

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA

September 9, 2013

Minutes of Regular Meeting of Township Council Held on Monday, September 9, 2013 at 7:00 PM in the Township Building, 27 N. Pennell Road

Present: M. Amoroso, L. Bradshaw, R. Carlson, M. Kirchgasser
B. Clark, J. Damico, Esq., A. Rothe

1. Chairperson Ms. Bradshaw opened the meeting with the Pledge of Allegiance to the Flag.

Ms. Bradshaw announced that Council met in Executive Session prior to tonight's meeting to discuss legal matters brought to their attention by Township residents.

2. Comments from the Public

William Evans, 5 Fox Road, stated that the Delaware County Institute of Science located at 11 Veterans Square in Media is celebrating its 180th Anniversary with a reception on September 21st from 5-8 PM. He explained that DCIS was founded in 1833 by five prominent citizens, among them Dr. George Smith, first superintendent of the Upper Darby School System, Minshall Painter and his brother Jacob, who together established Tyler Arboretum. The existing building was erected in 1867 on ground Minshall purchased and presented to DCIS.

Mr. Evans explained that collections of mounted birds and animals, fossils, shells, rocks, etc. are on display in the building along with several thousand books and publications on natural sciences. Monthly lectures are offered from October to May on a wide variety of natural science subjects. He noted that information assembled by DCIS was instrumental in saving "Mineral Hill".

Mr. Evans explained that the museum is open Mondays, Thursdays and most Saturdays from 9 AM to Noon and admission is free. He invited residents to visit the museum and to take their children on a Saturday to explore the exhibits.

Ms. Bradshaw stated that DCIS is a fascinating place and visiting the museum is like taking a trip back in time.

3. Reports

A. Chairperson: Ms. Bradshaw reminded residents that the 13th Annual Golf Outing will be held on Tuesday, October 1st, at Penn Oaks Golf Club. Non-golfers are invited to attend the dinner social following the golf tournament.

B. Manager: Mr. Clark stated that an announcement was published in the Township Newsletter regarding an electronic waste collection to be held on Saturday, October 5th, from 9AM to 1 PM in the Township building parking lot. The event is sponsored by the Pennsylvania Resources Council in cooperation with ECOvanta to encourage the proper disposal of electronic equipment that is out of date or no longer works. This event will be similar to the successful collection of electronic equipment held in the spring. He explained that due to some changes in State funding, there may be a charge based on weight for disposing of TVs and computer monitors. All other electronic items will be accepted free of charge.

4. Public Hearings

A. Proposed Amendment of Zoning Ordinance to Permit a Campus Mixed Use Development as a Conditional Use within the R-4 Residential District and Provide Area and Bulk Regulations and Design Standards for Such Development

B. Conditional Use Application of Ponds Edge, LP. for Approval to Construct a Campus Mixed Use Development on Property Located at 1278-1328 W. Baltimore Pike Consisting of 221 Single Family Attached Dwelling Units and Two Retail Buildings Containing a Total Floor Area of 32,500 sq. ft. Within the R-4 Residence District Pursuant to a Proposed Amendment of Chapter 275, Section 275-35.C(8) of the Zoning Ordinance

Ms. Bradshaw reopened the Public Hearings continued from the August 26, 2013 meeting on the proposed Ordinance Amendment to permit a Campus Mixed Use Development as a Conditional Use in the R-4 Zoning District, and the Conditional Use Application of Pond's Edge L.P. for a Campus Mixed Use Development on the property located at 1318-1328 West Baltimore Pike.

The testimony was recorded by Lorraine Evans, court reporter.

Joseph Riper, Esquire, representing Pond's Edge L.P., record owner of the 57-acre property located at 1318-1328 West Baltimore Pike, stated that most of the August 26th Public Hearings revolved around the testimony of Matt Houtmann, project engineer. Several residents of the adjoining Overlook Circle development expressed concern about the close proximity of Donovan Drive to some of the Overlook Circle properties. Exhibit A-20 is a sketch of a proposal for realignment of Donovan Drive. He explained that Mr. Houtmann was unable to be present this evening and will discuss the proposed relocation of the road at the next meeting. In the meantime the applicant wanted Council and the Overlook Circle residents to be aware that an effort has been made to resolve their concern.

Mr. Riper went on to say that the proposed density of the Pond's Edge development was another issue discussed at the August 26th hearing. It was suggested that the base line density of the development should be tied to the 117 units of the Point Ardashes plan. He pointed out that Mr. Houtmann and Mr. Heuser each submitted sketch plans showing density levels considerably higher under the R-4 zoning regulations currently in effect. The ordinance amendment proposes a number of public improvement enhancements to create a higher level development at a price point commensurate with the increased enhancements. Exhibit A-21 illustrates the proposed public enhancements and their locations. Exhibit A-22 is a list of the proposed active recreational facilities as distinguished from the enhancement improvements.

Mr. Riper explained that this evening he will present two witnesses: Andreas Heinrich, professional traffic engineer, and Chad Ingram, licensed geo-technical engineer. He noted that Thomas Comitta, Township Land Planner, is also present and will discuss his comments regarding the enhanced public improvements.

Mr. Riper called Chad Ingram, who was sworn, and stated that he is president of Ingram Engineering Services, Inc. and has 20 years experience as a licensed geo-technical engineer. Mr. Ingram identified Exhibit A-23 as a copy of his curriculum vitae. Ms. Bradshaw stated that Mr. Ingram is accepted as an expert witness.

Mr. Riper explained that Mr. Ingram conducted a geo-technical subsurface investigation germane to the proposed development. Mr. Ingram stated that he was primarily looking for the presence of rock and how the rock formations would affect construction of the Pond's Edge development. He took soil samples and tested the soil strength and ability to support the weight of multiple 3-4 story residential buildings, two one-story commercial buildings and roads in the development. In addition, he studied the depth of the water table and the type of soils present, and tested the soils for infiltration. Mr. Riper pointed out that Mr. Ingram's geo-technical report is labeled Exhibit A-24.

Mr. Ingram explained that 61-62 soil tests were taken on the site, and the soils in general were found to be suitable to support the development project. The infiltration rate ranged from one-half inch to more than 6 inches per well, which is an acceptable level. He cautioned that care should be taken during construction to make certain soils are aerated and mixed with other soils.

Ms. Bradshaw stated she understood no continuing rock shelf was found and it is not anticipated that blasting will be necessary. Mr. Ingram explained that the presence of rock varied from 3 ft. to 10 ft. and was mainly composed of smaller and larger boulders.

Mr. Rothe asked when the investigation was conducted. Mr. Ingram replied the tests were made during the weeks of July 13 and July 20, and noted that the test holes are still visible. Mr. Rothe inquired about the depth of the water table and asked if it could cause water problems in basements. Mr. Ingram stated that the water table varied from 4 ft. to 8 ft., and suggested that under-draining might be required in some basements.

Mr. Rothe asked about the condition of the soil where roads cross through buffer areas and wetlands. Mr. Ingram responded that water starts to infiltrate at 4-7 ft. below the surface. Mr. Rothe questioned whether Mr. Ingram reviewed the design of the 13 subsurface stormwater management and seepage beds. He suggested he would like to meet with Mr. Ingram and Mr. Houtmann prior to submission of the final plan.

The residents having party status had no questions for Mr. Ingram, and Ms. Bradshaw opened the floor to questions from the audience.

Stuart Issacs, 7 Overlook Circle, pointed out that the soil tests were conducted during July and asked how the depth of the water table would vary over the year. Mr. Ingram explained that the water table basically varies from 8 in. to 14 in. from July to September. However, 45 in. of rain fell over this summer, and the water table was elevated above the seasonal high.

There were no further questions for Mr. Ingram and he was excused.

Ms. Bradshaw suggested that with Mr. Riper's consent Council would like to interrupt the testimony to take care of several agenda items that can be resolved quickly.

6. New Business

D. Authorize Act 537 Sewage Facilities Plan Amendment –
Chester Creek Interceptor (Phase 2)

Timothy Sullivan, Esquire, Chairman of the Township Sewer Authority Board of Trustees, stated that he was accompanied by John Ibach, I&I Coordinator and Assistant Manager of the Sewer Authority. He explained that Michael Majeski, Manager of the Sewer Authority for the past 40 years, will be retiring the end of September, and the Board is pleased to announce that John will become Manager.

Mr. Sullivan explained that all of the required steps have been completed for amendment of the Act 537 Sewage Facilities Plan for Phase 2 of the project to extend the sewer interceptor along the Chester Creek from West Knowlton Road to the new DELCORA pumping station near the Southwest treatment plant. He pointed out that amendments of the Act 537 Plan must be submitted to DEP for their review and approval. The amendment of the Township's Sewage Facilities Plan has been reviewed with the appropriate governmental bodies of Brookhaven Borough, Aston Township and the Southwest Delaware County Municipal Authority, and no negative comments were received. The Sewer Authority requests that Council authorize submittal of the Act 537 Plan amendment to DEP.

Mr. Kirchgasser moved that it is resolved that the Council of the Township of Middletown hereby adopt and submit to the Department of Environmental Protection, for its approval as a revision of the "Official Plan" of the municipality, the above referenced Facility Plan. The municipality hereby assures the Department of the complete and timely implementation of the said plan as required by law. (Section 5, Pennsylvania Sewage Facilities

Act as amended). Mr. Carlson seconded the motion, and Resolution 2013-78 was approved by unanimous vote 4-0.

On behalf of Council Ms. Bradshaw extended congratulations and best wishes to Mr. Ibach on his promotion to Manager of the Township Sewer Authority.

E. Review of Zoning Hearing Board Applications

2013-11 Santangelo/Makoulian – 38 Darlington Road

Mr. Clark stated that Paul Santangelo and Tina Makoulian propose construction of a 22 ft. x 45 ft. inground pool, spa, patio and fence in the rear yard of their property at 358 Darlington Road. The swimming pool will encroach 35 ft. into the 50 ft. rear yard setback required in the R-1 Zoning District. Due to the location of the house and patio and to provide sufficient space for fencing around the pool, the applicants submitted an application to the Zoning Hearing Board for a Special Exception for relief from the 50 ft. rear yard setback requirement.

Council members agreed that the Zoning Hearing Board can handle this application.

2013-12 Avis Budget Group – 1067 W. Baltimore Pike

Mr. Clark noted that an application was submitted to the Zoning Hearing Board by Aerial Signs & Awnings, Inc. on behalf of the Avis Budget Group for a variance to permit two 25 sq. ft. signs on the exterior of the Sears Automotive Center building located at 1067 West Baltimore Pike. The sign ordinance permits one 50 sq. ft. sign. He explained that Avis proposes to operate a car and truck rental service in the Auto Center building. The signs will be oriented toward the interior of the Granite Run Mall property and will not be visible from Baltimore Pike.

Council members agreed that the Zoning Hearing Board can handle this application.

2013-13 Richard Sweeney – 98 Patricia Place

Mr. Clark explained that several months ago Richard Sweeney submitted an application to the Zoning Hearing Board for a variance from the 30 ft. rear yard setback in the R-3 District to permit construction of a building to house a spa that would be located within 26 ft. of the rear property line. The variance was granted July 24, 2013, and the applicant subsequently discovered that he had incorrectly measured the rear yard. He submitted a new application to the Zoning Hearing Board for approval to permit the structure to be placed within 10 ft. of the rear lot line.

Council members agreed that the Zoning Hearing Board can handle this application.

F. Authorization of Temporary Banner – Tyler Arboretum – Barren Road

Mr. Clark stated that an application was submitted on behalf of Tyler Arboretum for permission to hang a temporary banner across Barren Road to advertise the annual Pumpkin Days event to be held October 19-20, 2013. Barren Road is a state road and PADOT requires that Council adopt a resolution authorizing the installation of the banner over a public road. He explained that historically the Arboretum has requested permission to display a banner for their annual Plant Sale and Pumpkin Days events.

Mr. Kirchgasser moved that it is resolved by the Township Council that an overhead banner requested by Tyler Arboretum for Barren Road be approved subject to conformance with the following:

1. A permit for the requested overhead banner shall be issued by the Township Zoning Officer only in accord with this Resolution and all applicable zoning requirements.
2. As required by Department policy, overhead signs and banners shall conform to the following and permits for such sign shall include the information necessary to document compliance with the same:
 - A. Location – SR number and segment/offset.
 - B. Vertical clearance above the roadway – minimum of 17 feet and 6 inches.
 - C. Size of banner – as specified on permit.
 - D. Description of activity – must constitute a national, state, regional or local function or nonprofit organization recognized by the Commonwealth of Pennsylvania.
 - E. Message – no more than 20 percent of the message shall relate to naming or advertising a commercial product, enterprise, business or company regardless of whether such entity is sponsoring the activity or banner installation.
 - F. The banner will be permitted from September 27, 2013 and must be removed by October 21, 2013.
 - G. The banner shall be installed under the supervision and control of the Township on cables at the location approved by, and in accord with, specifications provided by the Township.
 - H. Traffic control – shall be performed in accord with the most recent Department Publication 203.
3. The Township will be provided with a Certificate of Insurance naming the Township as an additional insured with respect to the installation, use and removal of the requested banner.

4. The Township will be provided written authorization from the abutting property owners to the proposed banner location.
5. Upon the issuance of any permit pursuant to this Resolution, the Township Zoning Officer shall promptly forward a copy of the permit to the District Office of the Pennsylvania Department of Transportation.

FURTHER RESOLVED that by applying for a permit, the applicant assumes full responsibility for erecting, maintaining and removing any such sign or banner and all liability for damages occurring to any person or property arising from any act of omission associated with the sign or banner, and a statement to the effect shall be included on the application for the permit.

Mr. Carlson seconded the motion, and Resolution 2013-79 was approved by unanimous vote 4-0.

G. Presentation of 2014 Minimum Municipal Obligation – Pension Plan

Mr. Clark explained that Act 205 governing administration of Municipal Pension Plans in Pennsylvania requires that an estimate of the Township's annual contribution necessary to keep the Employees Pension Plan actuarially sound must be presented to Council before the end of September each year. The contribution is based on the current payroll of employees covered by the plan, the age of the employees and future payments to retirees. The Minimum Municipal Obligation for 2014 is \$113,384, reflecting an increase of \$1,408 over the contribution for 2013. This figure will be included in the 2014 Operating Budget and will be paid in January 2014.

Mr. Clark went on to say that the Township's contribution will be partially offset by a state aid payment based on a formula calculated by the State. A payment from the State for 2013 in the amount of approximately \$65,000 will be received in October 2013, and it is anticipated that a similar amount will be received in 2014. This will reduce the Township's net out-of-pocket cost to approximately \$47,000-\$48,000. He explained that the Township's Pension Fund is about 99% funded. He noted that a number of state and municipal pension plans are facing difficulties due to financial losses in the 2008 downturn in the economy.

Mr. Clark pointed out that no formal action is required by Council, and the Minutes will reflect that the Pension Plan contribution calculation for 2014 was presented to Council on a timely basis as required by Act 205.

H. Approval of Bill List

Ms. Bradshaw read aloud the bills presented for Council's consideration for approval for payment.

Mr. Carlson move that payments under the September 9, 2013 Bill List be authorized for payment by the Finance Department:

General Fund

Keystone Health Plan East	September Health Insurance	\$23,559.89
	Highway Share	
	Sewer Authority and Library Share	
	Recreation Share	

Mr. Kirchgasser seconded the motion, and Resolution 2013-80 was approved by unanimous vote 4-0.

4. Public Hearings

The Public Hearings resumed and Mr. Riper called Andreas Heinrich as his next witness. Mr. Heinrich was sworn and stated he is President of Heinrich & Klein Associates, Inc., specializing in traffic engineering and transportation planning services. He has 35 years experience as a professional civil engineer licensed in Pennsylvania and a number of other states. Ms. Bradshaw stated that Mr. Heinrich is accepted as an expert witness.

Mr. Heinrich identified Exhibit A-18 as his curriculum vitae and Exhibit A-19, the report of the traffic study he conducted at three intersections near the property, namely, Thomas Chevrolet/Rocky Run YMCA, State Police Barracks/Granite Farms Estates, and Rt. 1/Rt. 452. He noted that the purpose of the study was primarily to assess the impact of the Pond's Edge development on existing traffic.

Mr. Heinrich explained that traffic counts were taken in July at 7 AM to 9 AM and 4 PM to 6 PM on weekdays, and 11:30 AM to 1:30 PM on Saturday. He noted that Penn State Brandywine was in summer session during one count. He pointed out that contrary to what most people assume, studies have shown that there is more traffic when schools are not in session. He went on to say that trip generation numbers were based on the manual used by traffic engineers. He estimated that the morning peak residential traffic would generate 97 trips, the majority of which would be outbound, and the 4-6 PM traffic peak would total 150 trips, mostly inbound. One vehicle entering or leaving every 30 seconds was estimated at peak hour.

Mr. Heinrich stated that levels of service are based on the average delay per vehicle at a particular intersection and alphabetic letters are used to designate levels A through F. The Rt. 1/ Rt. 452 intersection is at or above capacity during both the morning and evening peak traffic, and is identified as a level F. The two signalized intersections closest to the Pond's Edge development normally work well except when traffic backs up on Rt. 1. He pointed out that according to PADOT standards, a development may not increase traffic delay by more than 10 seconds. He noted that the traffic study indicated that the Pond's Edge development would increase delay at the Rt. 1/Rt. 452 intersection by more than 10 seconds.

Mr. Heinrich stated there appears to be no reasonable or feasible improvement that would mitigate the delay at the Rt. 1/Rt. 452 intersection, which is already operating at a congested level. A right turn lane on Rt. 452 southbound might be of some benefit, at an estimated construction cost of at least \$200,000.

Mr. Heinrich went on to say that Act 209 authorizes municipalities to enact, amend or repeal an ordinance adopted to assess transportation impact mitigation fees. The fees collected are used toward the cost of off-site road improvements necessitated by new land development. The maximum mitigation fee permitted by the MPC is \$1,000 per peak hour PM trips. Mr. Riper pointed out that the applicant has committed to pay a mitigation fee of up to \$350,000, which would equal approximately \$1,500 per PM peak traffic.

Mr. Heinrich pointed out that the Pond's Edge project is tied into development of the Franklin Mint property to the extent of developing a connector road between the two properties and participation in some of the improvements along Rt. 1. The exact details of Franklin Mint development and improvements along Rt. 1 are not known at this point. The applicant is prepared to move ahead with the residential component of the Pond's Edge project and agreed not to construct the commercial component until a secondary access is completed. He pointed out that it may be several years before a plan for development of the Franklin Mint property is approved.

Mr. Heinrich explained that there has been considerable discussion over the years regarding the impact on traffic depending on whether or not schools are in session. It is his position that unless a new development is located next to a school property, traffic in general is not impacted by school traffic. Studies have shown that there are more vehicles on the road during the summer months, which may be due in part to more hours of daylight for evening activities. The Pond's Edge development is not located adjacent to a school, and school traffic will not impact traffic generated by the development. Mr. Rothe stated he believes there is a significant difference in traffic volume when schools are in session.

Mrs. Amoroso asked if the estimated increase in the number of trips generated by the Pond's Edge development was based on the number of townhouse units, and if so, what was the estimated rate per dwelling unit. Mr. Heinrich replied that he estimated 4 trips for every other dwelling unit. Most residential units will generate at least one trip per unit. He pointed out that some people may have left for work before the traffic count began at 7 AM and were not included in the calculations. In addition, some trips included in the count may have been generated from another location, stopped off at Pond's Edge and continued on to another location.

Mr. Rothe asked Mr. Heinrich if he was familiar with the highway designs proposed a number of years ago to relieve congestion at the Rt. 1/Rt. 452 intersection. Mr. Heinrich stated that he was aware of the proposal to create two left turn lanes and to move the northbound Rt. 452 through lane over one lane. He added that no highway improvements at the intersection are included on PADOT's 12-year list of approved highway improvement projects.

Mr. Rothe noted that an earlier plan for development of the Franklin Mint property proposed a bypass loop road but the road was later eliminated.

Mr. Rothe pointed out that when Messrs. Bohrer and McErlean widened Donovan Drive opposite Thomas Chevrolet the right-of-way was proposed to continue the right shoulder along Rt. 1 to Rt. 452. Mr. Heinrich suggested that a right turn lane from Rt. 452 back to the old

Wawa might work, but when traffic backs up it would be difficult to move into the right turn lane. A right turn lane might deserve further consideration.

Ms. Bradshaw asked Albert Frederico, Township's traffic consultant, if he had any questions for Mr. Heinrich.

Mr. Frederico explained that he prepared review comments on Mr. Heinrich's report of his traffic impact study basically assessing compliance with the traffic engineering-related requirements of the Township ordinance. He suggested that if a connector road could be developed through the Wawa parking lot to Rt. 452 and a right turn lane could be constructed, the volume of traffic taking advantage of the "short cuts" would be likely to increase, although the increase in volume might not be significant. If the Rt. 1/Rt. 452 intersection could be raised above level F by mitigation, more vehicles might take advantage of a right turn movement. However, he is not convinced this would solve the problem at the intersection.

Mr. Clark noted that Mr. Heinrich indicated he based estimates for non-residential traffic on a retail use, and suggested that the traffic for the commercial component might be more consistent with a mix of retail and non-retail uses. He pointed out that retail stores generally do not open until 9-10 AM, after the peak morning rush hours. Mr. Heinrich stated that "shopping center" is a generic term, but can serve as a good basis for estimating traffic volume.

Ms. Bradshaw asked if the residents having party status had any questions regarding the traffic study.

Kevin Gale, 9 Overlook Circle, noted that only one of the traffic counts was conducted when Penn State Brandywine was in session. Mr. Heinrich explained that the traffic count was taken during the summer when fewer students were attending classes. Mr. Gale asked if the school district's calendar was consulted to determine the number of days that school would not be in session due to holidays, teacher workshops, etc. Mr. Heinrich pointed out that the non-school days are of short duration and would not have a significant impact on traffic volume.

Mr. Gale inquired what magnitude of improvements would be necessary to mitigate the congestion at the Rt. 1/Rt. 452 intersection. Mr. Heinrich replied that a right turn lane might help to relieve some of the congestion, but major highway improvements would be necessary to correct problems at the intersection.

James Dellavecchia, 19 Overlook Circle, asked how many people were involved in taking the traffic counts. Mr. Heinrich responded that two people were stationed at each of the three intersections. He explained that the traffic study did not consider development of the Franklin Mint property or that the Pond's Edge project might move forward in advance of the Mint development.

There were no further questions from the people having party status, and Ms. Bradshaw opened the floor to questions from the audience.

Stuart Issacs, 7 Overlook Circle, stated that the Pond's Edge development will impact a traffic situation that is already bad. Ms. Bradshaw pointed out that PADOT will conduct a separate traffic analysis and will be considerably more aggressive in considering the impact of the new development on the surrounding area.

Kevin Courtier, 11 Overlook Circle, questioned whether two means of access are sufficient for a development the size of Pond's Edge. Mr. Frederico stated that if the secondary access to Rt. 1 is not constructed or if Donovan Drive is blocked, the emergency access can serve as the second access. He noted that the plan actually provides three means of access, two of which will be traffic-bearing on a daily basis and the emergency access that will not be used except in an emergency.

Mr. Kirchgasser suggested that Pond's Edge will add 5% to the existing morning traffic. Mr. Heinrich stated that his analysis indicated that development of the Pond's Edge property will add only a minor amount of traffic.

There were no further questions from members of Council, residents of Overlook Circle or the audience, and Mr. Heinrich was excused.

Mr. Riper pointed out that Thomas Comitta, Township Land Planner, largely prepared the Design Guidelines booklet used in development of the public improvement enhancement plan marked Exhibit A-21, to demonstrate compliance with the design guidelines. In addition, Mr. Heuser prepared a layout plan identifying the location of the enhancement features required by the design guidelines. He noted that Mr. Heuser could not be present this evening but will discuss his layout plan at the next meeting.

Mr. Comitta was sworn, and stated that he and his staff have assisted the applicant with plan revisions over the past year. Prior to the September 23rd Council meeting he will provide additional information regarding the public improvement enhancement plan. He noted that over the weekend Mr. Heuser forwarded to him a copy of the layout plan incorporating the most recent revisions. He explained that he will continue to work with the applicant and Mr. Heuser on the location of cross walks, placement of street lights, landscaping and other enhancement features.

Mr. Comitta stated he believes this is a good plan for development of the Pond's Edge property and is consistent with the guidelines of the proposed ordinance amendment.

There was no further testimony or questions for the witnesses.

Ms. Bradshaw stated that the Public Hearings will be continued to the Council meeting of September 23rd. Mr. Riper pointed out that action on the Land Conservation Ordinance Amendment and review of the Preliminary Subdivision Plan should also be continued to the September 23rd meeting.

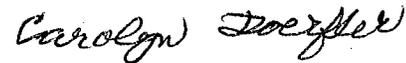
Mr. Kirchgasser moved to continue the Public Hearings on the Zoning Ordinance Amendment and the Conditional Use Application to the Council meeting of September 23, 2013. Mr. Carlson seconded the motion, and the motion was unanimously approved 4-0.

Mr. Kirchgasser moved to table consideration for adoption of an amended and restated Land Conservation Easement (Agenda Item 5A), adoption of an ordinance to permit a Campus Mixed Use Development in the R-4 District by Conditional Use (Agenda Item 6A) review of a Conditional Use Application for the Pond's Edge property (Agenda Item 6B), and review of the Preliminary Subdivision Plan for development of the Pond's Edge property (Agenda Item 6C) to the Council of September 23, 2013. Mr. Carlson seconded the motion, and the motion was approved by unanimous vote 4-0.

7. Adjournment

The meeting was adjourned at 9:00 PM.

Respectfully submitted,



Carolyn Doerfler, Recorder