

Meeting Minutes
State College Borough Council
Monday, February 12, 2007

The State College Borough Council met in a work session on Monday, February 12, 2007, in the State College Municipal Building Council Chambers, 243 South Allen Street, State College, Pennsylvania. Ms. Dauler called the meeting to order at 7:40 p.m. after holding an executive session to discuss real estate and litigation matters.

Present Catherine G. Dauler, President of Council
Thomas E. Daubert
Ronald L. Filippelli
Elizabeth A. Goreham
Donald M. Hahn
Craig R. Humphrey
Jeffrey R. Kern

Also present: Thomas J. Fountaine, II, Borough Manager; Thomas S. Kurtz, Assistant Manager; Thomas R. King, Chief of Police; Carl R. Hess, Community Development/Planning Director; Michael S. Groff, Finance Director; Mark A. Whitfield, Director of Public Works; Alan W. Sam, Arborist; Sheila Lubold, Recording Secretary; members of the media; and other interested observers.

Public Hour. Hal McCullough with Café 210 and Lew Kamin with Dante's restaurants spoke to Council in response a request made to area bar owners to hold a St. Patrick's Day celebration on March 2, 2007. Members of The Tavern Association held a meeting and have decided not to involve themselves with a March 2 celebration. Ms. Dauler spoke for Council and stated Council was grateful to the bar owners for their decision not to support the celebration.

Open Agenda. Members of Council were given the opportunity to raise issues not scheduled on future agendas.

Ms. Goreham commented on an article in the Centre Daily Times (CDT) which listed Centre County's top forty employers and the number of people employed by each company. Many of these employees work for companies in or near the Borough and would like to live closer to work but are unable to afford housing in the Borough. Ms. Goreham stated more Work Force Housing is needed in the Borough to accommodate this need. She asked for Council's support in inviting George Khoury and Rhonda Johannessen, Chair and Vice Chair of Affordable Housing Coalition to speak at a future meeting. Ms. Goreham also suggested Council consider inclusionary zoning in the redevelopment of the downtown and the Urban Village. Council was in agreement to invite the agencies to a meeting.

Mr. Daubert questioned when the agenda ideas suggested by Council members would be incorporated into the schedule. Ms. Dauler stated she spoke with each Council member to receive ideas about what they would like for Council to discuss. She explained she will put the suggestions on a grid, discuss a timeframe with the Manager and then make Council aware of the schedule.

Mr. Daubert questioned what the Consultant Selection Process was that is listed for discussion at the March 2, 2007 work session. Mr. Fountaine stated at a previous meeting Council suggested reviewing the current policy used when awarding consultant contracts and a proposal will be presented at the March 2 meeting.

Report from the Tree Commission. Marc McDill with the Tree Commission presented the Master Tree Plan to Council. This plan will update the tree plan from 1993. Mr. McDill noted the downtown area is a key concern and the plan suggests adding more trees to this area. The plan has also shifted more towards looking at the parks and the welfare of the trees in the parks. The

Tree Commission is also working on updating its webpage with the most current information about tree species and tree diseases and has also added the tree plan to the site.

Mr. McDill suggested Council review the information in the appendices concerning Borough ordinances, the diversity of tree species that have been planted and the chart showing the tolerance and growth habits of various trees.

Mr. McDill stated the Commission is trying to make the tree species as diverse as possible.

Mr. Humphrey stated the plan was a "first class" document. Mr. Kern shared Mr. Humphrey's opinion and stated the diversity of the trees also adds to the scenery of the Borough.

Mr. Sam added Tree City US gives a growth award and he will submit the Borough as a nominee for this award.

National Citizens Survey. At Council's February 2, 2007 work session, staff and Council discussed the status of the performance measurement program, specifically focusing on the National Citizen Survey to be conducted in the spring. During this meeting Council discussed making changes to the survey questions and increasing the number of surveys distributed.

Mr. Hess requested authorization to include four policy questions and to increase the number of questionnaires to be distributed. These changes would require the appropriation of an additional \$750.00. Mr. Hess asked for Council's feedback to these changes.

Council again questioned if the wording of the questions could be changed and geared more towards the Borough. Mr. Hess stated he has sent edited copies to his contact and they are still negotiating the changes. He is doubtful the changes will be made because this survey is used in numerous communities.

Ms. Dauler inquired about the last question of 16A on the survey dealing with Welch Pool. She stated this issue has already been decided and did not think it should be included. Council agreed this question should be omitted.

Mr. Kern asked if the question regarding nuisance crimes could read nuisance crimes to property and detail out the question depending on the response. Mr. Hess stated National Research Center will work with the Borough on formatting.

Council then discussed the pros and cons of adding a fourth sub-question dealing with internet usage. Mr. Kern stated the question should be included since Council has been encouraging more internet friendly interaction with Borough staff and the citizens. Knowing how citizens are using the internet would be helpful in directing the actions of Borough staff. Mr. Filippelli agreed with Mr. Kern and stated the extra cost for the question is reasonable. Ms. Goreham questioned if the additional question was necessary; no matter what answer is received from the citizens, the Borough will still go ahead with the on-line bill paying system and other internet operations.

Mr. Daubert suggested Council answer the questions themselves to insure they had a complete understanding of what was included in the survey. Mr. Fontaine stated Council could review the final questions before they are distributed to the public.

Mr. Kern also reminded Council that this is suppose to be a comparative document and making too many changes will make it more difficult to compare with other communities. He also stated the question in discussion is about internet usage throughout the Borough which Council has been discussing for numerous years. Time was spent earlier this year trying to put internet access throughout the downtown so it seems logical that Council would want to include this question in the survey to find out to what extent Borough residents are using and are able to access the internet.

Mr. Hahn agreed that 16d is an important question and would rather delete question 16c before deleting 16d.

There was a consensus by Council to increase the number of questionnaires to be distributed and to include question 16d in the survey.

Report from Planning Commission. Ron Madrid, Chair of the Planning Commission, attended the meeting and gave a report of the Commission's past and future activities.

Mr. Madrid highlighted the 2007 work plan for the Commission. The Commission has reviewed the plans for St. Paul Education Building and the Sowers Street Redevelopment, the sale of the old municipal building and will review the high school renovation project.

Mr. Madrid advised Council that the Commission will be looking for feedback and guidance on the concepts provided to Council on areas 2 and 3 in hopes of completing the implementation of recommendations in June.

The commission is working on many regional activities and they are also working with Ferguson Township on the Urban Village and the Redevelopment Authority and COG on the land use plan.

The Planning Commission has been working on the mixed use overly amendment and has been challenged to keep the ordinance balanced so that it covers the entire mixed use overly district and does not isolate one district. The zoning amendment will allow the neighborhoods to maintain the unique character of the buildings while allowing the buildings to be used as commercial entities and enhance the tax base.

The Downtown planning effort has a number of significant priorities but the Commission would like to maintain or expand the tax base of the Borough and encourage development that maintains or enhances the quality of life of all Borough residents. The Commission's goal is to establish a balance between residential and commercial projects. One area that has prompted many questions is Calder Way. This area is a challenge because it has the potential for many different uses and has to be a key consideration with areas 2 and 3. The Commission is on track to accomplish the objectives of the work plan that was submitted and approved by Council.

Mr. Daubert said he feels the Planning Commission has done a good job at initiating and starting projects and questioned if the members of the Commission feel there are other important projects that were not assigned to them or listed in their work plan. Mr. Madrid stated the Commission has the opposite point of view. They feel the projects they have been assigned to work on are all important and provides for a full work load.

Ms. Dauler complimented the Commission on their ability to listen to one another and working together on resolving difficult issues. Mr. Filippelli added his compliments as well and recognized the amount of work and level of commitment all the ABC members have.

Ms. Goreham questioned when Council would be receiving the information to be gathered for each area to be certified for redevelopment. Mr. Madrid stated the areas in question were recommended to the Redevelopment Authority (RDA) for review and the RDA will generate the information and report to both the Planning Commission and Council.

Zoning Ordinance Amendment: Mixed Use Overlay. Council has discussed a zoning ordinance amendment regarding the mixed use overlay and received the ordinance amendments at the meeting on February 5, 2007. A public hearing will be held on March 5, 2007 with the expectation of enactment of the ordinance on March 19, 2007.

Mr. Hess presented the proposed amendments to Council and showed Council the areas where the mixed use overly applies, noting the areas that are zoned R3H have a historic district

designation. Mr. Hess provided Council with details on the existing conditions and the proposed changes.

Mr. Daubert said he likes the changes being proposed but questioned the 1200 feet for off-site parking and asked how the distance was determined. Mr. Hess stated studies show that employees are willing to walk 900 feet to their place of employment so it was decided to expand that distance a little further and make commercial lots accessible to businesses in the districts.

Mr. Hahn said he agrees the changes are improvements but still has some concerns. His first concern is that amount of parking required for medical and professional businesses is different in this zone and not consistent with other zones. He felt a consultant may be helpful in providing consistency in various zones. Second, Mr. Hahn said he is uncomfortable with businesses only being required to provide parking for some, not all, of their employees. He agrees the proximity to parking garages and the use of mass transit helps, but parking is limited on West Beaver and this could result in illegal parking. Mr. Hahn's next concern was in regards to building size. He said he understands other similar zoning districts have a maximum building size that help preserve the historic character of the district. Lastly, he stated that, if the use of a building changes and the new use would require the hiring of more employees, this ordinance could have a negative affect on that change.

Mr. Kern stated the Planning Commission and Mr. Hess has done a good job at addressing the global issues of these areas. He pointed out that many of the streets in these districts have 2 hour parking limits but he did not think having cars parked along public street is detrimental as long as they are moving periodically and are not "stored" there. Mr. Kern said he felt there are a lot of trade-offs with this ordinance but the planning commission has found a good balance on a tough issue. Mr. Hess added that it was a trade-off between open space and asphalt parking lots but the Commission felt it was more important for the visual and aesthetic impact on the neighborhood to have open space.

Ms. Goreham said she is also concerned with employee parking and the size of buildings. She supported preservation of the size of existing structures and not allowing lots to be consolidated to build larger buildings. Ms. Goreham also proposed including limits on the size of buildings and protecting existing structures. She said she would like to propose all R2 should be under highway transitional use overly. She also stated the parking requirements could cause more people to park in the Highlands area.

Mr. Filippelli said he did not think the amendment for employee parking would put parking pressure on the Highlands or Foster Avenue if it is restricted to two hour parking; employees would not be able to use those zones to park. He also questioned what changes, within this ordinance, could be made by a property owner of a residential property. Mr. Hess stated under the current ordinance the only restriction would be the maximum building size. Under the proposed ordinance a number of restrictions have been added when changing from a residential use to a highway transitional use. The restrictions are meant to help the buildings retain a residential look. Some of the restrictions pertain to the exterior covering, design of roofs and stair towers.

Mr. Madrid said if the limit on the distance for parking is less than the proposed 1200 feet, we will force people to try something different. He also added the concerns about having people park in residential areas for longer then permitted is an enforcement issue and can be controlled in that manner.

Mr. Hahn stated that property owners can also ask to set aside a few of the required parking spaces as open space. Mr. Hess stated that provision applies to all zoning districts.

Ms. Dauler added she hoped when the revised procedures were approved uses would be listed as use by right rather than as a special exception.

Mr. Richard Virgil, 620 East Foster Avenue, thought the changes would have a great impact on the neighborhood where he lives. During a previous meeting he asked if home owners in the 500 to 700 blocks of Foster Avenue could be notified by mail of the public hearing and receive as much information as possible on the proposed changes.

Council discussed the proper way to notify citizens of the public hearing. Mr. Hess stated the staff does not typically send out letters for zoning text changes but state law does require contacting property owners for zoning map changes. He added that a hearing notice in the Centre Daily Times is done to alert the public. Mr. Hess suggested mailing, to all property owners within 200 feet of the area, a copy of the notice of hearing along with instructions on where and how to obtain more information. Council agreed this would be adequate.

Zoning Ordinance Amendment: Rezoning of Downtown Planning Areas 2 and 3. Mr. Fountaine stated the Planning Commission has been focusing on redevelopment ideas in Planning Areas 2 and 3 between Locust Lane and Hetzel Street. The Planning Commission is asking Council to decide if the areas should be rezoned from general commercial to commercial incentive and should the signature development project conditional use be made applicable in all areas changed to commercial incentive. Architect Ed Olsen attended the meeting and presented to Council a redevelopment proposal for a site in planning area 2 owned by Charles Herlocher.

Mr. Olsen presented council with slides of the site location and the floor plan for the proposed complex including the varying elevations for different parts of the complex. The proposal includes commercial properties on the first levels, guest suites through the eighth levels and a restaurant on the ninth level. The student housing on Greenwich Court will remain and parking will be provided underground. The design allows for a plaza area which will connect College Avenue and Calder Way. The presentation showed the results of the massing study that was completed as well as the fit of the complex into the downtown area.

Mr. Daubert questioned if there was information available regarding shade patterns on Garner Street. Mr. Olsen stated there have not been any sun shade studies completed but part of Sowers Street and College Avenue would be impacted. He added the design and the changing elevations of the building help to address this matter.

Council agreed to further discuss this item at a future meeting.

There being no further items, the meeting adjourned at 10:05 p.m.

Respectfully submitted,

Cynthia S. Hanscom
Assistant Borough Secretary