

Douglas S. Wright, Jr., chair, called the meeting to order at 7:00 p.m., on Wednesday, March 27, 2013, in the Council Chamber, Second Floor, City Hall. Also present were commission members M. Brubaker, C. Coleman, D. Miller, R. Thomas 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. **(NOTE: Planning Commission revisions are indicated in red text.)**

REGULAR MEETING

Roll Call

Mr. Stone was absent. Mr. Wright recognized the commission's newest member, Cullen Coleman, who was appointed to the commission at the March 26 Mayor and Council meeting.

At the request of Mr. Wright, the commission agreed to amend the agenda to move the Cortland Villas discussion from D., 2., up to Item D., 1.

Approval of Minutes: March 13, 2013 - Workshop Meeting.

The following corrections were noted:

- On page 2, last paragraph: In the fourth line from the bottom, delete the sentence beginning "Staff must determine whether . . ."
- Page 2, last paragraph, third line from the bottom should read "*If* changed to CG, *mini* storage would become nonconforming."
- On page 3, first paragraph, fourth line, delete the sentence beginning "Until rezoning occurs, . . ."
- On page 4, last line, change "one" to "once."

MOTION: (Miller/Wheeler) I move to approve with the corrections.

DISCUSSION: None.

ACTION: APPROVED, WITH CORRECTIONS (Unanimous)

Cortland Villas - Request to Remove Sidewalks.

Mr. Miller recused himself from discussion since he lives in this development.

Staff recently received a request from the Cortland Villas Homeowners Association for permission to remove sidewalks shown on the approved site plan for this development. The

sidewalks would be replaced with grass that would extend to the curb. Several observations were noted by staff concerning this development. The original site plan showed standard sidewalks on one side of the street. Due to grading issues that arose during development, the Planning Commission subsequently approved a request for a revised plan showing narrower sidewalks, constructed of asphalt at the developer's request. All three of the Cortland developments (Villas, Manor, and Cortpark) are within the City of Hagerstown. As a municipality, it is a given that development is of sufficient density that sidewalks should be provided on all new development. Cortland Villas is an environment of duplex development. The City would expect the developer of any other duplex development to construct and maintain sidewalks on both sides of an improved street. This development has been the beneficiary of significant reductions in the City's design standards regarding sidewalk construction.

Washington County is in the process of designing the Eastern Boulevard Bypass. This development was specifically designed with a requirement to connect to the future Eastern Boulevard Bypass as a secondary access to the development for residents and emergency vehicles. A stub has been constructed for this purpose. Once the connection is made, more traffic will be moving through the Villas section of Cortland. It is anticipated that the communities on these private streets may ultimately install a card-access gate to limit traffic to residents and emergency vehicles. Lastly, the Homeowners Association has asserted that the adjacent Cortland Manor does not have sidewalks; however, staff noted that that portion of Cortland was constructed with narrower drives and parking lots. It is similar to the parking lot of an apartment complex than the street design of Cortland Villas.

Elizabeth Krell, president of the Cortland Villas Condominium Owners Association, was present. On behalf of the Condominium Association, Ms. Krell asked the commission to consider a variance from the City's requirements based on the following mitigating factors: Cortland Manor (the larger development adjacent to Cortland Villas) has no sidewalks; the streets in Cortland Villas are private streets—the Condominium Association pays to have the roads plowed and paved; the current asphalt sidewalks are less than six years old and are already crumbling; the community's residents do not use the existing sidewalks mainly because they are three feet wide and the pitch corresponds to the pitch of the driveways. The Condominium Association feels that if the sidewalks are to be repaired, that asphalt is not an appropriate material because it deteriorates too rapidly. However, replacing the sidewalks with concrete would be very expensive.

Commission/Applicant Discussion: Mr. Thomas asked why the modification was necessary in the first place. Mr. Bockmiller explained that by the time the site was graded, the grading between the streets and the house pads worked in such a way that it was too steep to put in the sidewalks. By compressing the construction of the sidewalks closer to the streets made it easier to transition to the street.

Concerning staff's point that once a connection is made to Eastern Boulevard traffic through the development may increase, Mr. Brubaker noted that there could be a safety issue if there are no sidewalks. Ms. Krell agreed with staff that limited access would be necessary. Mr. Coleman asked if the developer was contacted about a warranty on the asphalt. Ms. Krell stated that the developer was unsuccessfully approached about the condition of the sidewalk. Mr. Bockmiller stated that Cortland Drive is the main point of access for 632 units. The site plan includes an access point for emergency vehicles from Eastern Boulevard.

Mr. Wright recalled the discussion with Mr. Lyles when the site plan was modified. When the developer approached the commission, it was a last-minute decision since he needed to show sidewalks on the plan for the project to move forward. The Planning Commission has always been supportive of providing safe walking opportunities for pedestrians since it is important for higher density residential areas to provide safe places for pedestrians. If a controlled access is provided and maintained in Cortland Villas, it is possible that a sidewalk might not be necessary. However, if the controlled access is not provided, streets without sidewalks will not be safe. Ms. Krell stated that the Condominium Association would be in favor of controlled access to prevent nonresidents from using their development's streets as a cut through. Mr. Brubaker questioned whether the combined owners associations are strong enough to administer a card access system. Ms. Maher pointed out that it is the City's intention that the road would be available to residents of the entire development, including Cortland Manor and Cortpark.

A concern was raised about the sidewalks being removed before the bypass or the controlled access is provided causing safety issues for pedestrians. Mr. Brubaker stated that financing for the road could become an issue for the County if it is not built with the intent of it being open to the public. Mr. Wright did not believe it would be wise to allow removal of the sidewalks until all data is in about the future of the connector road. Options were discussed for providing a safe walking environment for residents of the community.

On behalf of the commission, Mr. Wright advised Ms. Krell to work with staff and the developer to come up with a determination about the access points. Another consideration is the possibility of a more permanent sidewalk on the west loop of Hawkins Circle. Washington County is currently designing/engineering the Eastern Boulevard Extension.

Review of Proposed Digital Sign Text.

At the last Planning Commission meeting, commission members expressed interest in revisiting the Land Management Code as it pertains to digital signage. The most recent amendments included a provision that prohibit digital signage. Ms. Maher stated that in 2011 City staff met

and drafted some language to allow for digital signs on billboards. This draft language could be used as a starting point for discussions on an amendment to the Land Management Code as it pertains to on-premise digital signage. In 2011 staff researched how a number of cities and states around the country handle digital signage.

In January 2012 Planning staff compiled a list of digital billboard recommendations that could be used for evaluating recommendations for on-premise digital signs. To date, staff has not discussed the recommendations with any of the local signage companies. Mr. Miller said it would be beneficial to get feedback from sign companies.

The commission reviewed the recommendations to see how they could be modified for on-premise digital signs.

As proposed, digital signs would be allowed in the CG (Commercial General), CR (Commercial Regional), IR (Industrial Restricted), and IG (Industrial General) zoning districts. Mr. Wright added the CL district and staff added the N-MU and POM districts. Staff indicated that the Land Management Code is currently silent on the issue of signage in residential districts. Many of Hagerstown's churches and schools are located in residential districts. As a solution, Mr. Wright suggested eliminating the location requirements and only regulating the intensity, frequency, and method of changing the message on the sign.

Concerning the 10-second frequency of change, Mr. Wright thought that time could be increased. Ms. Maher suggested making a distinction among zoning districts. Commission members suggested that residential districts be limited to messages changing a maximum of once every 12 hours. With regard to the intensities listed in the recommendations, some members felt the intensities might be too bright for residential districts and on-premises signs. Staff was directed to contact sign companies for guidance on signage intensities. Mr. Wright suggested that the intensity and the frequency change language should be revisited. Commercial areas might warrant different standards since businesses would be trying to get multiple messages across to potential customers. He thought every 10 seconds for a message change would be acceptable for commercial areas.

Staff will bring this back for another discussion once its has had a chance to discuss intensities with sign companies.

Review of FY 2014 Capital Improvements Program.

A copy of the proposed FY 2014 Capital Improvements Program is in the meeting file. Staff highlighted projects that are mentioned in the Comprehensive Plan:

**Planning Commission
MINUTES - Regular Meeting**

**March 27, 2013
City of Hagerstown, Maryland**

Project 45-C0326

SWM Planning and Improvements
\$100,000 for preliminary analysis of City's current stormwater system and the development of short - and long-term strategies to meet goals.

Project 50-C0841

Bester Elementary School
\$41,000 to reconstruct overhead utilities off-site and install necessary underground equipment on site to provide electric service.

Project 58-C0828

Hagerstown Small Business Center
\$38,079 to finish space for a small business incubator in the center of the former CVS building (Phase III). Incubator storefront has been modified, and the classrooms are complete.

Project 58-C0836

36-40 North Potomac Street
\$100,000 renovate the building for four artist loft-style apartments and a co-op gallery adjacent to Rocky's Pizza. Mr. Wright cautioned the City to watch the number of artists. Ms. Maher noted that this is the only artist housing project.

Project 45-C0594

Street Trees
\$40,000 for installation of street trees in older neighborhoods to improve aesthetics and livability (use FCF and CBT grants).

Project 45-C0837

George Washington Statue
\$46,500 for design and creation of a statue of George Washington (to be placed in front of the Circuit

**Planning Commission
MINUTES - Regular Meeting**

**March 27, 2013
City of Hagerstown, Maryland**

Courthouse).

Project 50-C0388

Pedestrian Lighting
\$10,000 to continue ornamental pedestrian lighting program. FY 2014 in the 400 block of North Potomac Street.

Project 45-C0595

New Sidewalks
\$15,000 for new sidewalks at the triangle at Hamilton Boulevard and Potomac Avenue.

Project 45-C0717

Multi-Use Paths
\$100,000 to widen trail along Memorial Boulevard in conjunction with Bester Elementary School project.

Project 45-C0811

Frederick Street Culvert
\$300,000 to extend the existing box culvert upstream to remove narrowed road surface; in conjunction with a future sidewalk project.

Project 56-C0848

Parking System Wayfinding Signs
\$30,000 for installation of new wayfinding signs for the entire parking system (recommendation in the Downtown Parking Master Plan).

Project 45-C0751

Neighborhood Parks
\$150,000 to seek pocket park acquisition opportunities in the Mitchell/McDowell area and/or City Center.

Project 45-C0773

Kiwanis Park
\$75,000 for a pavilion and boat launch.

**Planning Commission
MINUTES - Regular Meeting**

**March 27, 2013
City of Hagerstown, Maryland**

Project 45-C0784	Memorial Park \$55,000 for benches, trash cans, tables, and a plaza (Phase II).
Project 45-C0851	Dog Park \$68,500 to develop a new dog park with consultation of a City task force.
Project 45-C0025	Pavement Preservation Program \$640,000 to resurface Summit Avenue, Sunset Avenue, Church Street, Burhans Boulevard, View Street, and Yorkshire Drive.
Project 45-C0324	Alley Reconstruction \$88,000 to reconstruct Alley 5-10 from Hillcrest to Irvin and continuation of survey of all alleys.
Project 45-C0400	Bridge Repair \$2,128,450 to repair three bridges on North and South Burhans Boulevard (use excise tax and seek federal grant).
Project 45-C0853	Marsh Run Repairs \$100,000 for repair of deteriorated stone and concrete walls in the vicinity of Memorial Park.
Project 54-C0327	Collection System Rehabilitation \$300,000 to fund the annual program that makes point repairs throughout the system (I&I).
Project 54-C0800	Citywide - CS Rehab \$300,000 to correct I&I by replacing or relining defective piping.

**Planning Commission
MINUTES - Regular Meeting**

**March 27, 2013
City of Hagerstown, Maryland**

- It was noted that the City is no longer under a cap from the state on allocation of wastewater capacity.
- Mr. Thomas asked that the City consider a project to improve water pressure in the area behind the former Sheraton.
- Mr. Wright noted that under the Parks projects, in FY 2017, the City is proposing improvements to City Park Lake; however, later in the upcoming year, the plan is to rebuild Pangborn Lake.
- The City is applying for ARC funding to explore a third parking deck.
- Keep R. Paul Smith Boulevard and the Northwest Connector on the list.

MOTION: (Thomas/Miller) I move that we recommend to the Mayor and Council that the FY 2014 CIP is generally consistent with the Comprehensive Plan and suggest consideration of additional facilities to improve water pressure in the East End of the Dual Highway region, behind the former Sheraton site.

DISCUSSION: None.

ACTION: APPROVED (ABSTAIN - Brubaker)

Adjourn: It was moved and seconded that the meeting adjourn at 8:40 p.m.

4/10/2013

Date



Debra C. Calhoun - Secretary