

ATTENDANCE:

BOARD Elliot Abrams, Chair
George Downsborough, Jr., Vice-Chair
Jessica Buckland, Supervisor
Daniel Treviño, Supervisor
Betsy Whitman, Supervisor

STAFF Betsy Dupuis, Solicitor
Stephen Casson, Township Engineer
Tyler Jolley, Chief of Police
Doug Erickson, Township Manager
Greg Garthe, Planner
Paul Christner, Assistant Engineer

ABSENT Lawrence Pegher, Finance Director

AUDIENCE C-NET (3)
Anita Thies, Citizens Advisory Comm. Scott Miller, Resident
Pamela Robb, Resident Keith Farwell, Resident
Dale & Jackie Hershberger, Residents Doug Marme, Resident
Mel Mark, Resident Mike Negra, PLCB
Heidi Nicholas, Patton Crossing Bob Poole, Patton Crossing
Mary Beth Crolek, Resident Jim Payne, Resident
Mary Lou Dubil, Resident Leo Venesky, Resident
Marian Venesky, Resident Kathy Ann Phillips, Resident
Lynn Pipenberg, Resident Tony Buda, Resident
Michael Marx, Resident Aimee Lewis, WTAJ
John Sepp, Penn Terra Ara Kavandjcan, Resident
Tony Fruchtl, Penn Terra Kate Domico, Planning Commission
Brian Rater, Planning Commission Matt Patterson
Mary Dupuis, Resident Tom Songer, Torron Group
Min Xian, WPSU Steve Eskee (Corneall)
Matt Halloran, Resident Nick Dubil, Resident
Ram & Cijaya Narayanan, Residents Bill Steudler, Planning Commission
Sara _____, Resident Jennifer Babb, Resident
David Stone, Resident Mark Leaky, Resident
Raymond Leitner, Resident John Sacha, Resident
Tom Fonda, Resident Merrill David, Resident
Ryan Baxter, Resident Martin & Jeanne Klanchar, Residents
Ed Ketz, Resident Jeremie Thompson, Resident
Christopher Maurer, Resident Brian Henry, Resident
Kathleen Domenig, Resident Yi Shan Chung, Resident
Rich Maher, Resident Ralph Mumma, Resident
Angela Hughes, Resident Eli Hughes, Resident
Karen Dabney, Resident David Panko, Resident
Michael Marx, Resident Brad Karch, Resident
Melissa Hicks, Resident Chris Kirkpatrick, Resident
Doug Glanert, Resident

1. CALL TO ORDER

The May 9, 2018 Board of Supervisors meeting was called to order by Chair Abrams at 7:00 PM.

Pledge of Allegiance

2. APPROVAL OF MINUTES

Mr. Treviño moved to approve the April 25, 2018 Meeting Minutes. Seconded by Mr. Downsborough, the motion passed 5-0

3. PUBLIC COMMENTS

Mr. Farwell stated that he is concerned about the traffic issues in Ferguson Township due to the construction on North Atherton Street. Mr. Erickson stated that this is a PennDot Project and suggested talking to his State Representative.

4. PUBLIC HEARINGS AND ACTION CONSIDERATION: PATTON CROSSING REZONING

Mr. Garth stated that the potential developers of tax parcels 18-012-021 and 18-012-020 first approached the Township in March 2017 with a request to change the zoning to permit a mixed use development. Over the course of the consideration of the request this site has variously been referred to as:

The (former) Penn State Mobile Home Park (and adjacent properties), or
1752 North Atherton Street (and adjacent properties), or
Patton Crossing

Through the spring and summer of 2017 the Planning Commission reviewed various options, provided by Staff, for enacting rezoning and settled on a proposal to develop a Mixed Use 2 Overlay Zoning District (MXD2) that could be applied to parcels with C-2 (Planned Commercial) Zoning. In October the Planning Commission forwarded a recommendation to the Board of Supervisors to rezone the parcels to C-2 and simultaneously apply the MXD2 overlay.

In response to concerns raised by Park Forest residents, the Board held a special work session on Oct 19th to hear comments on the proposed project. Following that the Board established an ad-hoc Advisory Committee (see the [November 8 Board agenda](#) for the committee structure) to review the proposed MXD2 regulations and work towards compromise and/or consensus.

The Patton Crossing Advisory Committee (PCAC) met 4 times from November 14th to February 12th. The Committee concentrated their discussion on the issues of maximum building height, the setbacks to existing residential uses, and the maximum impervious coverage. At the last Committee meeting, it became clear that a consensus position was not attainable and the matter should be returned to the Board of Supervisors for a final resolution of the specifics of the proposed MXD2 zoning regulations.

The Board of Supervisors, at their March 28th meeting, considered the proposals put forth by the Residents of the Advisory Committee and the Developers for the issues of maximum building height, the setbacks to existing residential uses, and the maximum impervious coverage. The Board took action to finalize the proposed MXD2 regulations and scheduled Public Hearings for May 9th for said regulations and for rezoning the parcels to C-2 (Planned Commercial) with the MXD2 (Mixed Use 2) overlay.

4. **PUBLIC HEARINGS AND ACTION CONSIDERATION: PATTON CROSSING REZONING (Continued)**

The following format is suggested for this evening's discussion:

Introductions

1. An introduction and overview by Planning Commission representative(s) and the Township Planner,
2. A review of the Concept Plan by the development team,

Adoption of Mixed Use 2 Overlay Zoning District (MXD2) Regulations

3. The Board should open the Public Hearing on the regulations and accept comments from the audience,
4. The Board should close the Public Hearing on the regulations
5. The Board may discuss and consider action on the regulations, or defer until the next Public Hearing is concluded

Rezoning Tax Parcels 18-012-021 and 18-012-020 to C-2 (Planned Commercial) with the MXD2 (Mixed Use 2) overlay

6. The Board should open the Public Hearing on the rezoning and accept comments from the audience (*audience members who commented during the first Hearing regarding the rezoning proposal do not need to repeat their comments a second time.*)
7. The Board should close the Public Hearing on the rezoning
8. The Board should discuss and consider action on the MXD2 regulations and/or the rezoning.

The Manager recommends that separate motions be considered for the two actions, with consideration of the MXD2 regulations preceding the rezoning decision.

The latest concept plan from the developers is included on the next page and in the agenda materials. Written comments from the public, received prior to 3 pm on May 4th, are also included in the agenda materials. Comments received between 3 pm, May 4th and noon, May 8th are included with the Updated materials.

Past meeting agendas, meeting minutes and published notices are available for viewing or downloading at the Township website at <http://twp.patton.pa.us/patton-crossing>.

Mr. Garthe gave a brief introduction of the Patton Crossing Rezoning Plan.







Mr. Steudler gave an overview of the Patton Crossing Rezoning Plan.

Mr. Poole gave a review of the Concept Plan.

4. **PUBLIC HEARINGS AND ACTION CONSIDERATION: PATTON CROSSING REZONING**
(Continued)



BUILDING TYPE LEGEND:

-  Grocery Store
-  Commercial / Office
-  1st Floor Commercial - Residential above
-  Hotel
-  Residential
-  Clubhouse

CONCEPTUAL MASTER PLAN
PATTON CROSSING
State College, PA

THIS PLAN IS PRELIMINARY AND NOT FOR CONSTRUCTION. THE LANDSCAPE AND LANDFORM REPRESENTATIONS ARE NOT LIMITED TO BUILDING AND TYPE LOCATIONS, SIZE, MEASURABLE CATEGORIES, PROSPECTIVE TENANT NAME, CONFIGURATION, ENTRANCE, PARKING AND OVERALL SITE CONFIGURATIONS. THE FINISHES SHALL HAVE NO WARRANTY OR REPRESENTATIONS CONCERNING ANY MATTER CONTAINED ON THIS PLAN, INCLUDING BUT NOT LIMITED TO BUILDING AND TYPE LOCATIONS, SIZE, MEASURABLE CATEGORIES, PROSPECTIVE TENANT NAME, CONFIGURATION, ENTRANCE, PARKING AND OVERALL SITE CONFIGURATIONS. ANY MATTER CONTAINED ON THIS PLAN, INCLUDING BUT NOT LIMITED TO BUILDING AND TYPE LOCATIONS, SIZE, MEASURABLE CATEGORIES, PROSPECTIVE TENANT NAME, CONFIGURATION, ENTRANCE, PARKING AND OVERALL SITE CONFIGURATIONS, SHALL BE VOID AND OF NO EFFECT.

4. PUBLIC HEARINGS AND ACTION CONSIDERATION: PATTON CROSSING REZONING
(Continued)

a. Adoption of Mixed Use 2 Overlay Zoning District (MXD2) Regulations

The potential developers of tax parcels 18-012-021 and 18-012-020 first approached the Township in March 2017 with a request to change the zoning to permit a mixed use development. The Township did not have an existing zoning designation that would permit a development of this nature, with a mix of retail and residential uses, on a 28 acre site.

Building on the 2014 MXD regulations, adopted to apply to smaller (generally 3 acres or less) commercial parcels, the proposed MXD2 (Mixed Use 2) overlay was developed to potentially apply to larger commercial parcels that are, or would be, zoned C-2 (Planned Commercial). As currently proposed, the MXD2 overlay could only be placed on C-2 parcels that are 20 acres or larger.

As noted, the Planning Commission (PC) recommended adoption of the regulations in October 2017. Following review and revisions to the PC recommended version of the regulations by the PCAC and the Board of Supervisors, the current version (v6.2) of the proposed MXD2 overlay district regulations are the subject of this Public Hearing.

As required by the Pennsylvania [Municipalities Planning Code](#), this proposed amendment to the Township's zoning regulations has been provided to the Centre Regional Planning Commission (CRPC) and the Centre County Office of Planning and Community Development (County) for advisory comments. The CRPC comments are included with the agenda materials; the County comments will be distributed prior to the hearing.

(1) Public Hearing

The Board convened the hearing to receive comments on the proposed Mixed Use 2 Overlay Zoning District (MXD2) Regulations at 7:28 PM.

Ms. Thies presented the Board with a power point presentation by the Citizens Advisory Committee stating that the Committee asks the Board to reject the plan if the ordinance is not substantially changed.

Mr. Maher stated that he came tonight to represent the senior citizens who do not drive at night and could not attend tonight's meeting. He went over the Centre Region Planning Commission comments.

Mr. Mark stated that the issue of density and intensity, that is currently at 100% residential of R-3 and 100% commercial of C-2, is too great. He stated that the Committee needed more input to come up with a number.

Ms. Whitman stated that it is too dense.

Mr. Miller stated that he is concerned with traffic congestion on North Atherton Street and that he feels that we needs more Emergency Services in the area.

Ms. Dupuis stated that there has been a lot of change and that we need better housing for affordable living. She stated she is supportive of the rezoning.

Mr. Covet stated that he is supportive of the rezoning.

Mr. Riley stated that he is on the Board for Bridge of Hope and that there is a need for more affordable housing.

4. **PUBLIC HEARINGS AND ACTION CONSIDERATION: PATTON CROSSING REZONING
(Continued)**

a. **Adoption of Mixed Use 2 Overlay Zoning District (MXD2) Regulations (Continued)**

(1) **Public Hearing**

Mr. _____ stated that this offers a more urban style living environment is an attractive offer that we do not have right now.

Mr. Geiger stated that this offers walkability and is a positive thing for those residents who do not own cars.

Ms. _____ stated that she feels this is something that people would really use and that we need more affordable living.

Mr. Shaffer stated that there is a lack of affordable housing

Mr. Stone stated that we need to improve connectivity if this plan is approved.

Ms. Mosch stated that she would like the Board to keep it as residential and as it is.

Ms. Swanachek stated that a mix used development is needed in the area.

Mr. Ketz stated that he is against the rezoning.

Mr. Gray stated that any mix use is better than another strip mall and that density is a good thing because it increases affordable housing.

Mr. Patterson stated that he is supportive of the rezoning.

Mr. Negra stated he is supportive of the rezoning.

Ms. Hughes would like to see more affordable housing.

Mr. Hughes stated that he is in favor of the rezoning.

Mr. Marx stated he is opposed to the rezoning.

Ms. Walsh read a letter from her neighbor Andrew Blender stating that he is opposed to the rezoning.

Mr. Shore stated he is concerned about the traffic congestion and does not feel like high density is appropriate for in this area.

Ms. Dabney stated that she is concerned about traffic and needing more affordable housing and businesses to make this area flourish.

Mr. Halloren stated he supports the rezoning.

Mr. Mark stated that the advantages of mixed use can still occur with a lower density.

Mr. Larson stated that he is unsure if it will attract millennials.

4. **PUBLIC HEARINGS AND ACTION CONSIDERATION: PATTON CROSSING REZONING
(Continued)**

a. **Adoption of Mixed Use 2 Overlay Zoning District (MXD2) Regulations (Continued)**

(1) **Public Hearing**

Ms. Mosch asked why the developers have the right to ask to change the zoning. Mr. Abrams stated that the law permits it.

Mr. Fonda stated that he supports what the Committee has come up with.

Mr. Poole stated the density has been reduced by changes to building height, impervious coverage and setbacks. He also stated the development team is committed to this town and community.

Mr. Dubil stated that he is against the rezoning.

Ms. Nicholas stated that she would like the Board to pass this so they can continue working on the master planning.

(2) **Action Consideration**

Mr. Downsborough moved to close the proposed Mixed Use 2 Overlay Zoning District (MXD2) Regulations Public Hearing at 9:25 PM. Seconded by Ms. Whitman, the motion passed 5-0.

Ms. Buckland stated that she is looking at how this plan works with the Park Forest Community.

Mr. Downsborough stated that the Board owes it to the Residents and Developers to make a decision sooner rather than later.

Ms. Whitman stated that she is concerned about the density and that she would like to see 10% affordable housing.

Ms. Buckland stated that she is not worried about the density but it is a change.

Mr. Treviño stated he is for increasing the affordable housing to 10%.

Mr. Abrams stated that we should redo the hearing as soon as possible.

Mr. Downsborough moved to approve the proposed Mixed Use 2 Overlay Zoning District (MXD2) Regulations. Seconded by Ms. Buckland, the motion failed 2-3 with Mr. Abrams, Mr. Treviño and Ms. Whitman voting against the motion.

Mr. Erickson suggested bringing this back to the May 23, 2018 Board of Supervisors Meeting.

4. **PUBLIC HEARINGS AND ACTION CONSIDERATION: PATTON CROSSING REZONING (Continued)**

b. **Rezoning Tax Parcels 18-012-021 and 18-012-020 to C-2 (Planned Commercial) with the MXD2 (Mixed Use 2) overlay**

The potential developers of tax parcels 18-012-021 and 18-012-020 first approached the Township in March 2017 with a request to change the zoning to permit a mixed use development. A location map for these parcels is included with the agenda materials.

As noted previously, in October 2017 the Planning Commission (PC) recommended adoption of MXD2 overlay district regulations and rezoning these parcels to C-2 (Planned Commercial) with the MXD2 (Mixed Use 2) overlay.

Adoption of the MXD2 overlay district regulations was the subject of the prior agenda item. If the Board does not take action to adopt those regulations, action on this item must be deferred.

As required by the Pennsylvania [Municipalities Planning Code](#), this proposed amendment to the Township's zoning map has been provided to the Centre Regional Planning Commission and the Centre County Office of Planning and Community Development for advisory comments. The CRPC comments are included with the agenda materials for the MXD2 hearing; the County comments will be distributed prior to the hearing.

The Board acknowledged that this matter will have to be revisited at a future meeting.

5. **PUBLIC WORKS**

1. **Engineering Services (Inspection) for the Valley Vista Left Turn Lane Project**

Mr. Casson stated that the Public Works Department solicited proposals for qualified firms to provide construction inspection services for the Valley Vista Left Turn Lane project. Four proposals were received and reviewed by the Director of Public Works/Township Engineer.

The project representatives serve to ensure the contractor's work is in compliance with the project plans and specifications, and 'look out' for the Township's interests. The scope of their work includes construction oversight and documentation, and quality control for soil compaction, and pavement materials and placement.

The Director of Public Works recommends that the Township engage the EADS Group of Altoona, PA for the project.

The agenda materials included the Director's recommendation, a summary of the cost proposals provided with the proposal submissions, and the EADS Group proposal.

Mr. Downsborough moved to enter into an Agreement with the EADS Group for the Valley Vista Left Turn Lane Project. Seconded by Mr. Treviño, the motion passed 5-0.

6. **MANAGER'S REPORT**

a. **Development Update**

Mr. Erickson stated that the Development Update was enclosed with agenda materials.\

b. **Upcoming Events**

[1] [Bulk Waste Collection, May 7-11](#)

[2] [Primary Elections, May 15](#)

a. Due to construction at the Oakwood Presbyterian Church, polling will be at the Hampton Inn and Suites in Williamsburg Square (entrance at intersection of Waddle Road and Colonnade Boulevard.

[3] [Bike to Work Day, May 18](#)

[4] [Children's Fair, May 19 10 am to 3 pm](#) (enclosed)

[5] [CATA Open House and Facility Dedication, May 23, 10 am](#) (enclosed)

[6] [Local Government Advisory Committee to the Chesapeake Executive Council \(LGAC\)](#) Roundtable, May 30, 7 pm (enclosed)

[7] [PML Sustainability Conference, June 5](#)

c. Mr. Erickson reported that the Glenn O. Hawbaker, Inc., bid for the Gray's Woods Park Phase I construction was in full compliance with the project specifications. An item on the April 25th agenda had erroneously reported that the bid was deficient in that it had not been sealed with the corporate seal.

7. **COMMITTEE REPORTS**

a. **Human Resources**

Ms. Buckland stated that Human Resources awarded the contract for COG Personnel Handbook which was \$2200 less than budgeted. She stated that committee discussed the Code Services Manager Job Description and personnel changes to help make things more efficient.

8. **OTHER BUSINESS**

There was no other business.

9. **ADJOURNMENT**

Mr. Treviño moved to adjourn the May 9, 2018 Board of Supervisors meeting at 10:04 PM. Seconded by Ms. Buckland, the Chair adjourned the meeting.

Douglas J. Erickson, Township Secretary