

**ATTENDANCE**

Planning Commission

Richard Schmidt, Chair- (in person)  
William Burnett, Vice Chair- (in person)  
Jim Payne, Secretary- (in person)  
Ellen Foreman, Alt. Secretary- (in person)  
Sharon Collins- (in person)  
Debbie Scitti- (in person)  
Brian Peterka-(in person)

Township Staff

Amy Farkas, Township Manager- (in person)  
Ken Soder, Director of Public Works - (in person)  
Nicole Harter, Zoning Officer- (in person)  
Leslie Warriner, CRPA – Senior Planner - (in person)  
Valerie Good, PW Administrative Asst- (in person)

Audience

C-Net  
Troy Knecht – HFL  
Chad Stafford – HFL  
Gai Catalano  
Karen Henry  
Larry Parko  
David & Kathy Derr  
Sandra Lyle  
W. Frank Vongehr  
Mike Lebo  
Dave Foster  
Fedor Sinev

**\*\*Meeting was Hybrid**

**1. CALL TO ORDER**

The September 11<sup>th</sup>, 2023, Planning Commission regular meeting was called to order at 4:30PM by Chair Mr. Schmidt.

**2. APPROVAL OF MINUTES**

Meeting minutes from the August 7<sup>th</sup>, 2023, regular meeting were brought before the Planning Commission for approval. Ms. Foreman made a motion to approve the meeting minutes as submitted. Mr. Payne seconded the motion. The motion passed unanimously.

**3. PUBLIC COMMENTS**

No public comment at this point in the meeting

**4. COLLEGE TOWNSHIP OFFICIAL MAP-REQUEST FOR COMMENTS**

Mrs. Warriner noted that College Township is amending the College Township Official Map and has provided Patton Township with an opportunity to review the proposed changes to the map and ordinance and provide comment. All comments generated by the Planning Commission will be forwarded to the Patton Township Board of Supervisors at the September 13<sup>th</sup>, 2023 meeting, prior to submitting them to College Township.

Official Map elements that tie into Patton Township:

- Innovation Park Access Ramp
  - Proposed road with 60' right of way and 10' bikeway
- Amenity along Fox Hollow Road
  - Proposed bikeway
- Off-road connection from the Arboretum to Toftrees
  - Shared Use Path (BCRT)

Ms. Foreman inquired about the Legend. Mrs. Warriner noted the legend is the official College Township Map not their Zoning Map. Patton Township does not have an official map, only a Zoning Map, so the Legend is different. Most of the infrastructure that is shown, originated from the Centre Region Bike and the College Township Pedestrian Plans.

Ms. Farkas also noted that the proposed road shown on the College Township Official Map that is coming from Innovation Park would create a connection directly to the Airport. Staff met with the CBICC a couple of weeks ago and will also meet with College and Benner Townships to have a conversation about the PAD, College Township's, and Benner Township's future land use plans. The CBICC envisions this area as an opportunity for growth with the right uses and supportive infrastructure that could bolster the air service industry in and out of State College.

## **5. 160 CLEARVIEW AVENUE-REZONING REQUEST**

Patton Township received a request from HFL Corporation to rezone 160 West Clearview Avenue from R-2 Low-Density Residential District to R-3 Medium-Density Residential District. The property is currently owned by Seven Mountains Media, LLC. HFL Corporation has a purchase agreement in place and intends to develop a 31-unit, 55+ affordable housing apartment complex on the property.

The requested change would require an amendment to § 175-8 Zoning Map.

At the June 21<sup>st</sup>, 2023, BOS meeting, the Supervisors referred the request to the Planning Commission for analysis and recommendation. At the July 10<sup>th</sup>, 2023 Planning Commission meeting, the Planning Commission referred the request to staff to complete an analysis for the rezoning request. At the August 7<sup>th</sup>, 2023 Planning Commission Meeting, an analysis was presented with a staff recommendation and the board tabled action on the request.

The request to consider rezoning 160 Clearview Avenue should take the following into consideration:

- public purpose

\*Reference Resolution 2022-008: Policy for Adding items to Published Agendas in Accordance with Act 65 of 2021.

- consistency with adopted plans and policies (ex. Comprehensive Plan)
- existing conditions, context, and impacts of keeping the existing zoning vs. the proposed zoning
- impacts to the community, township, and county

Rezoning impacts must be evaluated in their entirety and should be considered with all potential outcomes. Once a property is rezoned, the owner can propose any use or combination of uses permitted in the underlying zoning district, regardless of what was suggested, presented, or discussed during the rezoning process.

Mrs. Warriner provided information on a previously asked question related to the adjacent land use building height of the Bryn Apartments. The height of the buildings per the Jefferson Commons Land Development Plan, now the Bryn Apartment Complex, is 22-38 feet in Height. Maximum building height in the R-3 Zoning District is 60 feet.

Ms. Foreman commented about the memo provided by staff basically saying let's take time to study this. Ms. Farkas noted that the memo referenced a Small Area Plan. The whole idea about a Small Area plan is to engage the residents that live in the neighborhoods adjacent to Waddle Road to discuss the needs and issues such as the traffic, the neighborhood changing, the stormwater issues, and the sidewalk connections. A plan would be created to guide future growth of the area with a long-term vision for the Waddle Road Corridor transition. The BOS is in favor of doing long range planning. Ms. Farkas also noted the small area plan will happen regardless of whether 160 Clearview Avenue is rezoned or not.

Ms. Collins asked for clarification on the timeline for approving the rezoning and the small area plan Mrs. Warriner noted that there had been multiple master plans done for larger parcels there and there has not been any significant planning of what the corridor looks like between Toftrees and Walmart. Ms. Warriner continued that what is being built, what does the corridor look like, what does the streetscape look like, are the types of conversations we need to have.

Mr. Paterka noted Its important to think about the long-term vision. It is going to continue to grow being a prime location and close to the highway and North Atherton Street

Mrs. Warriner noted this parcel is bizarre, because it doesn't fit into the rest of the parcels on Clearview Avenue. The question is, does it fit in the R-2 definition, or does it fit in the R-3 definition? It is very much a transition. If this does not get rezoned and it stays R-2 and the Planning Commission moves forward with the small area plan for Waddle Road, two situations could occur. If the small area plan shows a vision for higher density with commercial/office and mixed use, and the rezoning request is denied and the parcel built out for R-2 density, then the density doesn't match the rest of the corridor. If the small area plan shows a vision to prioritize lower density residential and the rezoning request is granted for and built out to R-3 , it doesn't quite meet the lower density vision, but it still does match the adjacent property, the Bryn. This would create a pocket of a slightly higher density but maintains the residential use along the corridor. She also clarified R-1, R-2 and R-3 are slightly different densities. R-3 is Patton Township's most dense zoning district, but it is still considered medium density. Patton Township does not have a high-density Residential Zoning District.

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Ms. Collins asked for clarification on the density. Mrs. Warriner noted it depends on the type of dwelling unit proposed in an R-3 Zoning District. R-2 would be Low- Density Residential with approximately 9 single family homes built on the parcel. R-3 Medium Density Residential could allow multiple scenarios. If apartments were constructed on the parcel using the R-3–Multiple units (13 or More) density, the maximum dwelling units would be 31 on this parcel. If the R-3-Single Family density was used, approximately 9-12 single family dwelling units could be constructed on the parcel. If townhouses were proposed, a maximum of 31 townhouse dwelling units could be constructed on the parcel. . There is maximum impervious coverage restrictions no matter what the use is.

Mr. Burnett asked for clarification on the maximum impervious coverage. Mrs. Warriner noted R-2 is 25% and R-3 is 35% maximum coverage. If townhomes are proposed the impervious coverage is reduced to 25% maximum coverage.

Mr. Burnett asked for clarification on the Traffic Impact Study and if those requirements fall to the developer. Mrs. Warriner stated that once the Traffic Impact Study is completed, anything that is found to impact the development of that site, whether it be a turning lane or a different signal that those improvements would become the burden of the developer.

**Public Comment:**

David Derr- noted that at 3pm on September 11, 2023, there was a multi-vehicle accident on Waddle Road and Clearview Avenue. He expressed concern that the action by the Planning Commission could make this event more frequent. Mr. Soder did note that both vehicles ran red lights to try to beat the light.

Karen Henry referenced the football game this past weekend, noting 26 cars were stacked at one green light on Waddle Road and 33 cars at the other green light with bumper-to-bumper traffic. She also noted that when students leave there is no decrease in traffic.

John Razem is opposed to the rezoning. Clearview Avenue has only one access point for 31 single family homes.

Larry Parko expressed that the Township is putting the cart before the horse by rezoning prior to doing the long-term small area plan.

Mike Lebo inquired about the Traffic Study. Mrs. Warriner noted that when it was a Radio Station there was 80 trips per day, forecasted traffic counts. If single family homes are put in it would be 90 trips per day. , If the parcel was rezoned to R-3 with multi-unit apartments the property would generate 140 trips per day. If townhomes were constructed, they would generate 210 trips per day. Mr. Burnett stated that if it is rezoned, the required TIS will be conducted at the expense of the developer HFL. Ms. Farkas noted that if HFL gets the rezoning, HFL will do a traffic study and at that point would look into mitigation. The Traffic Study will not be conducted on a home football weekend; however, it will be done when Penn State is in session, with data collected on the morning rush hour and afternoon rush hour. She also noted that absent someone submitting a land development plan the Township would not have a Traffic Study done. If Patton Township would decide to do an independent traffic study, it would become the expense of taxpayers. Mr. Lebo also inquired about a rendering. Ms. Farkas noted we are only looking at land use in this rezoning request.

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Mr. Burnett is concerned about traffic and concerned about the lack of affordable/attainable housing.

Mr. Soder spoke about traffic timing between signals which is managed through PennDOT. Patton Township does own and maintain the signals.

Fedor Sinev stated that he doesn't have anything against housing or affordable housing and that this rezoning request is not going to ruin the old town neighborhood. He voiced his concerns about the lack of sidewalks, bus stops, and bike paths. He doesn't want to see more parking across Patton Township, because the process is awful, causes drainage issues, and creates environmental problems. He also expressed that he doesn't understand why the Zoning law has to be so ridged.

Mr. Payne asked Ms. Farkas to explain the MPC Laws. Ms. Farkas noted that the state of Pennsylvania requires that if the Township has a zoning ordinance, the ordinance has to provide for every possible use somewhere within the Township. The ordinance also provides guidelines for setbacks and regulations. The Township is the lowest form of government. and requires compliance with the Pennsylvania Municipal Planning Code. Since Pennsylvania is a pro-land use state, the Township cannot simply turn something down based on what it looks like or because it's not right for the community. The Township has to provide parking and storm water, and can provide other amenities, such as bike paths.

Evan Norfolk voiced concerns of traffic issues. He feels the long-term plan should be done first prior to rezoning. He expressed concerns of looking out the window to a very terrible tall building. He is opposed to the rezoning.

Mrs. Warriner noted that there is no through traffic in this neighborhood.

Mr. Burnett expressed that this is an opportunity to get the traffic fixed, provide more sidewalks and more bike routes, and install a proper bus stop. He feels no matter what there is going to be an increase in traffic. He also noted that we all talk about attainable housing. HFL has in the past done attainable housing projects. When they say they're going to do this, that's what they do. If it was a different developer maybe, we would have an issue. Lastly, if this is going to be attainable housing for over 65, 75, 85 a lot of those people are not driving, especially if a bus stop is installed. Mr. Burnett asked his board members to put our vote where our mouths are for once and do something about attainable housing.

Ms. Collins thinks things can be rezoned at any time. She doesn't feel we need to rush anything, and the Township should have a small area comprehensive plan in place before we make a big decision.

Ms. Scitti agrees with Mr. Burnett that if we want to get things done this is the way to do it and save taxpayers money. She is also on board with Ms. Collins because if we rezone and make a wrong choice we can't go back. However, she doesn't think this is the wrong choice because she thinks this development will be commercial or R-3.

Mr. Burnett rebutted that if we wait a year, HFL may not be the people asking for this and the next developer could go for maximum profit. He feels this is a point to rush on.

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Ms. Farkas noted if the Township rezones to R-3 there will still be a small area plan regardless of what happens. The staff, supervisors and Planning Commission are all on board and would like to see the residents engaged as well. She also agreed with Mr. Burnett on the traffic, needing to widen the road, and that everything is very expensive. A developer to partner with could save the taxpayers money and addresses concerns.

Mrs. Warriner noted that this was an oddball parcel. It was subdivided first and became the radio station way back when, and it could just sit.

Mr. Payne stated that the Waddle Corridor isn't going backwards and wants R-3 and not a big commercial building there. He would rather have affordable housing for seniors. If we stall, HFL may throw their hands up and resell it to someone else.

Ms. Collins expressed her concern that if it is rezoned to R-3 and the developer realizes how much it's going to cost, they will resell, and someone is back here asking to rezone commercial. Ms. Farkas noted at that point you'll have worked on the small area plan and have a better sense of long-range planning. We need to remember that if it's rezoned R-3, it is still residential uses, and you aren't opening the door to commercial uses.

A motion was made by Mr. Payne to recommend the rezoning of 160 West Clearview Avenue from R-2 Low-Density Residential District to R-3 Medium – Density Residential District. Mr. Burnett seconded the motion. The motion passed with a vote of 5-2 and will be forwarded to the BOS meeting on September 27, 2023, at 5:30pm for future action.

**6. STATUS REPORT ON PENDING ITEMS**

None

**7. OTHER BUSINESS**

a) Highlights from the CRPC Meeting on August 3<sup>rd</sup>, 2023

1. See attached Summary

b) BOS action and items to note-August 16<sup>th</sup>, 2023

1. Review of the sketch plan for Stevenson Road/Emmanuel Lutheran Church Property

2. Approved Buchart Horn for engineering and design services, in the amount of \$93,990 for the Cricklewood Drive Bicycle and Pedestrian Facilities

**8. ADJOURN**

Ms. Collins made a motion to adjourn the meeting. Ms. Scitti seconded the motion. The meeting was adjourned at 5:52pm.

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