

**Meeting Minutes**  
**State College Borough Council**  
**July 9, 2007**

The State College Borough Council met in a regular meeting on Monday, July 9, 2007, in the State College Municipal Building Council Room, 243 South Allen Street, State College, PA. Mr. Welch called the meeting to order at 7:30 p.m.

Present: Bill Welch, Mayor  
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: Terry J. Williams, Borough Solicitor; Thomas J. Fountaine, II, Borough Manager; Thomas S. Kurtz, Assistant Manager; Carl R. Hess, Planning Director; Mark A. Whitfield, Director of Public Works; Arthur Caccavale, Parking Manager; Beth Johnston, Director of Human Resources; Anthony Marusiak, Assistant Borough Engineer; Cynthia S. Hanscom, Recording Secretary; members of the media; and other interested members of the public.

Mr. Welch began with a moment of silence and Pledge of Allegiance

**Public Hour.** There were no comments from members of the public.

**PUBLIC HEARINGS**

**Creation of a Tax Increment Financing (TIF) District.** Mr. Fountaine said that tax Increment Financing is an economic development tool that municipalities in Pennsylvania have been authorized to use since the passage of the Tax Increment Financing Act of 1990. Tax increment financing allows communities to use increases in real estate and other taxes generated by redevelopment as one component of the funding package for a redevelopment project. Use of tax increment financing as part of the overall financing package for Fraser Centre has been under discussion for a number of months. Establishing the tax increment district is needed to complete the funding package for Fraser Centre. In order to use tax increment financing, a district must first be established.

Mr. Fountaine explained the Tax Increment Financing Act establishes the procedures for both use of TIF and for creating a district. At the request of Downtown State College, the State College Redevelopment Authority has prepared and approved a TIF District Plan for the Fraser Centre Tax Increment District. The Authority has forwarded the Fraser Centre TIF Plan to Council with a request that Council approve the plan as provided in the TIF Act. As required by the Act, the Redevelopment Authority met with representatives of all taxing bodies to review the proposed TIF District and Plan and made presentations to the State College Area School District Board and to the Centre County Commissioners. Both of these entities have, by unanimous vote, agreed to participate in the Fraser Centre TIF District.

Vicki Fong, chair of the Redevelopment Authority, introduced TIF Bond Counsel, Paul Lundeen, Rhoads & Sinon, to present background on the process. Mr. Lundeen noted that this hearing was advertised in the *Centre Daily Times* on June 9, which meets the legal notice requirements for creation of the district. He explained this hearing is required to provide the public the opportunity to offer comments on the concept and the project plan. Council will need to take action by ordinance to approve the project plan after tonight's hearing.

Mr. Lundeen explained that economic development funding was originally a federal program. Following federal tax reform, the states took over the task of economic development and have used tax increment financial as a tool for municipalities to foster economic projects. The Fraser Centre proposal is a redevelopment project that will generate additional taxes for school, county and the municipality. Tax increment financing allows for a portion of the additional taxes to be used to support financing of the project for up to 20 years.

Ms. Fong introduced Mr. Hess to provide a background of the Fraser Center project. Mr. Hess noted this was a proposal of the Redevelopment Authority. He reported that the area of the Fraser Centre was, as required, certified as a redevelopment area by the Planning Commission at their meeting of June 13. He presented a map of the certified redevelopment area indicating that it was bounded by Fraser Street, Calder Alley, West Beaver Avenue and Miller Alley. He reported the TIF Plan and proposal was presented to the State College Area School District Board on June 11 and approved on June 25. It was also presented to the Centre County Commissioners on June 26 and approved on July 3.

Mr. Hess noted that the tax increment financing district would comply with the Centre Region Comprehensive Plan in that it intends to “maintain a strong, diverse, and vital downtown as the focal point of the Centre Region.” He added that studies of Pennsylvania municipalities show core communities under fiscal stress. Towns like Erie, Bellefonte, and State College have been suffering from population loss and loss of taxable properties. The tax increment financing would provide a tool to assist to foster projects that would benefit the fiscal health of the community.

Mr. Hess presented financial information on why the gap TIF financing was necessary in order for the project to be built. He continued by stating the next steps in the project would be to adopt the district by ordinance. Then, the developer would be in a position to submit a land development plan. Because the project is a conditional use, the plan will have to come before Council for approval.

Teresa Sparacino, Executive Director of Downtown State College Improvement District (DSC), stated the Fraser Centre project was born from the vision of the strategic plan process. She noted that the initial proposal began five years ago. Two years ago the DSC entered into an economic development agreement with the Borough and solicited proposals from 20 firms nationwide. Most commented that this would be a complicated project that would take a great deal of work and determination. She said that she knew it would take grant funds to get the project completed. She said they were fortunate to have Susquehanna Real Estate share the vision for owner occupied housing for this project, which is an important piece of the project.

Jack Kay, Susquehanna Real Estate, said his development company has been working with the DSC to implement this complicated project. His firm has completed many urban redevelopment projects with many professional staff members who have worked in the local sector. He said his firm views this project as an exciting offering to the community. He noted that he was most excited about the housing component but commented that the cinema aspect was a challenge. With cost of construction and projected revenues, there could be a substantial gap that would need to be filled. He said he believed this project would create a destination point for the downtown that supports the vision. Entertainment is a big component of the downtown vision and he believed this project would draw residents to the housing units and people downtown to experience the overall entertainment factor.

Mr. Hahn asked who would bear the risk if there was a reassessment downward. Mr. Lundeen indicated it would be the lender's risk as the property would be the only security for the lender. Mr. Hess noted that the Pennsylvania Department of Community and Economic Development has a tax increment financing guarantee program. He was currently looking into the timing of the application process to determine if it would be feasible. He noted the guarantee would make the project look more attractive to a lender.

Lois Stinson, 1041 Greenfield Circle, said she has lived in Borough for 40 years. She objected to tax increment financing. The proposal was to give away \$260,000 a year for 20 years to building luxury housing and an upscale theater. She said she did not believe State College needed another theater. The financing would, in essence, take \$260,000 out of possible revenue. She suggested the project be abandoned or the developer find another way to finance the project.

Mary C. Marino, 720 South Sparks Street, said the proposal is complicated by the efforts to finance the cinema. She said the financing for the theater requires \$12,500,000 in financing but only \$7,500,000 is available. She suggested the project be reduced so that the project could be built without needing the tax increment financing. She said that private property owners are planning a \$12.5 million endeavor that is excessive. She said that she would support a downtown cinema but did not support the method of financing the project.

Stanley Sobieski, 1243 Smithfield Circle, said he had recently moved to State College following retirement. He was part of a growing population base. Tax increment financing sounds like an innovative way to pursue commercial uses. After reading through plan, which was brief and clear, he noted a page was missing the covered contingency and default issues. There was an implication that everything was based on a \$10,000,000 tax return and \$8,000,000 in increment tax used to pay off the debt. He said he was concerned about the liabilities for condominium owners and other tax payers if the project was not a success.

Don Gordon, 365 Carogin Drive, Patton Township, stated tax increment financing for the Fraser Centre would create a loss of \$4.3 million for taxpayers. He said he would be happy to share the spreadsheet with the public showing how he came to that number. He noted that his numbers and those of the Downtown State College Improvement District are the same except the DSC fails to show the tax loss when the condominium and cinema are combined. This means a loss for the school district of \$2.9 million. He said he and many other taxpayers would not agree the use of school tax dollars to subsidize a private cinema. Mr. Gordon also questioned why the interest on the bond secured by municipal taxes from three taxing bodies (Borough, school district and county) was at the highest rating of 7 percent. He noted the most reasonable solution was to spend \$7.5 million on the cinema, which would not require tax increment financing.

Ken Walsh, 1966 Park Forest Avenue, Patton Township stated he did not believe tax increment financing was appropriate for this site. He said the purpose of the tax increment financing is to prevent the spread of urban blight and create growth where it would not otherwise occur.

Although the corner of Beaver Avenue and Fraser Street is a challenging area to develop, it was not a blighted area. He said he believed this was an abuse of tax dollars in order to fund an entertainment facility. He said he was a proponent of the Borough and was not criticizing the development of this plan. He said the simple solution would be to build a cinema at \$7.5 million; this would serve the needs of the Borough.

Bob Ricker, 10 Vairo Boulevard, Patton Township, submitted a packet of information from research that was conducted to build the Premiere Theaters in the State College area. He noted that he was the general manager of the Premier 12 Theater. He was concerned that, if the Fraser Centre theater failed, the owners would be back here at the Borough looking for additional tax dollars. He noted that movie goers would not bypass free parking to attend a movie in the downtown area. He questioned whether or not it was right to provide tax incentives for one private business over another.

Eric Topp, 605 West Prospect Avenue, stated there were two issues. The first was whether or not the proposal was correct in size and scope. The second was how much tax dollars should be used to fund the project. He said he would support a theater in the downtown but questioned whether it was the right size and if tax money should be used to fund the project.

Brenda Walsh, 1966 Park Forest Avenue, Patton Township, stated she was opposed to the tax increment financing. She said she wanted to have a viable downtown but believed the project failed the common sense test. It has failed to provide convincing market research that the theater would have financial sustainability. With 32 screens in the State College area, it is clear that the movie theater market is saturated. Subsidizing this theater will punish the existing theater companies. She noted the goal of Fraser Centre is uncertain and this needs to be understood. The tax increment financing should provide something more than a promise of an increase in real estate value; it should provide a benefit to the public. The project should provide for a need in the community that is not being met. Those benefits have not been clearly stated. She submitted information she had collected when a theater was proposed in Patton Township and stressed the importance of providing for the hearing impaired.

Steve Herb, 333 S. Allen Street, and member of Redevelopment Authority, praised all the people involved in this project. He noted that the Authority was formed recently and had done an impressive amount of work. He said this project was something the Authority wanted to be a success. As a downtown resident he had seen the market driven economy deliver the same thing over and over again. The Fraser Centre fills a bigger picture in creating partnerships for the future. He said he believed the project would provide for the long-term health of the community.

Michael Freeman, 126 West Marilyn Avenue, and member of the Planning Commission, expressed his strong support of downtown. He said he supported tax increment financing for Fraser Centre. The project holds so much promise for the good of the community. It has been nurtured by many organizations, including the Planning Commission, State College Area School District, Centre County Commissioners, Downtown State College Improvement District, and the Redevelopment Authority.

Ron Madrid, 701 West Beaver Avenue, said he was not speaking as the Holmes-Foster president or as a member of the Planning Commission, but simply as a resident of the Borough. He said he supported the enhancement of the downtown and the development of a new theater. He said he also supported owner occupied housing in the downtown and a project that provides a benefit to the taxpayers. He noted that there was lack of communication and availability of information on this project until the just recently. He noted that in an e-mail he sent to other Holmes-Foster neighborhood residents, it has appeared that he is opposed to the project. That is not the case. He said he had raised many questions in his e-mail to the residents as a way of providing all the information. He had included a paper prepared by Mr. Gordon, who spoke earlier, as well as a link to the Borough's website. Members of the Holmes-Foster Neighborhood Association have the opportunity to review both perspectives. He noted that he was not convinced that tax increment financing was the appropriate form of funding but applauded Downtown State College Improvement District and the developer for the work completed in this project.

Anthony Smith, 125 Northbrook Lane, stated he was the manager of College 9 theater in Patton Township. This proposal would put 32 screens in the Centre Region. It has been stated that the market for State College is 18 screens. The size of the theater proposed for Fraser Centre, which was 51,000 square feet, would need to bring in about \$2.4 million. In 2006, \$2.9 million was the total amount for the entire State College theater market. He said he was not opposed to competition but was opposed to building a theater that would have an unfair advantage in the market by being able to use tax dollars to offset the income.

Barnery Grimes, 117 Heiskel Drive, Patton Township, said he was concerned with the loss of taxes for the State College Area School District. He said he supported growth in the region and in the downtown. He also supported the desire to reclaim real estate for taxation. He did not support tax payer subsidization of a business by using tax revenues. This was a bad precedent in light of market survey data. He said he did not believe it meets the intent of the tax increment financial act because it was not a blighted area. The tax loss created through subsidy over 20 years will lead to higher taxes for the residents of the county and the region. Even though the

school district and the county commissioners had approved the proposal, he said he felt it was a this was a private venture and was a poor use of taxpayers' money.

Harry Gill, 1324 South Allen Street, stated he had been a resident for 86 years and could remember when the downtown was able to sustain three theaters. However, there were more screens proposed for this project and he believed the other theaters would suffer.

Pat Vernon, 900 Walnut Spring Lane, College Township, noted that whether one is in favor or not of the tax increment financing district, Council should recognize the work that Ms. Sparacino has done for this project. He said that many people had spoken on using government funds to finance a theater project. He reminded everyone that government money had been expended for the Village project and the baseball stadium. In addition, tax free bonds were used to fund the Geisinger Medical Center. All of these projects were private ventures whereby some form of money from taxpayers was used to fund the project. He said the residents of the building will pay full taxes. He encouraged the developer to consider work force housing and building the theater at \$7.5 million rather than \$12 million.

There being no further comments from the public, Mr. Welch closed the public hearing.

Mr. Humphrey moved to schedule action on the creation of the tax increment financing district for August 6. Ms. Dauler seconded the motion. The motion passed with a 7-0-0 vote.

Council took a recess of 10 minutes before reconvening.

**Consent Items.** Mr. Hahn moved and Ms. Dauler seconded a motion to approve the following consent items. The motion passed unanimously.

- Use of Centre Lane for a block party on July 29, 2007, from 2:00 to 4:00 p.m.
- Request from the Downtown State College Improvement District to use Fraser Street between Foster and Nittany Avenue for the Summer Concert Series on July 17, 24, and 31 from 3:00 to 9:00 p.m.
- Use of various streets for the 2007 State College Area High School Homecoming Parade on Thursday, September 27, 2007, from 5:30 to 9:00 p.m.
- Appoint the following individuals to fill unexpired terms to various authorities, boards and Commissions, and approve Resolution 939 for appointment to the Zoning Hearing Board

NAME	ABC	Term Expires
Shirley Palermo	Design Review Board	December 31, 2007
Karl Stoedefalke	Historic Resources Commission	December 31, 2008
Rosalie Bloom-Brooks	Zoning Hearing Board	December 31, 2009

- Accept a resignation, with regret, from Melissa J. Alvarez from the CDBG Citizens' Advisory Committee, effective immediately.

Mr. Hahn moved to approve the minutes of the May 4, May 7, May 14, and May 12 meetings with the following corrections on the May 7 minutes:

- Page 245, 11<sup>th</sup> paragraph, 2<sup>nd</sup> sentence should read "...1 space per 500 square feet for medical offices..."
- Page 245, 11<sup>th</sup> paragraph, 4<sup>th</sup> sentence should read "Mr. Hahn suggested the conditional use for further reduction of parking in the mixed use overlay area exclude medical and professional office uses."

Ms. Dauler seconded the motion. The motion passed with a 7-0-0 vote.

#### GENERAL POLICY AND ADMINISTRATION

**Resolution for the Destruction of Records.** Mr. Fontaine said that in accordance with Act 428 of 1968, adopted for use by Council through enactment of Resolution 706 in 1993, each individual act of record disposition must be approved by Resolution of the governing body. A list of obsolete records proposed to be destroyed by the Health Department were distributed to Council.

Ms. Dauler moved to enact Resolution 940 authorizing the destruction of obsolete records being held by the Health Department. Mr. Kern seconded the motion, which passed unanimously.

#### BID/CONTRACTS/AGREEMENTS

**Project 5-2007 Beaver Avenue Sanitary Sewer Rehabilitation.** Mr. Fontaine said bids for Project 5-2007 Beaver Avenue Sanitary Sewer Rehabilitation were opened on Tuesday, June 26, 2007. The project consists of rehabilitation of existing gravity sewer lines by the cured in-place

pipe process (CIPP). The project will include lining approximately 2490 linear feet of 8-inch VCP, 307 linear feet of 6-inch VCP, and reinstating approximately 75 service connections. The bids were advertised in the *Centre Daily Times* in accordance with the Purchasing Ordinance. Four bids were received, with the low bid from Institutorm Technologies, Inc., in the amount of \$99,380.00. Funding for this award is from Capital Improvements.

Mr. Daubert noted that the Notice to Proceed would be July 16 with a time of completion of 35 days. He asked when the contractor would actually start the project. Mr. Marusiak said he did not know the exact date but the contractor would complete the project by the first or second week of August. Mr. Daubert expressed concern that the project would coincide with the Penn State University Fall semester when there is a lot of activity in the downtown. Mr. Fontaine said that if the project extended into the student move-in timeframe, there would be restrictions that both lanes would need to remain open.

Ms. Dauler moved to award the bid for Project 5-2007 Beaver Avenue Sanitary Sewer Rehabilitation to Institutorm Technologies, Inc., the low bidder, in the amount of \$99,380.00. Mr. Kern seconded the motion, which passed unanimously.

**Sale of Two Used Residential Front Loading Refuse Trucks.** Mr. Fontaine said that bids were opened on Wednesday, June 6, 2007, for the sale of one (1) 2000 model residential front loading refuse truck and one (1) 1999 model residential front loading refuse truck, which will be replaced by two new 2007 model trucks. The bids were advertised in the *Centre Daily Times* in accordance with the Purchasing Ordinance. Three bids were received with the highest bid from Auto Wholesalers of Hollidaysburg, in the total amount of \$56,778.00. The proceeds of the sale will be used to offset some of the cost of the two new 2007 model residential front loading refuse trucks, which will be delivered to the Borough later this year.

Mr. Kern moved to award the bid for the sale of one (1) 2000 model and one (1) 1999 model residential front loading refuse trucks to Auto Wholesalers of Hollidaysburg, in the amount of \$56,778.00. Ms. Dauler seconded the motion, which passed unanimously.

#### TRANSPORTATION

**Remove On-Street Parking on Various Streets in the Borough.** Mr. Fontaine said that Council is requested to take action on establishing the east-west bike route by authorizing the removal of on-street parking along Foster Avenue from South Garner Street to South Sparks Street. Staff provided Council with a report at the May 14 work session and Council held a public hearing on June 18. He noted that Council received many comments on the east/west bike route proposed for Foster Avenues. Most of the comments received with concerns on the proposed route pertained to the loss of on-street residential parking between Garner Street and University Drive. Based on the comments received, staff recommends Council not include Foster Avenue between Garner Street and University Drive as a designated bike route. Staff proposes the Foster Avenue bike route be designated only from Sparks Street to Garner Street. Both Sparks Street and Garner Street are designated bike routes, he concluded.

Mr. Fontaine explained that in an unrelated matter, a request was received from Hawbaker Construction Services to remove a metered space on West Beaver Avenue to allow for access to the proposed parking lot for Albright-Bethune Church. Since both this item and the removal of parking on Foster Avenue are related in that they modify the same part of the code of ordinances, one ordinance has been prepared covering both changes.

Mr. Fontaine noted that the proposed ordinance also formally removes the on-street parking on Garner Street north of Easterly Parkway to allow for the bike path that was previously approved by Council and constructed.

Mr. Filippelli commented that he supported the proposed ordinance but wanted to make it clear that the objection of the residents at the eastern end of Foster Avenue was not only the loss of parking but also the danger of bicyclist exiting Foster Avenue onto University Drive.

Ms. Dauler said she would like to see the bike path go through to University Drive. She asked if property owners would be permitted to park in the bike lane temporarily. Mr. Whitfield noted that most have a second means of egress from an alley. He added that he would recommend that if a bike route is designated, it should be kept clear.

Mr. Hahn said he was opposed to the ordinance. If passed by Council, he suggested the Allen Street parking lot be converted to allow for commuter parking, which would capture spaces lost by removing the parking on Foster Avenue.

Mr. Daubert noted that if parking is removed on Foster Avenue, the parking restriction should be enforced. Currently the Borough does not enforce on-street parking regulations, especially on Garner Street.

Ms. Goreham commented that she was delighted to get an east/west bike path. She said she believed it would be a welcome addition to the neighborhood.

Council discussed the metered parking space to be removed on West Beaver Avenue. Mr. Welch asked about the one-way system proposed for the Albright-Bethune Church parking lot. Chris Farce, Hawbaker Construction, said that access to the parking lot would be from Beaver Avenue. If the exit was onto Beaver Avenue, the sight distance needed would require the removal of more than one space. Ms. Dauler asked if this would be a new parking lot. Mr. Farce said it was being constructed as part of the redevelopment occurring at the church. Mr. Fountaine also explained that there was already a curb cut in place. The Borough utilized the space for a meter until the church was ready to put in a parking lot.

Mr. Kern moved to approve Ordinance 1873 to remove parking on Foster and Garner Streets for bike lanes and one space on West Beaver Avenue. Mr. Humphrey seconded the motion. The vote on the motion was 6-1-0, with Mr. Hahn opposed. The motion passed.

**Adjust Parking Fees.** Mr. Fountaine explained that Council is asked to approve a proposed ordinance to establish new parking rates in the parking garages and new monthly rates for McAllister Deck and non-metered lots. These changes are needed to implement the Parking Business Plan approved by Council at the June 18 meeting. Only garage and non-metered lot and deck rates will be changed – there is no change in rates or hours of operation in metered spaces (in McAllister Deck, in lots or on-street).

Mr. Daubert said he was opposed to removing the fractional rates in the garages.

Mr. Hahn said that, although he was not opposed to the ordinance, he asked staff consider the commuter hours. For someone who works six days a week, sometimes 12 hours a day, would need more flexibility. Mr. Caccavale explained the commuter pass would be limited to 200 hours a month with some grace time allowed. If someone needs to parking for more hours, it would be beneficial for that individual to purchase the monthly permit that applies for 24-hours a day. Ms. Goreham asked if data is available on the number of hours needed in the garages for commuters. Mr. Caccavale said that data is not available; all of the monthly passes currently distributed allows for an unlimited number of hours in the parking garage.

Mr. Daubert stated that the number of hours for commuter parking was not listed in the ordinance. Mr. Fountaine indicated that was done intentionally so that modifications could be made if necessary once more information is available on the number of hours actually being uses.

Ms. Dauler move to enact Ordinance 1874 to establish new parking rates. Mr. Kern seconded the motion. The motion passed with a 6-1-0 vote, with Mr. Daubert opposed.

## OFFICIAL REPORTS AND CORRESPONDENCE

**Mayor's Report.** Mr. Welch thanked the Redevelopment Authority members, bond counsel, the Downtown State College Improvement District, and representatives from Susquehanna Real Estate for their presentation of information for the Tax Increment Financial district hearing.

Mr. Welch also announced that he had appointed Charles Maxim to the Redevelopment Authority to fill an opening vacated by Rhonda Johanasen.

The regular meeting adjourned at 9:28 p.m. and Ms. Dauler called the work session to order.

**Open Agenda.** Ms. Goreham asked that staff reconsider creating a driveway to the Allen Street parking lot from Allen Street. Rather than do that, she encouraged the lot be used for commuters, such as that suggested previously by Mr. Hahn. Mr. Fountaine noted that he hoped to be able to get better utilization of the lot through wayfinding and signage. The suggestion that was made to create a driveway access would be the last alternative if other measures did not work.

Mr. Kern asked that staff proposed a way to enforce pedestrian rights-of-way in crosswalks. He noted that he walks in town frequently and many motorist will not stop or slow down. He said that in other larger towns with an equal amount of pedestrian traffic, the city has found ways to teach motorist that they need to stop to let pedestrians cross. Ms. Dauler and Mr. Hahn agreed. Mr. Hahn noted that he spends many hours in Bellefonte where there is social acceptance of deference to pedestrians. He added that the census data indicated that 40 percent of the population of the Borough considers walking to be their primary mode of transportation.

**Projects Reports.** Council reviewed an updated list of projects. Mr. Humphrey asked if the parking study would not be completed this year because of funding problems. Mr. Fountaine explained that when completing the parking business plan, it was recommended that the parking study be deferred until results could be produced from the implementation of the business plan.

Mr. Daubert noted that some projects were not listed in the Capital Improvement Plan or in the operating budget. Mr. Whitfield replied that some projects are being completed by Borough staff and are being done as time permits, such as the historic district street name signs.

**Report on the Status of the Centre County Housing and Land Trust.** Mr. Hess noted that a summary sheet on the Centre County Housing and Land Trust had been provided to Council

explaining the creation of a land trust organization similar to the State College Community Land Trust. The group was seeking a representative to be appointed from the Borough. Mr. Daubert agreed that Mr. Hess should serve on the Board but cautioned that the work of the Trust should not be a burden on Borough staff. Mr. Hahn agreed.

Mr. Daubert also asked if the new Trust would cause any negative impacts to the State College Community Land Trust or other housing programs. Mr. Hess replied the County Trust would supplement what is already being done in the Borough. The County Trust would be able to run some programs that are not currently available.

Ms. Goreham asked if the County Trust would be working towards developing greenfield sites. Mr. Hess said there may be a need to acquire a vacant site to meet the special needs of the County residents. He said one of the first tasks of the Board would be to identify projects.

**Report from State College Area Plan Steering Committee.** Eric Vorwald, Centre Regional Planning Agency, provided an update on State College Area Plan. He indicated the goal was to create a detailed land use plan guided by a 26-member steering committee. The project was to establish a study area and identify challenges and opportunities. He presented a map of the study area, which included the entire Borough. He explained the committee developed over 100 challenges and opportunities and divided those into 12 categories. From that work, eight guiding principles were developed. These key elements will act as a framework for the planning documents that are being prepared. The first chapter is on stable neighborhoods and had been provided for Council's review. He stressed that the document was in draft form and was being provided to show the format that the report would follow.

Mr. Daubert suggested that some pictures that were included in the report should be removed or replaced because they do not reflect the State College area. If the pictures are being used as examples, they should be identified.

Ms. Goreham complimented Mr. Vorwald for his guidance to the steering committee and encouraging the group to stay on point with this plan and work together.

Ms. Dauler suggested some changes to the text in language usage. She complimented the readability of the report.

**Zoning Amendment to CID and C District Regulations.** Mr. Fontaine reminded Council that they had reviewed a proposal for modifying the Commercial Incentive District (CID) and Commercial zoning in regards to density, use, infrastructure, and design. Council received the Planning Commission's final recommendations on June 18 and directed staff to prepare a draft ordinance to be reviewed by Council prior to forwarding to the Planning Commissions for comment.

Mr. Hess reviewed the proposed amendment which would do the following:

- Extend the Commercial Incentive district east of Garner Street between College and Calder;
- Change the permitted building heights along College between Garner and Hiester from 45 feet to 65 feet;
- Revise the Signature Development conditional use permit criteria; and
- Make changes to Calder Way to emphasize pedestrian use and safety while maintaining Calder's function as a service corridor.

Mr. Daubert stated his concern for taller building in the CID along the 300 block of East Beaver Avenue. He stated that lots could be combined and a taller building could be built up to Calder Alley. Mr. Hess noted that this could occur under current zoning. Mr. Fontaine said that if Council wants to review areas already zoned, it was a separate issue and should be done at a future meeting. Mr. Daubert asked that the Planning Commission review the CID in the 300 block of East Beaver Avenue to determine if it was appropriate.

Mr. Hahn commented that there are certain incentives that work for certain areas. He did not believe that one zoning ordinance would work well in all portions of the downtown. The downtown plan specifically indicates that the east and west ends of the downtown needed to have heights increased. This proposal now encourages height increases in areas other than the east and west end. Currently this area has parking and is generally free of student housing. He said that increasing the height would only encourage more student housing. He suggested other incentives be considered for this area.

Council discussed the work that the Planning Commission has done on this to this point, and noted that the commission may not have followed the initial suggestions that were made by Council members.

Ms. Goreham suggested a requirement be made that the mid-block pedestrian connections between College Avenue and Calder Way be open to the sky. She said her concern was the dark brick used in this area and closed in spaces would only cause problems. Mr. Hess noted

that the Planning Commission had debated having a minimum illumination level 24 hours a day. Council members agreed to require the pedestrian connection be open to the sky or have a minimum illumination standard.

Mr. Daubert noted the language appeared to allow the Planning Commission to veto any modifications Council makes for additional setbacks required for upper floors for buildings used for commercial or owner-occupied residential uses. It should be clearly stated that the Council has the final authority.

Council members discussed the expansion of the CID area even though only one project (Fraser Centre) had been proposed. Mr. Hess explained that much of the current area included in the CID have substantial buildings that have not outlived their life and are still producing a healthy income stream. The smaller lots have not been consolidated to be able to do something on such a large scale. As other redevelopment occurs and the buildings begin to age, he believed there would be more activity.

Ms. Goreham urged the Planning Commission to continue their work on a master plan for Calder Way. She believed changes proposed in the ordinance would impact Calder Way.

Mr. Hess reminded Council that this change may impact the sewer treatment system sufficiently to be considered a regional impact and would, therefore, require review and comment by the Centre Region Council of Governments General Forum.

There being no further business, the meeting adjourned at 10:37 p.m.

Respectfully submitted,

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Cynthia S. Hanscom  
Assistant Borough Secretary