

Meeting Minutes
State College Borough Council
April 7, 2008

The State College Borough Council met in a regular meeting on Monday, April 7, 2008, in the State College Municipal Building, 243 South Allen Street, State College, PA. Mayor Welch called the meeting to order at 7:30 p.m.

Present: Mayor Bill Welch
Elizabeth A. Goreham, President of Council
Donald M. Hahn
Theresa D. Lafer
Silvi Lawrence
Peter Morris
James L. Rosenberger
Ronald L. Filippelli

Also present: Terry Williams, Borough Solicitor; Thomas J. Fountaine, II, Borough Manager; Thomas S. Kurtz, Assistant Borough Manager; Carl R. Hess, Planning Director; Roger A. Dunlap, Assistant Borough Manager; Mark A. Whitfield, Public Works Director; Michael S. Groff, Finance Director; Beth A. Johnston, Human Resources Director; Herman L. Slaybaugh, Zoning Officer/Planner; Amy J. Story, Borough Engineer; Alan Sam, Borough Arborist; Sheila Carl, Recording Secretary; members of the media; and other interested observers.

PUBLIC HOUR

Proclamation for the Fair Housing Act. Mayor Welch read a proclamation in recognition of the 40th anniversary of the Civil Rights Act of 1968 – the Fair Housing Act.

Off-Campus Student Union (OCSU). Doreen Strauss, Off Campus Student Union (OCSU) President, stated OSCU's appreciation for the support of Council.

Joelle Hutcheon, Vice-President of Programming, reported on the OCSU work with the United Way and a drive to collect non-perishable food and clothing items. OCSU plans to hold the event again the last week of March 2009.

Patrick Gordon, the incoming OCSU President, highlighted events planned for the coming school year.

PUBLIC HEARING

Holmes Foster Neighborhood North/South Bikeway. At Council's work session on February 11, 2008, Council received a recommendation from the Transportation Commission on the establishment of an on-street bike route on Sparks Street from the University lands to Westerly Parkway.

Council was provided with written comments submitted by persons unable to attend the public hearing.

John Hudkins, 325 South Sparks Street, spoke in opposition to the bike path because of the safety issues. He noted that there was currently a speeding problem. South Sparks Street has a significant hill which reduces visibility. However, when vehicles see the wide and straight roadway, drivers speed-up, causing a safety concern.

Father John Reeves, Holy Trinity Orthodox Church, 119 South Sparks Street, spoke on behalf of the parish. He said they were opposed to the bikeway because of the removal of the on-street parking. This would create a parking issue for churchgoers as well as those visiting the church for other events, such as when it was used as a polling place. Although they had considered moving the church outside of the Borough several years ago, the church was encouraged with the revitalization plans as part of the West End project and decided to stay. Mr. Reeves noted that bicycle usage was very minimal in this area. He also questioned if there were problems with the current bikeways established in the Borough and if accidents occur with bicycles sharing the road.

Paul Simpson, President of the Centre Region Bike Coalition and resident of East Branch Road, complimented the Borough's support of bikeways in the community but said he felt the Sparks Street bikeway was not a good option to encourage biking in the downtown. He said that removing parking could increase the speed of traffic which would make bicyclists less likely to use the roadway. Mr. Simpson added that riding on the sidewalks on South Sparks Street was permitted which would be safer. He said the bike lanes were encouraged on streets that were heavily traveled. He also noted that Sparks Street was out of the way for many commuters to the downtown and campus.

Geoffrey Wilson, 441 West Nittany Avenue, commented that he was an avid bicyclist but had to push his bike up the steep hill on South Sparks Avenue. He noted that he had read a manual published by PennDOT on bicycle laws and he said bicycles were allowed on sidewalks, except in some business districts, but are required to yield to pedestrians. There was already an area for bicyclists to travel on Sparks Street without removing the parking. He agreed with Mr. Simpson that bicycle lanes were only needed in busy neighborhoods.

Megan Propst, 444 Glenn Road, member of Holy Trinity Orthodox Church and former member of Grace Lutheran Church, noted that consideration was given to the parking needed for the Grace Lutheran Church when removing the parking on Foster Avenue for the bike path. She requested the same consideration be given to the church on Sparks Street.

Ron Madrid, 701 West Beaver Avenue, said he was not opposed to a bike friendly community. However, he did not believe removing parking on a residential street made sense. He said removing the parking would have an adverse impact on the future plans for the area and would create parking problems for the entire neighborhood that do not exist now.

Marion Deppen, 704 West Fairmount Avenue, stated that most of residents on Sparks Street need to park on the street. They are people that plan to stay there for many years and having parking close to their homes is critical. He added that his daughter was in a wheelchair and was able to access their home from Sparks Street.

David Barrow, 470 Waupelani Drive, said that he was a member of the Holy Trinity Orthodox Church and urged Council to not remove the parking on Sparks Street. The Church has more services than other churches and he said the on-street parking was important to the parishioners.

Vincent M. Manenski, 153 St. Johns Street, Mount Pleasant Mills, commented that parking was sparse on Sparks Street. He urged Council to consider the Pennsylvania Title 71 Religious Land Use and the religion private rights act which states that the government cannot burden people who worship. He asked Council to consider the statutes and allow people to worship.

Robert Minard, 717 West Foster Avenue, stated that there were some residential streets that are nice and can easily be traveled. His major problem was getting across Atherton Street. Most people go to a lighted intersection to cross to avoid the risks. He said he believed the bike lanes on Foster Avenue were unnecessary and did not believe they were necessary on Sparks Street.

Evelyn Wright, 525 South Sparks Street, stated she was very opposed to removing the parking on Sparks Street. There are young children that use the park and the parking along Sparks Street is convenient. Also, many residents use the street to park. The homes in this area of town do not have the suburban driveways as in other areas of State College. She also said that she did not believe the proposed plan would create a better environment for bikers.

Robert Cullen, 707 West Fairmount Avenue, commented that the on-street parking was used for many events at the Holmes-Foster Park, such as the Easter Egg Hunt. In addition, many of the residential homes along Sparks Street have driveways along the street which makes it convenient for visitors to park along the street.

John Egan, 616 West Foster Avenue, said there was a bike route on Foster Avenue. With the removal of the on-street parking, the streetscape has become more residential, because many of the parking problems were removed. However, the street has been "uglified" with the six additional signs note that there is a bike path. He was opposed to the bike path on Sparks Street because he believed it broke a trust with the neighbors and ignored the concerns that have been expressed with people who have disabilities.

Richard Nakles, 370 High Point Cove, stated he was the Treasurer of the Holy Trinity Orthodox Church. He noted that the church is used for many events, such as a polling place. In addition the church was conducting renovations and would be using the facility for community activities, such as a Red Cross blood drive. The on-street parking provided on site would be important for these proposed uses. The Church has 110 members attending weekly, some of them drawn from outside the area. He believed removing the parking would be a disaster for the church and neighbors. He said the Church was willing to work with the Borough to find other options.

The North/South Bikeway will be scheduled for discussion at an upcoming work session.

Consent Items. Mr. Hahn moved and Mr. Morris seconded the motion to approve the following consent items. The motion passed unanimously.

- Award a bid for Bituminous Patch Material for the 2008 construction season to HRI, Inc., the low bidder meeting specifications, for a total amount of \$55,650.00.
- Resolution 964 to partner with SEDA-COG for the purchase of LED equipment.
- Resolution 966 to apply for a grant from the PA Dept of Conservation and Natural Resources for the Holmes Foster Park master plan
- Resolution 965 to apply for a grant from the PA Dept of Conservation and Natural Resources for playground equipment at Orchard Park.
- Approve the use of Borough sidewalks for the AIDS Walk on Sunday, April 20, 2008, from 10:00 a.m. to 3:00 p.m.
- Approve the use of Calder Way from Locust Lane to McAllister Street on Sunday, April 20, 2008, from 7:00 am until 3:00 pm for the dedication of the new St. Paul's Education Center across the alley from the St. Paul's United Methodist Church.
- Accept a Resignation from Lara D. Kauffman from the Design Review Board, effective April 2, 2008.
- Appoint the following individuals to the various ABCs.

Name	ABC	Term Expires
Anna Childe	Design Review Board	2011

Bernard F. Cantorna	Rental Housing Revocation Appeals Board	2010
Ahmad Elarbi	Rental Housing Revocation Appeals Board	2008

- Appoint the following individuals to the Centre Region Building and Housing Code Board of Appeals for a term ending March 1, 2011:

Laura Chuba	Property Maintenance Board
John Deffenbaugh	Core Board
Robert Hoffman	Core Board
Robert Kistler	Electrical Board
Heidi Nicholas	Core Board
Michael Norris	Plumbing Board
Edward Olsen	Core Board – Alternate
Kenneth Sagen	Mechanical Board
Walter Schneider	Core Board
Dave Shotsberger	Core Board – Alternate & Electrical Board
Michael Siggins	Core Board
Dan Smith	Plumbing Board
Rob Veronesi	Core Board
Nicole Woodring	Property Maintenance Board

PLANNING & ZONING

Rezoning of 1300 South Allen Street to Planned Office (PO). On November 5, 2007, Council received a request from Fedon-Marcon-Fedon Partnership to rezone their property at 1300 S. Allen Street (located at the southwest corner of the intersection of Waupelani Drive and South Allen Street) to Planned Commercial (CP2). Council was provided with the responses from the Planning Commissions in the briefing paper attached to the agenda. Council was also provided with a copy of the Summary of the February 28 Open House.

Council held a public hearing on the recommended rezoning to PO on March 3, 2008. Given the concerns expressed regarding the potential redevelopment of the site, some Council members did not believe that Council should act on the rezoning at that time and that further discussion was necessary prior to voting.

Mr. Hahn moved and Mr. Filippelli seconded the motion to enact the ordinance to rezone the property from R2 to PO.

Following discussion, motion failed on a 1-6-0 vote with Council members Lafer, Rosenberger, Filippelli, Goreham, Lawrence, and Morris opposed.

West End Revitalization Plan. On March 5, 2008 Council and the Planning Commission held a joint meeting to discuss the proposed zoning and design standards being developed as part of the West End Revitalization Plan implementation. Council received a staff memo providing observations on comments and suggestions of individual Council members following the joint work session.

Council was asked to discuss the information in the memo and identify key points for the Planning Commission to use as guidance as they finalize their recommendation on the West End zoning and design standards.

Council members questioned the possibility of having the proposed West End form-based zoning fit into the current zoning structure and not have two different types of zoning in the Borough. It was noted that the adopted West End plan called for rezoning the area and that zoning regulations are necessarily complex.

Council members stated concerns that the complexity of the zoning changes could be counterproductive and the developers may be looking for more flexibility. Staff noted the form-based zoning is more flexible, allows for designers to be more creative and would encourage developers to move in the direction of mixed uses.

Mr. Rosenberger made a motion to have further discussion moved to a work session. Ms. Goreham seconded the motion. The motion passed with a 6-0-0 vote. (Mr. Filippelli left the meeting and was absent for the vote.)

Replot of 534 to 600 Waring Avenue. David and Elaine Schuckers and David Schoenwetter and Martine Thorp, owners of 534 to 600 Waring Avenue, submitted a request to have their lots replotted. The replot plan complies with all applicable subdivision and zoning regulations and the Planning Commission has approved the replot.

Mr. Morris moved and Ms. Lafer seconded a motion to approve the replot. The motion passed with a 6-0-0 vote.

Replot of 301-227 West Prospect Avenue. Catherine and Craig Humphrey, owners of 227 and 301 West Prospect Avenue, submitted a request to replot their adjacent lots. The Planning Commission approved the replot with the condition that the maintenance provision in the covenant be modified to assign walkway maintenance exclusively to the owner of 301 West Prospect Avenue. The replot plan complies with all applicable subdivision and zoning regulations.

Mr. Rosenberger moved and Ms. Lawrence seconded the motion to approve the replot with the condition approved by the Planning Commission. The motion passed with a 6-0-0 vote.

OFFICIAL REPORTS AND CORRESPONDENCE

Mayor's Report. Mayor Welch noted the resignation of regular Borough reported Adam Smeltz from the Centre Daily Times.

There being no further business, the meeting adjourned at 9:42 p.m.

Respectfully submitted,

Cynthia S. Hanscom
Assistant Borough Secretary