

Douglas S. Wright, Jr., chair, called the meeting to order at 7:00 p.m., on Wednesday, June 27, 2012, in the Conference Room, Fourth Floor, City Hall. Also present were commission members M. Brubaker (late), D. Gysberts (late), D. Miller, J. Stone, R. Thomas (late) and J. Wheeler. The following staff members were present: K. Maher, Planning Director; S. Bockmiller, Development Planner/Zoning Administrator; A. Rohrbaugh, Planner; and D. Calhoun, Secretary.

REGULAR MEETING

Roll Call

Commission members M. Brubaker, D. Gysberts, and R. Thomas were absent.

Approval of Minutes: May 30, 2012 - Special Meeting; and May 9, 2012 - Workshop Meeting

June 13, 2012:

- On page 1, first paragraph under "Preliminary Consultation," second line, the name of the tavern should be "DeCuersey." (Mr. Thomas arrived.)
- On page 2, third line, insert the word "it." (Commissioners Brubaker and Gysberts arrived.)

MOTION: (Stone/Wheeler) I'll make a motion to approve with Judy's corrections.
DISCUSSION: None.
ACTION: APPROVED (ABSTAIN - Miller, Wright)

May 30, 2012:

MOTION: (Stone/Thomas) I'll make a motion to approve.
DISCUSSION: Mr. Thomas requested that clarification be added that the 22% impervious area pertains to the subject site (0.6 acres).
ACTION: APPROVED (Abstain - Brubaker, Miller, Wheeler)

Land Management Code Revisions, Case No. ZT-2012-02

Mr. Bockmiller presented six additional amendments:

Variances from Floodplain Ordinance - After the last meeting staff was directed to check with the Federal Emergency Management Agency (FEMA) and the Maryland Department of the Environment (MDE) about variances from the floodplain ordinance. Mr. Bockmiller reported that both agencies told him that the proposed language cannot be altered on pages 6-19 and 6-57. Mr. Stone was concerned that the new wording is more stringent and could make it difficult for property owners to obtain variances in floodplains. He suggested that just because federal legislation says so, the Mayor and City Council has the option to take a different stance. (Mr. Gysberts arrived.) Mr. Bockmiller stated that if the City should decide to use alternative language in these sections, there could be ramifications for property owners and their flood insurance policies. The present and proposed wording are both consistent with federal law. In addition, there have only been two or three floodplain variance requests in the past 10 years. Mr. Wright stated that Mr. Stone's points are valid because the proposed setbacks are more severe; however, it would not be wise for the City to jeopardize property owners' flood insurance premiums. Mr. Brubaker pointed out that going against the proposed language could also hinder the City's ability to apply for grants to obtain funding for floodplain work. The consensus of the commission was to retain the language proposed by FEMA and MDE.

Floodlighting of Buildings - Language is in place in the charts under Article 5 that specifies lights need to be mounted on top of a building and shine down on the facade.

Section 4-83, f, (1) - Add "mixed-use districts" to the list of districts where barbed wire is not permitted.

Section 4-83, f, (2) - Add "public parks, and public school properties" to the end of the last sentence.

Section 4-83, g - Add "however, safety railings made of fence materials shall comply with limitations on materials found in this subsection" to the end of the last sentence.

Section 5-34 - Need to add a line in the chart that states "Slopes of 15% or greater, including a written justification for need in cases where the developer proposes to develop or disturb such slopes." Add "Xs" in the columns for Sketch Plan, Development Plan, and Site Plan.

Front Yard Fences - Staff asked the Planning Commission whether or not it wanted to make a separate set of comments regarding front yard fences. The proposal differs from what the Mayor and Council requested. The commission decided that it did not want to make a separate commentary on the issue.

Page 4-103 - Concerning modifications for parking requirements in the City Center area dealing with seating for large places of assembly, Mr. Bockmiller noted that no public comments were received on this proposed language. The proposal is to require one parking space per every four seats; the current language requires one parking space for every three seats. Since these modifications are associated with a significant public works project, staff suggested that the Planning Commission discuss it on the record. Mr. Stone noted that there were no comments on it when it was discussed. Mr. Gysberts stated that he was opposed to it because parking is an issue and residents on Summit Avenue and other streets in the area of the proposed multi-use facility will have problems finding parking. People who live in the area are concerned that visitors to the multi-use facility will be parking in the alleys, filling up the residents' parking places. Other commission members commented that that is a fact of life in a downtown area and in proximity to event venues. Mr. Brubaker noted that City staff has been meeting with the residents of those neighborhoods about creating a residential parking district. He also pointed out that the language also applies to theaters and other venues, such as the Maryland Theatre. Mr. Bockmiller stated that regardless of whether the multi-use facility is built or not, staff felt it was an issue to address. The City's parking requirements are currently very burdensome in this regard. Mr. Gysberts said he was not opposed to the proposed amendment in general terms because he believes many of our parking requirements are excessive. He asked how many fewer spaces would be required as a result of the amendment. For the stadium it would work out to about 400 fewer spaces based on a 5,000 seat multi-use facility.

MOTION: (Thomas/Miller) I move the draft as adjusted or amended.
DISCUSSION: None.
ACTION: APPROVED (ABSTAIN - Brubaker)

Adjourn: It was moved and seconded that the meeting adjourn at 7:50 p.m.

8/8/2012
Date

DC Calhoun
Debra C. Calhoun - Secretary