

To the Patton Township Board of Supervisors:

We are writing as members of the Patton Crossing Citizens Group to discuss the revised mixed-use zoning (MXD2) ordinance. At this stage in the Township's process, we would like to share our thoughts about three general issues: (1) our position about the proposed MXD2 zoning and the associated proposal for reclassifying the Patton Crossing property; (2) setting the record straight regarding two matters in the Patton Crossing deliberations to date; and, perhaps most importantly, (3) recommendations about Township processes for the future.

We begin, however, by restating our thanks to the Patton Township Board of Supervisors, with the leadership of Elliott Abrams, in establishing a citizens group to provide input on the MXD2 ordinance from local residents. We also reiterate our appreciation to the Board for a series of decisions that we believe substantially improve Patton Crossing, relative to the original proposal. These decisions include: not selling the Township's parkland property on Park Forest Avenue; restricting vehicular access to the development via Park Forest Avenue; reducing maximum building height; and increasing setbacks between commercial and residential zones. We also salute other Board actions that have overlapped with Patton Crossing discussions, including changes to the Township's signage policy for future development proposals, consideration of a noise ordinance, and proposals to enhance community engagement and outreach.

Our Position about the Current Proposal

As a matter of record, we oppose the MXD2 ordinance as currently drafted. In short, our opposition stems primarily from what we see as a level of residential density and commercial intensity that is too high for the setting, especially in the sense of being excessive for the transit systems needed to accommodate it. As such, we think that the desired benefits of an intense mixed-use development are unlikely to occur. Moreover, whatever near-term advantages arise from MXD2 and the developments it permits (like Patton Crossing), we foresee these benefits being greatly outweighed by the longer-term costs of managing increased traffic and mitigating its attendant negative impacts on neighboring communities and the local environment.

That said, we are not opposed in principle to mixed-use development in Patton Township. Additionally, we recognize that mixed-use development typically involves a higher combination of density and intensity than does single-use development. However, we also believe that optimal levels of density depend on the local context – and that the local context for Patton Crossing argues for less density than what is allowed under the MXD2 proposal. To us, the high level of impervious cover permitted under this proposal is one indicator that density is greatly overvalued relative to other residential amenities such as open space and tree cover. We say this not out of concern for stormwater under traditional assumptions, but out of concern for livability within the development and for respecting nearby residential communities like Woodycrest and Park Forest (which we believe is a relevant consideration, whether or not the Patton Crossing property technically falls within Park Forest).

Additionally, we heard some Supervisors state at the May 23 meeting that their support of the revised MXD2 zone is in fact based on its high density. We appreciate the underlying goal of achieving sustainability through denser development, and recognize that, in some contexts, dense

mixed-use development indeed contributes to that goal. However, our view is that the benefits of density are most likely to arise in contexts unlike those of Patton Crossing and its surroundings. That is, high-density mixed-use developments are especially likely to be beneficial in areas with high levels of foot traffic and high reliance on mass transit, and when situated amidst more urban development. Presently, commuting by car appears to be the dominant mode of transportation in the Centre Region, with walking, biking, and public transit substantially behind. So while we hope the Supervisors' aspirations for Patton Township come to pass, we do not expect it. Indeed, we fear the opposite effect, with the high level of density and intensity simply increasing automobile traffic to and from the development, relative to what a less dense mixed-use development would generate. Perhaps increased car traffic to and from Patton Crossing and similar mixed-use developments will help inspire a long-overdue conversation about enhancing the affordability and availability of public transit, as well as effective ways to promote bicycle and walking paths as viable alternatives to short commutes by automobile. Failing that, we foresee that developments like Patton Crossing will make Patton Township a less, rather than a more, sustainable place to live, work, and play.

Regarding the revision to the MXD2 proposal following the initial public hearing, we are pleased that the modified proposal facilitates additional affordable housing units. Indeed, there is great need for affordable housing in Patton Township, especially along the North Atherton corridor, where many of the region's low-wage service sector jobs are located. At the same time, we regret that the Township chose to encourage that goal by increasing the development's density and impervious coverage and allowing additional market-rate units as compensation to the developers. In our view, this compounds the problem of excessive density (for the local context, as described above) that was baked in early in the creation of the MXD2 zone.

We could go into far more detail regarding our views and recommendations. For the most part, this would involve repeating points made in our previous letters and presentations to the Board. However, given the Supervisors' positions, especially as expressed at the May 23 meeting, we do not believe we or other residents could raise concerns now that would change the Supervisors' intended approval of this ordinance. Therefore, in the remainder of this letter we instead focus, first, on clarifying two of the misunderstandings we believe have arisen during public discussion of Patton Crossing. Second, and more importantly, we offer comments and recommendations regarding the Township's process, planning, and long-term vision. We believe attention to these ideas are important for the future.

Setting the record straight

In our view, two points from recent Township meetings deserve clarification. Our intention is not to pick nits by addressing trivial misstatements. Rather, we comment on these two matters because we believe they have implications beyond Patton Crossing.

Assessing community support and opposition. Some supervisors have suggested that the last public hearing about the MXD2 ordinance, on May 9, showed a near equal, 50-50 split between support and opposition for the ordinance. That assertion was based on a head count of the individuals who spoke before the Board that evening. Of course, absent a vote, the only way to

determine resident preferences with confidence would be with a quality sample survey of residents, which would require resources that presumably are not available to the Township.

We recognize that Supervisors can more heavily weight considerations other than public opinion. Those other considerations might involve an abstract principle, such as enhancing sustainability, or a pragmatic preference, such as relying more on the wishes of the business community. Although we recognize that public opinion is not (and should not always be) determinative, we also suggest that in general the Board should seriously consider public opinion, especially in the context of contentious proposals like Patton Crossing. We further suggest that when Board votes are contrary to public opinion, they should be accompanied by more explanation than usual.

To the extent that public opinion matters, we want to point out that any suggestion that an equal number of township residents support the proposed development:

- Ignores what we think is the reality that most of those in attendance at the May 9 meeting opposed the proposal (as indicated by the level of applause following various comments and, we are confident, as a request for a show of hands would have confirmed).
- Discounts the overwhelming number of residents who have – of their own volition and with no financial interest in this development – written to the Citizens Group website. (Those comments have been provided to the board).
- Undercounts the many Township residents, beyond the Citizens Advisory Committee, who have spoken at Supervisors’ meetings in October, November, March and April, as well as those who have written letters to the Board (which have been attached to the meeting agendas).

We acknowledge that Supervisors do not need to agree with the various objections by residents. But, with the exception of one indicator, that is, the number of speakers at the public hearing, we believe the record shows an overwhelming number of residents speaking against this development as proposed.

In addition, to us it appeared that many of the pro-development speakers were business leaders, including several from outside the township. Of course, it is appropriate that their views are represented, and important that those views are considered. Nevertheless, it is misleading for those views to be seen as representing the general sentiment of residents of the Township. Further, if a simple count of speakers, pro and con, comes to be viewed as important in Supervisors’ decisions, the Board will be faced with increased efforts to “astroturf” (i.e., to plant speakers at) your meetings.

Because of the general importance of considering public opinion, we returned to this topic in our recommendations.

Weighting the Township’s intentions for zoning. In previous correspondence from the Citizens Group, and especially in some members’ comments at Board meetings, we have encouraged Supervisors to attend to a portion of the Township’s statements of intent for zoning. That is, we have asked the Supervisors “to protect the character of . . . nearby districts.” We were pleased to hear this phrase repeated as a consideration by at least one member of the Board. At the May 23 meeting, in explaining support for the revised MDX2 proposal, we also heard a Supervisor mention that there were other goals listed as intentions for Township zoning.

We of course were familiar with the complete intent statements in the zoning regulations. And we agree that various goals within those statements can be in conflict for a particular proposal. The reason members of the Citizens Group repeated the phrase about “protect[ing] the character of ... nearby districts” is our belief that this intention was being underrepresented and underappreciated in the process to that point. We simply seek an increase in attention to the perspectives and concerns of residents, relative to the desires of developers.

Recommendations for the future

Representatives of the Township have noted that the MXD2 mixed-use zoning, and indeed Patton Crossing itself, may provide a model of future re-development in Patton Township. With this possibility in mind, we ask the Board of Supervisors to commit to evaluating Patton Crossing and its success, perhaps at two points in time after a good portion of the residential units have been built. Without getting too far into details, the questions might focus on matters such as:

- The relative mix of transportation (foot, bicycle, bus, car) used by Patton Crossing residents and customers,
- The apparent effect of the development on traffic on Atherton and elsewhere,
- Whether the "live-work-play" model has indeed been achieved,
- The proportion of available affordable housing units actually leased as affordable units, and
- Lessons for future mixed-use developments in the Township.

Given that the MXD2 zoning might be used for other notable properties in the Township, we think it is important that there be some form of assessment of the extent to which Patton Crossing succeeds or fails. This assessment should help guide Board decisions about whether to revise the MXD2 zoning features prior to its further use.

Moving from Patton Crossing per se, to what we think are lessons for future Township processes, we start with the general issue of citizen involvement and input. We recommend that in assessing community input in the future, the Township provide a more easily accessible means of receiving community comments. This might efficiently be incorporated into the planned revision of the Township website.

Although we are grateful for the Board of Supervisors’ decision to create a citizens group, we recommend that citizen involvement be invited at earlier stages for major decisions. We ask the Board to encourage substantial citizen input at or before the early Planning Commission stages. This is probably neither necessary nor feasible for every action that comes before the Board. However, common sense and experience should lead to reasonable judgments about when early citizen involvement is most important.

In the Patton Crossing discussions, the matrix (with multiple elements of a potential mixed-use zoning ordinance) was used to try to focus discussion on a small set of issues that remained unresolved after the initial Board-level discussion of the draft MXD2 regulations. We suggest that discussion of details, like the matrix elements, needs to be preceded by and intermingled with more general discussion of citizen concerns.

In early meetings of the entire Advisory Group, we asked representatives of the Planning Commission to explain the rationale for the MXD2 zoning. The answer we heard was something to the effect that the Planning Commission was not involved in long-term planning. Accordingly, Board guidance to the Planning Commission, preferably along with citizen input, seems appropriate for major matters such as the development of a new zoning category. For instance, in hindsight it would have been preferable if the Board consensus that eventually emerged about an affordable housing target had been communicated early to the Planning Commission, rather than becoming the topic of late negotiation between the Township and the developers (therefore occurring after, rather than before, other features came to be seen as set by these parties).

More generally, we call on the Board of Supervisors to initiate thoughtful, deliberate planning processes. This suggestion arises from involvement with Patton Crossing, but seems to us quite important apart from that.

- Thoughtful consideration of mixed-use development is difficult outside the context of a broader vision of the future of the Township. Thus, we ask the Board to commit to more intentional long-term planning to develop a vision for Patton Township. Perhaps the Board should name a committee called Patton 2025, with representatives of residents and the business community, as well as expertise from Penn State and elsewhere.
- The long-term success of mixed-use developments depends largely on infrastructure and traffic planning, as studies in Atlanta and elsewhere show. Thus, we ask the Board to engage in long-term traffic planning, presumably in conjunction with the Centre Region Council of Government (COG) and involvement of the State.
- We are pleased that the Board has charged the Planning Commission to engage in intentional planning regarding affordable housing tenants. We suggest that this issue warrants broader community involvement.
- Perhaps in the context of broader long-term planning, or perhaps as a separate issue, we believe discussion should occur about the desired role of developers in the Township's deliberation. To some observers, the level of involvement of one set of developers in crafting a new Township zoning category was excessive.

Thank you for your consideration,

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Rich Maher
Mel Mark
Jim Payne
Anita Thies
Brenda Walsh