

**BELLEFONTE BOROUGH
PLANNING COMMISSION
MEETING MINUTES**

**April 23, 2018 - 5 p.m.
236 West Lamb Street, Bellefonte, PA 16823
www.bellefonte.net**

CALL TO ORDER:

The April 23, 2018 meeting of the Bellefonte Borough Planning Commission Meeting was called to order at 5 p.m. by Mr. Dannaker.

PLEDGE OF ALLEGIANCE

ROLL CALL

PLANNING COMMISSION

MEMBERS PRESENT: Mr. Robert Dannaker
Mr. James Mills
Mr. Mark Edwards
Mr. Nathaniel Day
Mr. Dallas Gallo

EXCUSED: None.

STAFF PRESENT: Mr. Ralph Stewart, Borough Manager
Ms. Shannon Wright, Zoning Administrator

GUESTS: None.

APPROVAL OF MINUTES:

Approval of the February 26, 2018 Meeting Minutes

**Mr. Gallo moved to approve the February 26, 2018 minutes as amended;
Mr. Edwards seconded the motion;
Motion carried.**

LAND DEVELOPMENT ACTIVITIES: None.

PLANNING AND ZONING ISSUES:

461 E. Cherry Lane and 456 E. High Street Subdivision and Non-Conforming Expansion

Ms. Wright explained that she received a call about doing a subdivision and then adding to another lot. Her main concern is that the use that they will be adding the divided lot to is non-conforming and they will be expanding the building. This is the Houser property that fronts High Street and backs Cherry Lane. They are requesting a commercial use in R-2. They are seeking to replot to minimum allowable lot size and expand the building onto the new piece of property by joining all three together.

Ms. Wright's stated that one can expand a non-conforming use to a "natural extent" however, she feels that subdividing and adding to the property is not a natural expansion, even within the 50% limit. She wanted PC to review this issue to get their comments on this issue.

Mr. Stewart stated that the mart at the location did go into the books as a conditional use. The Houser property is old and has been there for a very long time and he does not know how it originally was approved. This section of Cherry Lane used to be part of Village Commercial. The property that they wish to expand is the hair salon and the owner is the person that approached Ms. Wright initially. This area is backed by residential. There is also an area with what appears to be West Penn Power trucks. This area may have been a lease from Houser.

Mr. Stewart offered that the properties should have been consolidated but never were. They just built across the property line instead. The lot sizes and zoning has been confirmed. It is a commercial building but are non-conforming at this point in time. Expanding the non-conforming use is the issue at hand. Mr. Gallo does not think that you can expand a commercial building into a residential district. Ms. Wright agreed. Mr. Stewart stated that there are only a few reasons that you would be able to expand, and this request is not in that scope. Going across the property line or subdividing off another piece and adding on is not within the parameters.

The hair salon is an active business. There are some apartments in the back. PC members inquired whether all the commercial establishments are still active. This needs to be determined.

Mr. Stewart reiterated that the request by the salon owner would not be permissible; subdividing off the residential portion of the lot and adding it on to a non-conforming lot/use to make it commercial. The business owner stated that the add on would be for the hair salon. Impacts if this was permitted were discussed. While there would not be any setback issues, the bigger issue would be making a residential lot, which is the intended use, smaller and less livable.

Mr. Dannaker stated that the property owner/business owner can always come back to PC formally for further discussion. They could also go before the Zoning Hearing Board for variance, per Mr. Gallo. Mr. Stewart stated that in this case, that would be their only option. Spot zoning was discussed briefly.

Ms. Wright will convey PC comments to the requestor and direct them to the Zoning Hearing Board if they still would like to move forward.

OLD BUSINESS:

Centre Crest

Options for the building were discussed for when Centre Crest moves out. Mr. Stewart discussed the zoning map with regards to properties surrounding the structure. The majority is R-2. R-1 starts toward the East of Wilson Street and the only places that are different are Centre Crest and the property adjacent which are zoned high density R-4. The map has been changed a few times. Centre Crest and the small apartment building also stood out. The back lot is now part of R-4.

Mr. Stewart stated the outstanding issues are Centre Crest is moving out. They do not know exactly when and they have definitely not informed the Borough of what will happen to the building when they do move out. There is a concern about the potential uses for Centre Crest once vacant. The Borough is trying to look into the future by controlling what future uses should be. That is in the Borough's purview to do. It is not the County, but the Borough's purview to decide what uses would be acceptable in the future. If a nursing home continues there is not a problem. The use can continue as it is now.

Mr. Stewart proposed to change it to R-2 as it would add the parcel to R-2 which is already there. Spot zoning would not be an issue because it is being added to another area of R-2. It is a medium density district. R-1 is low density. He would also look at permitted uses which today has not allowed offices because ordinarily you would not have offices in residential districts. Conditions could be added i.e. offices can be located there if the building or existing structure is more than x number of square feet. He used the Houser structure previously discussed as an example. Offices could be allowed at Centre Crest if it meets a square footage requirement. With that, residential areas could not allow offices everywhere as the requirements would need to be met. Only specific structures would stand out i.e. larger, older buildings or buildings that were there prior to zoning. Home offices would not be affected by any change in this. Home occupations is another section of the zoning code.

Ms. Wright gave the example of the Bellefonte Elementary School. Mr. Stewart stated that the elementary schools may merge at some point in the future possibly leaving the Bellefonte school vacant. It is located in the same district. The only control over uses is to determine what uses would be permitted. Medium density and R-1 do not allow multifamily housing. Borough Council does want a say in what would be an allowable use(s) at the Centre Crest facility as they have remanded this to Planning Commissions for a recommendation.

Mr. Day opined that he thought that this was an elegant solution; to be absorbed by the surrounding zoning district. Mr. Stewart said that it seems to make sense to have some control and not spot zone or have someone else try to decide what will go there. The armory building on Spring Street was another example that was discussed. There are offices in that structure.

Other properties were discussed i.e. Sigg property and the Willowbank. The only land on the Sigg property that homes could be placed would be in the field which is in Spring Township. That property is R-4 but could be down zoned to medium density.

Mr. Stewart felt that time is of the essence regarding the Centre Crest property and the property next to it. He would like to definitely see something move forward on that. The Sigg property can be discussed if PC wanted to discuss it. Mr. Gallo stated that the father is in his 90s now and

no children live in the area. Mr. Stewart stated that the process would be to advertise and post the properties. Mr. Dannaker offered that if the Sigg property is included in the rezoning, anything there now would be grandfathered anyway.

Nursing home use in R-4 was discussed. Mr. Stewart checked the ordinance for the definition. In R-4 he does not see that as a permitted use. It is a non-conforming use. Clearly Centre Crest wanted a residential district as that is the highest density residential district the Borough that is on the books. They most likely picked R-4 for that reason. The housing authority owns the only other high rise near Centre Crest. Mr. Stewart is unsure of the history of that building but they are a separate tax parcel.

Permitted uses of office use would need to be added in R-2. There would be an amended ordinance to allow offices if the existing structure is 5,000 square feet or larger (or some other number). Mr. Dannaker sees part office and part residential a logical way to divide it up. Mr. Stewart suggested letting the potential developer come back and tell the Borough what they are looking to put in the structure and if all agree then the ordinance would then be amended. Otherwise the ordinance is not amended.

Mr. Stewart point blank asked the County Commissioners what their intent was for the Centre Crest building. They did not know, and they stated it was another board's decision what happens to the building. The Borough has concerns about putting another multi-family unit in the structure in between low and mid density districts. There is a potential for this and the residents do not want that as it is not zoned for that area.

Downsizing R-4 would be circulated within the Nittany Valley. The decision makers in Bellefonte feel that the Borough has done their share of R-4. Behind the high school a whole other phase was added, Governor's Park area have been renovated and upgraded, downtown is the Cadillac Building and the Garman, the academy property has potential for R-4. Speaking with residents, they would most likely by majority say that the Borough has enough R-4. Mr. Dannaker disagreed.

Mr. Stewart reiterated that Council is looking for a recommendation from the Planning Commission. Borough Council will review it and act on it.

Willowbank moving its offices to the Centre Crest facility was discussed. The traffic and intersection are not suited for the busy offices and Mr. _____ stated that it is luck that there have not been more accidents at that side of town. Mr. Stewart stated again that the Borough is looking for the developer to come to staff and say what they intend to do with the building and go from there. Maybe a reduction in residential units would be acceptable. At present, the Borough has no control over high density coming into that structure.

The other downtown housing facilities were discussed briefly. They seemed to have worked out well after all the concern and work that HARB, PC and Council did on those developments. Mr. Stewart stated that the Borough is trying to look ahead to do what is best for the community with the Centre Crest property and have some say on what happens to the future of that building.

Mr. Dannaker suggested that Mr. Stewart and Ms. Wright get together and craft a proposal to refine this.

The Nestle Water project was discussed briefly.

Mr. Dannaker inquired about the changes that PC proposed for the tattoo parlor and the school zoning. Mr. Stewart stated that everything just finished up at the last Council meeting. They accepted all the suggestions that PC made. The school project is moving along. The E&S Permit and everything are in order and the project is moving forward.

On another note, Mr. Dannaker mentioned the County bidding out the Centre Crest parking lot area. Wendy's at the new Weis was discussed briefly. It is outside of the Borough. The only connection is the water service, per Mr. Stewart. Dunkin Donuts across from Fulton Bank is starting to move forward.

Regarding the water front property, Mr. Stewart stated that a broker service is under contract to try to find interest. There is a group of investors who look at it off and on and apparently are still interested in it. The same situation exists with the armory parcel. There is some interest off and on. The Gamble Mill is still up in the air. They were to close this month, but staff has not heard any closing date which may raise red flags. For what the potential buyers want to do with the property, it will take a lot of funds. They want to renovate top to bottom and spend about \$5 million doing it. Getting both the building and liquor license seems to have been difficult to achieve.

Other:

Ms. Wright stated that the next meeting for PC falls on Memorial Day. She will double check this. If the holiday was accounted for, then the meeting would have been scheduled for another day.

ADJOURNMENT:

Mr. Gallo moved to adjourn the meeting;
Mr. Edwards seconded the motion;
Motion carried.

Meeting adjourned at 6:08 p.m.