

**Planning Commission
MINUTES – Regular Meeting**

**February 25, 2015
City of Hagerstown, Maryland**

Douglas S. Wright, Jr., chair, called the meeting to order at 7:00 p.m., on Wednesday, February 25, 2015, in the Conference Room, Fourth Floor, City Hall. Also present were commission members M. Brubaker, R. Campbell, D. Miller, J. Stone, 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.

REGULAR MEETING

Roll Call.

All commission members were present, with the exception of Mr. Stone who arrived later.

Approval of Minutes:

October 8, 2014:

- MOTION:** (Wheeler/Thomas) I'll move approval of the minutes.
DISCUSSION: None.
ACTION: APPROVED (Unanimous)

**2014 Land Management Code Text Amendments – Discussion of
Comments Received at Public Review Meeting on January 28, 2015.**

(Staff memo is in the meeting file.) Review of comments received during the public review meeting on January 28 began at the commission's last meeting. Since that meeting, staff made changes to reflect the discussion on February 11. The commission raised additional questions and concerns on the 11th to which staff responded as follows:

Pedestrian Light Levels. Staff researched the foot candle measurement issue raised by the commission. There is a discrepancy between what is being done in other communities (0.5 foot candles) and what the Hagerstown Light Department uses as its standard (0.2 foot candles per the Illuminating Engineering Society of North America or "IESA"). Staff noted that concerns over creating glare for surrounding properties could be controlled by not over illuminating an area as well as choosing a type of fixture that does not cast light outside of the area requiring illumination. The Utilities Director for the City recommended to staff that the proposed text reference the accepted recommendations set forth in the IESA Standard with additional language

that states that “upon review of the area to be illuminated, it could be classified as a Special Security area in which the increased level of illumination should be considered and studied.” The commission agreed with the Utilities Director’s qualifying statement but wanted the foot candle measurement in staff’s text to be raised from 0.4 foot candles to 0.5 foot candles and the wording dealing with “further study” should remain.

Wall-Mounted Graphics and Window Graphics. Staff reported that Washington County includes window graphics in their signage calculations. If Hagerstown included window graphics in its language, it would be similar to Washington County. Most of the commission members had concerns about this amendment, including the City should not get involved with telling business owners how to advertise and promote their businesses. Mr. Wright did not want to interfere with a business’s advertising and promotion plans, but said he could live with Washington County’s and some of the other jurisdiction’s language. Ms. Wheeler had no objection to deleting regulation of window graphics, but felt the other aspects of the amendments that bring more conformance is beneficial. Mr. Thomas was on the fence with the window graphics portion of the amendment. Mr. Miller was in favor of omitting regulations on storefront graphics—he does not want restrictions. Mr. Campbell was against regulating window graphics and feels a business owner should have a choice. Mr. Brubaker said he could see both sides of the argument; however, “grotesque” signage in one place could deter new businesses from locating nearby. If shopping centers are adopting sign regulations for their tenants, there might not be a need for it. Mr. Stone agreed with the members opposed to the regulations.

Storefront Protection Zones: Staff revised the proposed language to attempt to address commission concerns from the last meeting. Most commission members were still opposed to this amendment. Mr. Wright stated that he still wants the “carrot” and not the “stick” means of addressing the issue. Mr. Stone stated that the reality is that the City’s “carrots” are not straightforward or generous enough. Ms. Maher pointed out that Hagerstown was recognized as a model by the state for redevelopment incentives. Most commission members were not convinced. The City should be easier to work with, not more restrictive. Again, a straw vote was taken. Ms. Wheeler did not see the proposal as too restrictive. It does not include every building downtown. Incentives are listed on the City’s website and the Economic Development Office. Mr. Brubaker stated that the types of offices that want to come downtown want storefronts. If we close off blocks there will be whole stretches that are dead. This is a way to preserve streetscape vitality. There is also a cultural issue to overcome. Staff is trying to find a way to get the best of both worlds. The kinds of businesses staff is assisting want storefronts. Mr. Wright is concerned about an adverse effect and the result will be vacant properties. It is not worth the money to bring buildings up to code in order to have offices on upper floors. It was his opinion that buildings will be empty longer because the owners will not be able to find tenants. Mr. Campbell stated that people need to want to be in an urban environment. He was not opposed to the amendment, but felt it needs to work better with all the other components. He felt a priority should be entertainment because it attracts people who spend money. Mr. Thomas was not in favor of the

amendment being overly restrictive. Some offices, such as accountants and consultants have the potential to bring foot traffic downtown. In the end, four members opposed the amendments and three expressed support.

Proposed City Code Amendment – Board Quorum Requirements.

Mr. Wright stated that the City Code specifies a quorum for City boards and commission as two-thirds of the membership and not a majority. He pointed out that the Code requires only a majority for Mayor and Council to meet quorum. Most of the state of Maryland only requires a majority for a quorum. Mr. Wright asked the commission if they would support a letter to the Mayor and Council requesting a change to the City Code to reflect a simple majority. The Planning Commission bylaws state a quorum consists of a simple majority.

MOTION: (Campbell/Miller) I move that we write a letter to Mayor and Council to begin the process to change the Code to require a simple majority for a quorum for boards and commissions.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

Comprehensive Plan Update – Future Park Needs.

(See memo in meeting file.) Staff is currently working on updates to the 2008 Comprehensive Plan. The plan update, which up to this point has been mainly Land Use Map changes, is being expanded to include other plan elements such as Transportation, Community Facilities, Housing, and Economic Development. Staff hopes to have some of these elements ready for the commission to review in the spring. A new map is being proposed, Future Park Planning & Analysis of Need Map, which would be incorporated into the Community Facilities Element of the updated Comprehensive Plan.

The City of Hagerstown has been proactive over the last few years in building parks. There has never been a formal methodology about where park space should be located. Planning and Engineering staff have been meeting to put together a formal methodology in determining where park space should be located in the future. The Maryland Department of Natural Resources has developed a park equity analysis tool to aid in this analysis, which is based on census data. Mr. Rohrbaugh summarized all the data and applied it to Hagerstown. Staff requested input from the Planning Commission on using this as a tool in the future park planning process.

Concerning the map, staff noted that some areas (such as CortPark) are skewed because the census block data is not confined to the City and includes the rural areas of the rest of that census block. Mr. Stone asked if the map could be customized by drawing it from scratch using the census map as a guide. Mr. Miller noted that another category should be added for the elderly. Mr. Wright said open areas should be added to the list of parks that are available, such as public schools that are accessible to the public. Mr. Rohrbaugh explained that the Comprehensive Plan identifies a certain percentage of land owned by the Washington County Board of Education as open space (Western Heights, Emma K. Doub, Ruth Monroe).

Mr. Rohrbaugh pointed out that the Comprehensive Plan does not set a goal, but Hagerstown has 12 acres of park per 1,000 residents. Mr. Stone suggested that the map be revised to include the school facilities. Currently it is crude because of the arbitrary census tract data. Mr. Campbell added that adults are looking for recreation opportunities, too.

Site Plan Sidewalk Requirements Along Public Streets.

Mr. Bockmiller reported that the Zoning Ordinance does not require sidewalks as part of a site plan. Staff cannot require something if it is not prescribed in the Land Management Code standards for site plans and cannot prevent a submittal to the Planning Commission because of the lack of something that is not required. He recommended an amendment to the site design requirements which would compel an applicant to address the provision of sidewalks. In the case of Harbor Freight, the City Engineer did not see fit to require sidewalks. The Mayor and Council adopted a policy several years ago that addresses not requiring sidewalks with topography issues such as the Harbor Freight frontage on Wesel Boulevard. This proposed amendment would give staff leverage to require sidewalks. There is a requirement in the subdivision regulations. In general, most members of the Planning Commission were in favor of the requirement.

Adjourn. It was moved and seconded that the meeting adjourn (9:14 p.m.)

4/8/2015

Approved



Debra C. Calhoun - Secretary