

**FERGUSON TOWNSHIP BOARD OF SUPERVISORS AND
STATE COLLEGE BOROUGH COUNCIL**

Joint Worksession
Monday, September 21, 2015
4:30 pm

I. ATTENDANCE

The Ferguson Township Board of Supervisors and State College Borough Council held a Joint Worksession on Monday, September 21, 2015, at the Schlow Centre Region Library. In attendance were:

Board:	Richard Mascolo, Chairman	Council:	Elizabeth Goreham, Mayor
	Drew Clemson, Vice Chairman		James Rosenberger, President
	Steve Miller		Thomas Daubert
	Elliott Killian		Catherine Dauler
			Theresa Lafer
			Sarah Klinetob
			Peter Morris
			Evan Myers

Township Staff: Mark Kunkle, Township Manager; David Pribulka, Assistant Township Manager; Ray Stolas, Director of Planning and Zoning

Borough Staff: Tom Fontaine, Borough Manager; Ed LeClear, Planning and Zoning Director

Others in attendance included: Heather Bird, Recording Secretary and community members

II. CALL TO ORDER

Ferguson Township Board of Supervisors Chairman, Mr. Mascolo, called the Monday, September 21, 2015, joint worksession to order at 4:30 pm.

Mr. Mascolo began the meeting by stating as colleagues and neighbors we have much in common and significant areas of mutual interest that offer us an opportunity for collaboration and cooperation. This meeting has been set up as a worksession so that two municipal governing bodies can have discussion about the West College Avenue corridor using a facilitator to help us maximize the use of our time together while reaching some very basic agreements on the future interest in the West College Avenue Corridor. Input from the public will be a key consideration as this process moves forward but will be limited at this worksession. He introduced Mr. Denny Puko, Program Manager for Government Center for Local Government Services, Pennsylvania Department of Community and Economic Development as the facilitator for the worksession.

Mr. Denny Puko began by stating the matter that needs a solution is the development and the policies that guide it and the zoning that regulates it in the area around the West College Avenue corridor, some of which is governed by the State College Borough and some governed by Ferguson Township. Each governing body has different policies but both have the comprehensive plan that assist with guiding the municipalities. The broader issues involve increased density within the growth boundary and decreased sprawl while the specific level issues deal with the development of the west end and West College Avenue corridor and the zoning regulations for the Terraced Streetscape District in Ferguson Township. This worksession is to help find a solution, by starting a dialogue to see if there is consensus from both municipalities to work together toward a complimentary zoning plan for the area.

III. BACKGROUND ON PLANNING AND ZONING OF THE WEST COLLEGE AVENUE CORRIDOR – Mr. Ed LeClear, Planning Director and Ray Stolinas, Director of Planning and Zoning

Mr. Ed LeClear, State College Borough Planning Director, stated the Urban Village Zoning District covers an area from Buckhout Street to Atherton Street. This zoning district was adopted in 1994 as an attempt to get small business in that area of town. The market did not support the design of the zoning district. In 2005 the Borough and the Township entered into a partnership to complete a market analysis on the corridor. The study was completed in 2006 and led to the completion of the west end plan. The effort was to reimagine this area to determine what would work best for the area. It was concluded that residential with some connection to the university would be most absorbed by the market. This led to a host of regulatory changes including the Inclusionary Housing Ordinance which was passed in 2011 in the Borough. Other changes were not passed by council at that time but were tabled in the belief that something needed to be done.

Ms. Theresa Lafer, Council member, stated the reason the changes were tabled at that time was because the entire Homes Foster Community came out against the zoning changes proposed.

Mr. LeClear stated his understanding was the density and building height proposed was the issue residents were concerned about.

Mr. James Rosenberger, Council member, stated that there was a 4-3 vote from Council on those proposed zoning changes.

Mr. Evan Myers, Council member, stated he was a Planning Commission member at the time of these proposed changes and that the Planning Commission had voted not to recommend adoption by council. One of the reasons was the community members' opposition and also some of the recommended items were very narrow in scope, regulated everyone and everything that was going to be done in that district. Business owners and residents felt it was out of touch for the community.

Mr. LeClear stated that they definitely want something to occur in the area but they want to make sure that what is done is the correct fit for the area.

Mayor Elizabeth Goreham stated that one of the key elements for the opposition was that the property owners in the corridor were not in favor of the proposed changes.

Mr. Ray Stolinas, Ferguson Township Director of Planning and Zoning, stated the Terraced Streetscape District (TSD) was created in 2011 in order to create a redevelopment strategy that was consistent with the Township's comprehensive vision while promoting attractive properties for viable business and residential opportunities. The TSD intended to promote a walkable neighborhood and encourage innovative and flexible development through the criteria and incentives set forth in both the Ferguson Township Zoning Ordinance and Subdivision and Land Development Ordinance. The basic intent on the Zoning Ordinance is to encourage innovation and to promote flexibility, economy, and ingenuity in development. The district includes design standards set forth in the Subdivision & Land Development Ordinance to promote appearance and efficient function at a pedestrian scale and the TSD was envisioned as a means to become part of the neighborhood fabric through the integration of vertical mixed uses at compact densities, accented sidewalks with planters, period lighting, street trees and pedestrian furnishings. There is a quandary that is the zoning requirements in the district are not functioning the way there were envisioned and adjustment is needed to allow properties to be developed as originally visualized through conceptual planning. In 2012 T&M Associates were retained by Ferguson Township to

assist with the conceptualization of the TSD. The primary objective was to explore the application of proposed streetscape design standards as they related to existing conditions and the expectation of property re-development along the West College Avenue Corridor. Underlying the project mission was a desire to make the corridor pedestrian friendly and to calm traffic. There were fundamental conditions that emerged from the plan that were not mutually exclusive and often existed in combination. The one highlight of the plan was the most consistent element along the corridor was inconsistency itself and conditions were identified as follows: stable properties are less likely to be redeveloped either short or long term, transitional properties either presently for sale or owned by Pennsylvania State University with a goal of redevelopment, existing properties with sidewalks of varying width and/or condition, existing properties with no sidewalks, properties with multiple curb cuts or no curbing, properties with no defined pedestrian zone and distinctly different vehicular zones and right-of-way dimensions throughout the corridor. The Township sees this as an opportunity to partner with the State College Borough, land owners living in and owning land within the TSD and Penn State and Developers can revise regulations, through and intensive, yet collaborative discussion, set a clear and concise path that promotes more user-friendly and implementable regulatory structure in the corridor.

Ms. Lafer asked what the maximum height allowed in the district. Mr. Stolinis stated it is 60 feet and 75 feet with incentives.

IV. FACILITATED DISCUSSION – Denny Puko, PA DCED, Planner & Facilitator

Mr. Puko asked if there is a relationship between the West End Plan and the Terraced Streetscape District in the 2012 plan.

Mr. Drew Clemson, Board member, stated no clear connection has been established. This meeting was established to find a solution on how to integrate the two concepts. Although the TSD was adopted as a zoning district only one developer interested in the area and no movement from Penn State University. Can we look at this area as a whole, or are we going to continue to look at it separately.

Mr. Puko asked for any additional questions or comments on the situational analysis provided.

Mr. Myers added that he agreed 100% that there needs to be an understanding with Penn State on what they are doing or not doing in this area. They are a major stakeholder in the type of development. If you asked people in the community where Ferguson Township ends and where the State College Borough begins it would be difficult to tell. The communities are integrated and need to work together because it is all the same mixture. In order for integration the concepts needs to be redeveloped and the process should start over.

Mr. Puko asked if the West End Plan has been rejected or the means for creating zoning and regulations to implement the West End Plan have been rejected by the community.

Mr. Myers stated some of both have been rejected.

Mr. Puko asked if this is an accepted situation on behalf of the Borough community.

Ms. Lafer stated that it was not just Borough folks, but Ferguson residents were equally against the proposed zoning. Part of the underlying problem for all of the neighborhoods is that a great deal of change was coming at the same time and people did not want to see those changes in their neighborhoods. The question we have is not just can we agree on what to do but will those who

live in these neighborhoods agree with the concepts. Are they going to accept plans for change? We need to have a vision that all parties can agree on.

Mr. Thomas Daubert, Council member, stated the main reason Council rejected the plan was because of the prescriptive nature of the regulation. He does not think the main concern was the area closest to North Atherton not the area abutting Ferguson Township.

Mr. Rosenberger stated the principles agreed on were to have slightly higher density and walkability which is what Ferguson Township enacted with the TSD but in the Borough historic houses are along the West College Avenue so the higher density would be preferred along the university property not along West College Avenue.

Mr. Puko asked for any further questions on the situational analysis.

Mr. Steve Miller, Board member, added one other aspect to the discussion. The reason this joint meeting came about was because of the interplay between the fact that this area is growing and the pushback of sprawl on the edges. As you go out further you do not have taller buildings. The development that sparked this conversation was designed to have 1,100 residents on 45 acres. This is what happens when we don't make higher density closer to the university, if we don't increase density closer to the university then we will end up with sprawl. A link has not been made between the west end development and the bigger issue of development in the community as a whole. This must be addressed.

Mr. Killian, Board member, stated the majority of Ferguson Township has a primary land use of agriculture. He sees the TSD as the future for the Township. He doesn't want to see all of the agricultural land developed. This area is an opportunity to help our residents reduce development in agricultural areas.

Mr. Clemson stated we are back to square one. That Board has decided to readdress this district to see what if anything can be done with this area and they would like to integrate the plans with the Borough.

Mr. Puko asked do Ferguson Township and State College Borough desire to work together to determine a collaborative, complementary and compatible plan and zoning for the West College Avenue Corridor?

Ms. Goreham stated this is very broad, what does it mean; we want to have a happy life together.

Mr. Puko stated good question but the question is just do we want to join together to solve a problem and start a dialogue

Ms. Goreham stated this question should be at the end when more information is discussed.

Mr. Puko said your answer is maybe if the process is a good process.

Mr. Rosenberg stated we are already living together and we should work together and we could look at consolidation.

Ms. Goreham stated are we all willing to compromise, having a win-win situation.

Mr. Peter Morris, Borough council, stated that just because you desire to begin this process does not mean all conditions have to be decided right now.

Mr. Myers stated that we should take the approach that yes we are going to work together. It is essential to start out with yes and then see what can be done to make it a reality.

Mr. Puko changed the maybe to a yes if the process is good.

Ms. Catherine Dauler, Borough council, stated she was on Borough Council when the West End Plan was discussed and stated there have been a lot of struggles with the area. She was not on council when the 4 -3 vote was held. She stated many property owners were opposed. She would be crushed if they did not move forward at this point and demonstrate to the community that we can work with our neighbors on something that is critical to both communities. Mr. Puko confirmed she said yes.

Ms. Lafer stated she is also saying yes but we need to start with a definition of where this section of the regional planning will go. There is a perception that if students don't live here we will have sprawl in the region. The Borough neighborhoods should not be turned into housing for only students in order to eliminate sprawl. The question is what makes density urban and attractive and livable and makes people want to stay and what is student housing that is lived in for four years. Mr. Puko clarified that Ms. Lafer said yes to the first step but has concerns with the next step.

Mr. Miller stated that sprawl and density does not necessarily mean student housing. A lot of residential housing is occurring on previous farm lands in quarter acre lots. His answer on working together is yes.

Mr. Puko verified that the consensus of all is yes to work together.

Mr. Puko asked what key factors need to be included in this process if this is going to be successful.

Mr. Clemson stated citizen input.

Ms. Goreham stated neighborhood stability.

Ms. Dauler stated a clear short timeline for goals.

Ms. Lafer stated that there must be defined terms such as defining density and sprawl so everyone is on the same page of understanding.

Mr. Peter Morris stated that early in process Penn Stated needs to be included in the conversation as the largest property owner in the neighborhood.

Mr. Thomas Daubert stated there needs to be a list of the major changes that have been proposed and decide which both municipalities can agree on. For example: parking on College Avenue. Mr. Clemson responded to this and stated the current Township plan puts one lane of parking back on West College Avenue and citizens have expressed concerns with this.

Mr. Killian stated market viability would be a key factor.

Mr. Puko stated the best plans have a mix of both vision and reality.

Mr. Rosenberger stated that in order to get the community to buy into the plan they need to have some idea of what can come out of this so the community can envision what will happen. The zoning can't be changed and be successful without a vision to what will happen in the area.

Mr. Myers stated the first step is to be honest and admit that there are different objectives from both the Borough and Ferguson. For example the tax base in the State College Borough is not growing. How do we address that? Need to know the ultimate objectives of both municipalities.

Ms. Sarah Klinetab stated that if the core fails and the Townships flourish, how does that contribute to our overall quality of life in the Borough. Both areas need to be recognized and the goals of both municipalities.

Mr. Puko asked if this area can be looked at by eliminating the boundary line.

Mr. Clemson stated that it is hard. Architecturally there is a difference and Buckhout Street appears to be a natural border.

Ms. Lafer stated that it should not continue to be zoned by request of an individual developer. It is difficult to enforce zoning and not know if any people will come to the area. This plan needs to include what people really want. This is an urban area that is walkable and livable. Who would want to have a place to work and live there?

Mr. Puko asked if there is potential to put a vision in place that people would support.

Mr. Dauler stated that so many communities around the country have been in similar situations and wonderful solutions have been created. We don't have to reinvent the wheel, look for areas across the country that has really succeeded.

Mr. Clemson stated that all planners need to be involved including Centre Region Planners, Borough and Ferguson planners. The experts need to be involved from day one and they need to make recommendations based on urban concepts and planning/

Mr. Puko stated a typical planning process involves multiple months of planning, public engagement with the community, time for proposals and a paper plan presented at the end. There are other possibilities to deal with this. One of them is a process called a charrette, a process with a compressed time frame. A charrette, with the help of professional planners and consultant, includes discussion with community and stakeholders, a design environment, ideas get refined and more community involvement. Because it occurs in a compressed timeframe and brings everyone together decisions get readily made with consensus. There are also consultants that facilitate hybrid processes also using a compressed timeframe.

Mr. Puko asked what the reaction is to these processes.

Ms. Dauler stated the Borough did a charrette when planning the Beaver Avenue garage. It was very useful and helped to get where the project needed to go. She is in support of a charrette.

Mr. Clemson stated that before a charrette they would need to assess where we are now and what all the information is.

Ms. Goreham stated that a charrette may not be good idea right now.

Ms. Lafer stated a charrette was also used with neighborhood plans. The first thing we need to is have both the Borough and Ferguson plans summarized with an executive summary so that both Borough Council and the Ferguson Board have all of the same information and know each of the others goals. She does like a shorter timeline and a good community involvement.

Mr. Miller stated that the first step won't be reached today. Both municipalities need to decide if they want something different than what we have now and are we willing to change.

Mr. Rosenberger stated that the Borough currently has on their agenda a zoning rewrite and it would be foolish not to engage the neighbors in this process. Yes we do want to look for improvements.

Mr. Myers stated he agrees with Mr. Rosenberger and he said a resounding yes to work on things.

Mr. Puko presented one more option. Because both municipalities are part of the Centre Region multi municipal plan, the planning code gives the authority to do a specific plan. A specific plan would include drafting the specifics of a plan before the submission of a plan. This would eliminate the lengthy planning process. Developers have stated that the regulations are not the biggest challenge but the full process and time invested and the difference in regulations from one municipality to the next. This is a chance to make the regulations closer and improve the development process.

V. PUBLIC INPUT

Mr. Eric Belt, 400 S Pugh Street, stated that not just the Board and Council need to agree those individuals who own the properties need to agree. There needs to be market viability.

Ms. Terry Melton, East Irvin Avenue, stated she appreciated the meeting. She came from Charlottesville Virginia and stated State College compares to that area. We need to get out in front of the growth and not only for students but for retiring individuals. She suggested having one small portion of the area discussed being developed to show the community what the plan for the area is.

Mr. Bill Hechinger, Hoy Street, suggested that if density zoning is added all of the zoning should be changed in the Township to eliminate overlay zoning.

Ms. Laura Dininni stated that there has not been discussion on the vision. The University needs to be included in the vision. This area needs to include pedestrian safety.

Mr. John Eich, State College Borough, stated in addition to the Centre Region Comprehensive Plan there was a State College Area Land Plan that talked about Borough and adjoining municipalities. There is a vision for area. The Planning Commission should have joint sessions to discuss these plans.

Ms. Pamela Steckler, Hoy Street, stated that she is looking for thoughtfulness to residents already living in this community. Don't create high density and have residents flee. Her opinion is tall buildings with high density will not work in this area. She would like to see green development.

VI. SUMMARY AND NEXT STEPS

Mr. Puko stated that the comfort levels indicate that the process needs to be shorter but not too short, that all would like to have the same information and the municipalities would like to lean on their professional staffs to work together on this process.

Mr. Fountaine suggested the next discussion be after the November election to include those newly elected. Ms. Lafer stated she thinks some information should be reviewed and discussed within the next four weeks. Mr. Mascolo suggested approximately six weeks. Mr. Daubert stated that the executive summaries should go out very soon so that Council and the Board have time to review and think about the process.

VII. ADJOURNMENT

With no further business to come before the Board of Supervisors and Council, Mr. Mascolo adjourned the regular meeting at 6:04 pm.

Respectfully submitted,



Mark Kunkle, Township Manager
For the Board of Supervisors
Date approved by the Board: 10/19/2015