to the meeting, eight additional letters from residents were received and were given to the Planning Commission and Township Staff.

Mr. Dan Trevino, Patton Township Board of Supervisor member, asked the Planning Commission if they have any updates or changes to their previous recommendation.

8. UPDATE ON PATTON CROSSING ADVISORY COMMITTEE (cont.)

Ms. Anita Thies, resident provided pictures to the Planning Commission showing representation of heights for those being proposed in the new proposed zoning regulations.

Mr. Brian Rater noted that he would like to revisit the height discussion. Mr. Bob Poole presented the developers view on the height.

Mr. Jim Payne, resident, believes that the Planning Commission created the matrix to match the developers' proposal.

Mr. Melvin Mar, resident, asked for the Township to protect the character of the nearby districts.

Ms. Kathleen Domenig, resident, expressed her concern that the Township is taking away 25 acres of residential property and she objects to that.

Mr. Brian Henry, resident, commends the Township and residents trying to compromise, however, he noted that he did not join the committee because he does not want to compromise.

After discussions, the Planning Commission referred the updated table with the developers' position and PCAC's position onto the Board of Supervisors for their decision.

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 8:27 PM.

ATTENDANCE

Planning Commission

Kate Domico, Chairman
Bill Steudler, Vice-Chairman
Brian Rater, Secretary
Richard Schmidt, Alt. Secretary
Robert Prosek

Township Staff

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

Audience

No audience present

1. CALL TO ORDER – WORK SESSION MEETING

The March 12, 2018 work session meeting was called to order at 8:27 PM by Chairman, Ms. Kate Domico.

2. CATEGORY 1, 2, AND 3 CASINOS IN PATTON TOWNSHIP

Mr. Greg Garthe noted that at their January 8, 2018 meeting, the Planning Commission discussed the potential for Category 1, 2, and 3 casinos to be permitted in Patton Township. In December 2017, the Board of Supervisors passed Resolution 2017-020 prohibiting the location of a Category 4 Licensed Facility (mini-casino) in Patton Township. Upon receiving a number of comments from residents concerned about any type of casino in the area, the Board asked the Planning Commission to consider amending the Township's zoning to regulate all casinos.

There is no specific definition of a "casino" in the Township Code. However, "amusement enterprises" are permitted as a by-right use in the non-residential area of the Planned Airport District (PAD), and are defined as follows:

AMUSEMENT ENTERPRISE

Establishments engaged in providing amusement or entertainment for a fee or admission charge (indoor or outdoor) for uses including, but not limited to musical entertainment bowling alleys, billiard and pool establishments, commercial sports, coin operated games and similar entertainment and amusement devises.

In addition to the PAD, a casino would be permitted in any of the Township's commercial districts, the Planned Community district, or the Industrial district under the current zoning regulations.

Casino operators are required to obtain a license from the PA Gaming Control Board. Recall that Category 1 facilities are racetrack casinos, or "racinos", Category 2 facilities are standalone casinos, and Category 3 facilities are resort casinos.

Update from PA Gaming Control Board - In January, there was some conflicting information presented about the actual number of licenses available in Pennsylvania at the present time. The Planner contacted the Gaming Control Board for clarity. Currently, there is one additional Category 1 license available, but an applicant would first be required to establish a horse racing track prior to any consideration of a gaming license. There is one additional Category 2 facility that was recently approved, but the casino is not yet constructed, so it was not included in the list of casinos on the Gaming Control

2. CATEGORY 1, 2, AND 3 CASINOS IN PATTON TOWNSHIP (cont.)

Board website in January when casinos were discussed by the Planning Commission. There are no additional Category 2 licenses available. Also, the potential number of Category 3 licenses was reduced from three to two by §1307(a) of Act 42 of 2017, so all Category 3 licenses are in use at this time.

The Planning Commission did not recommend any action in January, but the Board requested that the Planning Commission reconsider proactively addressing casinos. Supervisor Mr. George Downsborough expressed concern that the State Legislature could expand the licensing in the future, but would necessarily give municipalities an opportunity to opt out, like Act 42 of 2017 provided. He suggested restricting casinos to the I-99 Interchange Overlay District. In general, the Board asserted a desire proactively to regulate casinos through zoning because a number of residents voiced concerns related to gambling when the Category 4 Resolution was being considered late last year.

Mr. Downsborough noted that College Township has regulations on adult businesses that require extensive setbacks from residential areas. Gaming establishments are permitted in the General Commercial District of College Township.

The Planning Commission discussed potential courses of action at their March 12, 2018 Work Session. Staff suggested that one avenue might be to update the Township's Inter-municipal Zoning Agreement with College Township to share zoning districts that would allow casinos. The Planning Commission directed staff to pursue this option and bring information back at the next meeting.

3. ADJOURN – WORK SESSION MEETING

The meeting was adjourned at 8:47 PM.