

FERGUSON TOWNSHIP PLANNING COMMISSION

Regular Meeting
Monday, July 13, 2015
6:00 pm

I. ATTENDANCE

The Planning Commission held its first regular meeting of the month on Monday, July 13, 2015 at the Ferguson Township Municipal Building. In attendance were:

Commission:	Marc McMaster, Chairman	Staff:	David Pribulka, Assistant Township Manager
	Rob Crassweller, Vice Chair		Jeff Ressler, Zoning Administrator
	Scott Harkcom		Lindsay Schoch, Community Planner
	Kurt Homan		
	Lisa Strickland		
	Richard Killian		

Others in attendance included: Heather Bird, Recording Secretary; Mike Twomley, Marcelina and William Rothwell, Peter Buckland, Laura Dininni, Michael Marx, Michael Garrett

II. CALL TO ORDER

Mr. McMaster called the Monday, July 13, 2015 Planning Commission meeting to order at 6:00 pm.

III. REZONING REQUEST – 1900 CIRCLEVILLE ROAD

Mr. Pribulka stated a request was submitted by William and Marcelina Rothwell to the Township to rezone their parcel located at 1900 Circleville Road from Rural Residential to Townhouse Residential. Mr. Pribulka pointed out the property on the Township Zoning map. The Rothwells have not specified their plans for the parcel in the application. Only one reviewing agency expressed concerns for the rezoning. The University Area Joint Authority indicated that they do not have capacity to service increased density within the regional growth boundary at full build out. A proposed resolution to this was forwarded to the Council of Governments General Forum by the Public Services and Environmental Committee and includes a nutrient credit program.

Ms. Strickland asked for more information on the nutrient credit program. Mr. Pribulka stated the program would involve the purchase of nutrient credits at a designated dollar amount per credit allowing a property owner that would not be using their nutrient credits to sell them to a property owner that wishes to develop their property.

Ms. Strickland asked about the traffic study, what are the concerns about the impact on traffic? Ms. Schoch stated that with the size of the parcel being so small no impacts have been indicated.

Ms. Marcelina Rothwell pointed out the location of her property on the Zoning Map and asked for more explanation on the nutrient credits. Mr. Pribulka reviewed the sewer service area and the need for nutrient credits. Mr. Harkcom asked if this would affect any property requesting higher density development within the growth boundary. Mr. Pribulka stated that yes as long as it will be an increase in density.

Mr. Killian verified that the maximum development for this property would be a four-plex and that this matter would not need approval from COG on the sewer service area.

Mr. Homan stated that rezoning this land makes sense. He confirmed the zoning on the land surrounding that parcel.

Mr. Killian made a motion to RECOMMEND APPROVAL to the Board of Supervisors on the request to rezone the parcel located at 1900 Circleville Road. Mr. Homan seconded the motion. The motion passed unanimously.

IV. DRAFT FOOD TRUCK ORDINANCE

Mr. Pribulka stated Township staff received an ordinance amendment application from Michael Marx of 1425 East Park Hills Avenue to amend Chapter 27, Zoning to permit the operation of food truck establishments within certain zoning districts. Township staff prepared a draft ordinance amendment.

Ms. Schoch stated she has been working with Mr. Marx on this ordinance amendment. Due to a lack of restaurant service in the Light Industry, Research and Development District (IRD) the need for this service is apparent. Ms. Schoch reviewed the draft ordinance. The permitted use is for sale of food and non-alcoholic beverages between the hours of 7:30 am to 7:30 pm within the designated zoning districts. The food truck can only be on a lot containing a principal building or use. The truck must be 100 feet from the main entrance to any brick and mortar eating establishment. No audio amplification will be permitted. The food truck operator must be present at all times and is responsible for proper disposal of all trash and associated waste. The operator shall obtain a Zoning Permit. They must provide a plan for trash removal, any proposed seating and proper circulation for traffic flow in the parking lot, restrooms if applicable and storage of vehicle when not in use. The truck shall be subject to all code requirements in Chapter 10, Health and Safety. As part of the Zoning Permit proof of the vehicle registration, insurance, inspection shall be provided. If the office for the truck is located within a home a home occupation permit will be required. Any proposed signs should be attached to the truck; no off-site signs will be permitted. The ordinance also includes the definition of a food truck as a licensed motorized vehicle or mobile food unit (does not travel under its own power) which is temporarily permitted to park in a designated area of an established use within the General Industrial (I) and Light Industrial, Research and Development (IRD) Zoning Districts. Ice Cream Trucks and Home Service Food Delivery Trucks are exempted from this Ordinance, although shall still be in compliance with all state and federal regulations.

Ms. Schoch stated after review by staff and Mr. Marx, ten considerations were recommended for review by the Commission. These considerations are as follows: is there a need for a provision for a minimum lot size, should they be permitted to be operated on public property, can the food trucks be part of tournaments being held at Township Parks, proximity to fire hydrants and building fire escapes, signage, parking, requiring Food Trucks to obtain a Zoning Permit and not Ice Cream Trucks, football weekend sales, consider allowing food trucks in the General Commercial District, should a road map be attached to the Ordinance.

Mr. Marx, applicant, asked if the definition of a food truck was from the Department of Ag. Ms. Schoch stated it was a combination. He clarified that it includes both motorized and non-motorized trucks.

Mr. Pribulka stated that currently food trucks are not being a permitted or a not permitted use within the Township.

Mr. Homan stated that allowing food trucks in the Township makes sense. He stated that it should be up to the owners of the land to decide if the truck is allowed to serve there. He confirmed that these trucks need to be licensed through the Department of Health. Mr. Marx confirmed this is the first step. Mr. Homan is in favor of this ordinance.

Mr. Crassweller commented about the football weekend sales. He suggested setting a time limit for so many hours before and after kickoff time. About signage, he asked if a menu was considered a sign. Mr. Ressler stated that yes that would be considered a sign.

Mr. Harkcom asked about item #4, seating, would the seating be brought in by the food truck or would they just be utilizing a nearby park. Ms. Schoch stated either way is an option. Mr. Marx stated he doesn't have interest in this but others might.

Mr. Harkcom stated that he would like to see a comment included that the truck does not have to be self-contained, and could be permitted to plug in at the business location if permitted by the owner.

Mr. Killian stated he supports the ordinance. He commented that it is important to have the property owner's permission. And he stated they should think about how the enforcement would be handled.

Ms. Strickland asked about extended times / shift times. Ms. Schoch stated the shift times related to the truck being open in the night to cover a shift break for a large business. If shift times are included in the ordinance the proper individuals would need to be notified about these hours such as police and property owners.

Mr. Harkcom commented that this use should be expanded to commercial districts as well. Mr. McMaster agreed it should be permitted in other zoning districts.

The Commission discussed the reason that ice cream trucks are excluded from this ordinance.

Ms. Dininni, resident, stated she would not want to see this be allowed in a residential neighborhood at 2am. She would however want to see this in the Rural Agricultural (RA) Zoning District and in parks.

Ms. Strickland stated that overnight hours should not be permitted in the ordinance. She stated this would entail lighting and the effects on neighboring communities.

Mr. Peter Buckland, resident, asked about the future of the Township and the possibility of having too many food trucks. Mr. Marx said he has made the suggestion of a Food Truck Coalition where all of the trucks would work together on locations and schedules.

Ms. Schoch noted the comments of the Commission and will incorporate those into the ordinance which will be back to the Commission for review of a final draft.

V. PLANNING DIRECTOR'S REPORT

Mr. Pribulka reviewed the planning report which included Township email utilization policy, recruitment of the new Planning and Zoning Director and the status of the Final PRD submission of The Cottages at State College.

VI. JULY 8, 2015 BOARD OF SUPERVISORS / SCBWA JOINT WORKSESSION UPDATE

Mr. Pribulka provided a summary of the discussion held at this meeting.

VII. APPROVAL OF THE JUNE 8, 2015 MEETING MINUTES

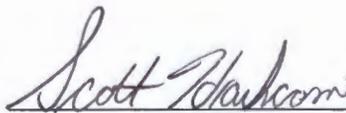
Mr. Crassweller made a motion to APPROVE the Planning Commission Regular Meeting Minutes from May 26, 2015. Mr. Harkcom seconded the motion. The motion passed unanimously.

VIII. ADJOURNMENT

Mr. Crassweller made a motion to adjourn the meeting. Mr. Harkcom seconded the motion. The motion passed unanimously.

With no further business, the July 13, 2015 regular Planning Commission meeting was adjourned at 7:25 p.m.

RESPECTFULLY SUBMITTED,



Scott Harkcom, Secretary
For the Planning Commission