

Meeting Minutes
State College Borough Council
Work Session
May 20, 2005
12:00 p.m.

The State College Borough Council met in a work session on Friday, May 20, 2005, in the State College Municipal Building Council Room, 243 South Allen Street, State College, Pennsylvania. Mr. Daubert called the meeting to order at 12:07 p.m.

Present: Thomas E. Daubert
Catherine G. Dauler
Elizabeth A. Goreham
Craig R. Humphrey
James H. Meyer

Absent: Jeffrey R. Kern

Also present: Thomas J. Fountaine, II, Borough Manager; Mark A. Whitfield, Director of Public Works; Amy J. Story, Borough Engineer; Timothy Grattan, Director of Information Systems; Herman L. Slaybaugh, Zoning Officer/Planner; Cynthia S. Hanscom, Recording Secretary; members of the public and other interested individuals.

Public Hour: There were no public comments.

Central Pennsylvania Farmers' Market. Mr. Fountaine said an application had been received from the Central Pennsylvania Farmers' Market to close Locust Lane between College Avenue and Calder Alley to conduct the market every Friday starting June 3 through November 11. Because Council does not meet again until after June 3, Mr. Fountaine indicated that he would administratively approve the application. If agreeable, Council could ratify that approval at their meeting of June 6. All members present agreed.

Liquor License Transfer. Mr. Fountaine notified Council that a request had been received to transfer a liquor license from the Borough of Philipsburg for Rotelli Restaurant to be located at 250 Calder Way. The application is being reviewed by the Solicitor and will be presented at a future Council meeting.

Borough Web Site Presentation. Mr. Grattan announced that the Borough's web site had been changed and was hosted by CivicPlus, a web site management company. With this new service, there would be a host of services available. One service that is available with the new system is a search capability, which will search the entire site for any document. Another service is "notify me", which allows citizens to sign up to receive automatic notifications for specific items, such as job vacancies, road closures, etc. This will help to keep citizens informed and take some of the pressure from Borough staff. Mr. Grattan explained how each department is managing their own part of the site so one individual is responsible. This allows for more information to be available on a regular basis, such as agendas and minutes.

Mr. Meyer asked if this was a budgeted item. Mr. Grattan replied it was in the Information Services budget under Internet services. CivicPlus is paid \$8,400 a year to host the site; they also provide start-up training and regular support. There is an unlimited amount of documents and web files that can be loaded.

Mr. Whitfield reviewed the Public Works portion of the web site as an example of some of the services available to citizens.

Mr. Meyer asked if past minutes would be available. Mr. Grattan replied they would be placed in the archive.

Allen Street Parking Lot and Walkway. Mr. Fountaine reminded Council, at the May 16, 2005 meeting, Council rejected the Allen Street Parking Lot and Walkway bids and asked that this project be included on this work session agenda for additional discussion. Council noted the need to work with the adjacent property owner to facilitate the development of the Heimer project, as well as the Allen Street Parking Lot. Staff has been working with Mr. Heimer on this matter for several years, and it appears that any issues related to the development of the Heimer site can be resolved. The parking lot project has been delayed for several years while the discussion with the Heimers has been taking place. Since the parking lot project is funded by in lieu parking fees, it is important to complete this project as soon as possible. Unless Council has objections, staff will proceed with the project redesign and prepare a subdivision for the Heimer land swap.

Mr. Whitfield explained the land swap with the abutting property owner would allow the Borough to gain 3 feet to allow for additional vehicle overhang in the parking lot and give the 5 feet needed for Mr. Heimer to provide storm sewer. In addition, Mr. Heimer would be providing a public

access to the parking lot and brick pavers for the plaza, which would match the design in the Municipal Building plaza.

Mr. Fountaine noted the bids for the Borough's portion of the project came in too high. The storm sewer will be redesigned to decrease the cost of the project. Originally, the storm sewer project included a sand filter system, which is part of Best Management Practice but, unfortunately, it was very expensive. The storm sewer will be redesigned to use inlets to catch water. If Council has no objections, staff will proceed with the final design and rebid the project.

Mr. Meyer asked about working with the developer on the abutting property for storm water management. Ms. Story indicated they had looked into that, but if redevelopment should occur in the future for the abutting lot, the Borough would be tied into the system.

Mr. Humphrey asked if the walkway would be tree-lined. Ms. Story indicated the landscaping plan was not shown on the map presented to Council; trees would be planted along the walkway.

Ms. Dauler asked if landscaping would be provided to prevent parkers from accessing Allen Street other than via the pathway. Ms. Story explained there would be dense vegetation that people would not be able to cross. Ms. Dauler indicated the University's fencing and shrubbery along College Avenue had been very effective in forcing walkers to cross at the intersections. She would be interested in getting the cost of a fence; if people cross through the shrubbery, it could get very expensive to replace the landscaping.

Council instructed staff to proceed with the final design. Mr. Fountaine indicated that Council would receive this for approval at a regular meeting as a subdivision plan.

Commercial Incentive Zoning. Mr. Daubert reviewed the list of four questions prepared by the Zoning Officer to direct staff on how to proceed with the ordinance. He indicated Council would also need to address whether or not the boundaries would need to be extended.

The first question was: *Is 95 feet too high? If no, then no change. If yes, the cap in the incentive rule should be change.* Mr. Daubert explained Council members would be visiting the top floors of tall buildings in the downtown to determine if the height created a disconnection to the street. Mr. Meyer said it was not the view from the top but the shadowing created by the mass of the building. Mr. Humphrey agreed, commenting that the pedestrian flow at street level was an important issue. Ms. Dauler disagreed, commenting the view from an office is an important aspect when trying to attract businesses to the downtown. By touring the buildings a certain perspective can be achieved.

Ms. Goreham asked how high the fire company's ladder truck would be able to reach. Mr. Daubert believed it was 80 feet. Mr. Humphrey said he heard at a regional public service meeting that it is better for the fire department to fight a fire internally if over a certain number of floors.

Mr. Daubert noted that the second question raised by the Zoning Officer is: *Is 10,000 square feet parking exemption enough and should it be for commercial/residential? If yes, no change. If no, address how much relief there needs to be and change the base zoning rule.* Mr. Humphrey asked how many spaces would be exempted with 10,000 square feet. Mr. Slaybaugh indicated it would be approximately 12.5 spaces.

Ms. Goreham noted that parking will be built because of market demands. Mr. Meyer agreed, stating a developer would build the needed spaces. He believed there were times when no parking requirements or minimal requirements were enough. Mr. Humphrey noted that much of the district was quite a distance from a parking garage.

Council members agreed that some parking may be needed but agreed that a 20,000 square foot exemption would be reasonable. Council discussed liberalizing the base zoning parking requirement but could not come to any agreement on how to do that.

Council discussed office space and what the real estate community means by designating a Class A office space. Mr. Fountaine said he did not know but could get an explanation. Ms. Goreham noted that "market rate housing" is another confusing real estate term. Mr. Daubert noted that it refers to student housing in this community but in another community it may refer to higher-end housing. Mr. Fountaine believed it referred to unsubsidized housing. Most real estate is not subsidized.

Mr. Daubert indicated the third question raised by the Zoning Officer was: *Should an increase in FAR for non-owner occupied housing be allowed with the use of incentives? If yes, no change. If no, the tables need to be adjusted to eliminate or reduce the FAR bonus for all incentives except owner-occupied housing.* Council discussed the FAR and whether or not bonuses should be permitted for rental housing. Ms. Dauler asked Mr. Slaybaugh to provide a short tutorial on the explanation of the FAR. Mr. Slaybaugh presented a scenario with the proposed construction project at 300 West Beaver Avenue (Balfurd site). He suggested that if Council did not want the FAR increase for rental housing, it could be dropped. Ms. Goreham believed there should not be an increase in FAR for rental housing.

Mr. Daubert noted that many residents did not agree with the requirement for primary residency for owner-occupied housing. This may be something that should be changed.

Mr. Daubert said the fourth question raised by the Zoning Officer was: *Do the incentives provide enough return to encourage commercial/retail development? If yes, no change. If no, more incentives need to be created or greater bonus returns for commercial/retail.* Ms. Goreham did not believe the incentives would be enough to encourage redevelopment in the area. Council discussed the comments made by developers at the public meeting made on the previous day in regards to market conditions and the lack of demand for commercial and office space. Mr. Slaybaugh noted the concerns by developers were things that would lower the developers' costs, such as parking requirements. Zoning, however, cannot create a market but provide conditions so that, should the market change in favor of commercial/retail, standards are in place that provide for redevelopment options.

Council discussed the boundaries of the district and whether they should be expanded. Mr. Slaybaugh noted the developers did not seem to support to expansion of the district further east along College Avenue. There was some discussion of squaring off the district along College Avenue and Fraser Street. Mr. Humphrey did not believe the boundaries should be changed. Mr. Meyer said developers for the Fraser Street site should be given the advantage of using this ordinance. Mr. Daubert suggested waiting until after June 10 to decide if the Fraser Street lot should be included. By then, a proposal would be presented by the consultant. Mr. Fountaine noted the developer may be requesting waivers to the Borough's regulations to develop the Fraser Street site.

COG Agenda. Mr. Daubert reviewed the following items on the Centre Region of Council of Governments agenda for May 23, 2005.

Council discussed the issue of subsidizing the beneficial reuse project that would provide water resources to College Township. Mr. Daubert said he would be in favor because it supported the beneficial reuse program. Ms. Goreham understood that the Lemont Water Company was struggling but would not want to support one water source over another.

Mr. Daubert said the COG General Forum will send the CATA Budget to the municipalities. One of the issues discussed was outside advertising on the CATA buses. Mr. Daubert added changing to a regional funding formula was discussed. Currently the Miller formula is used whereby each municipality pays according the number of miles each route goes through the municipality. He suggested that Council agree to support the CATA budget for this year but write a letter notifying CATA that for the next budget year the Borough will opt out of certain routes. The municipalities can then sort out what will be done. Mr. Daubert did not believe Council could opt out of the routes. Mr. Meyer noted the Borough needed to follow through and stand by their convictions. Mr. Daubert suggested a statement be added indicating the Borough would reconsider if there were changes in the formula. Mr. Meyer suggested the statement be made that "because of the way the Miller formula is structured, the Borough will be opting out of several routes in next year's budget. If CATA had a regional COG-based formula, the Borough could not pick and chose which routes to support."

National League of Cities. Mr. Fountaine asked if Council wanted to contribute \$150 for the legal defense fund of the National League of Cities as part of their annual dues. The fund would be used to cover legal fees in connection with litigation from endorsements of the National League Board. Mr. Meyer said he was opposed but the rest of Council saw no problem.

There being no further business, the meeting adjourned at 2:08 p.m.

Respectfully submitted

Cynthia S. Hanscom
Assistant Borough Secretary