

Douglas S. Wright, Jr., chair, called the meeting to order at 4:00 p.m., on Wednesday, April 8, 2015, in the Conference Room, Fourth Floor, City Hall. Also present were commission members M. Brubaker, R. Campbell, D. Miller, and R. Thomas. The following staff members were present: K. Maher, Planning Director; S. Bockmiller, Development Planner/Zoning Administrator; A. Rohrbaugh, Planner; and D. Calhoun, Secretary.

**Approval of Minutes: January 28, 2015 – Regular Meeting;  
February 11, 2015 – Workshop Meeting; and February 25, 2015 –  
Regular Meeting.**

January 28, 2015:

Mr. Wright pointed out that Mr. Stone was indeed present at this meeting and should be added to the list of those members present.

In addition, on page 8, third line down, Mr. Thomas asked for clarification on Mr. Wright's statement. Mr. Wright said his point was that he would like City staff to start thinking about sidewalks earlier in the game. At that time he was upset that it was late in game and too late to hold up the developer by requiring sidewalks. Mr. Thomas asked if the sentence should be reworded and Mr. Wright replied that he was satisfied with the way it was written.

**MOTION:** (Brubaker/Campbell) Move approval.  
**DISCUSSION:** None.  
**ACTION:** APPROVED, AS CORRECTED (ABSTAIN – Miller)

February 11, 2015:

**MOTION:** (Brubaker/Thomas) I'll move approval.  
**DISCUSSION:** None.  
**ACTION:** APPROVED (Unanimous)

February 25, 2015:

Mr. Brubaker asked if the Land Management Code Amendments were voted on at this meeting. Ms. Maher stated that the vote was taken on March 11.

**MOTION:** (Thomas/Campbell) I'll move to accept.  
**DISCUSSION:** None.  
**ACTION:** APPROVED (Unanimous)

**Workshop: Fulton/Alter Simplified Plat on Salem Avenue/Terps Boulevard.**

At the request of the owners, this matter was removed from the agenda.

**Waiver Request: 431 Dual Highway – Venice Inn.**

Staff Report: (See staff report in meeting file.) A site plan has been received for a right-in-right-out driveway entrance in front of the recently demolished motel at the Venice Inn. It also includes grading to correct design deficiencies in the frontage required by the State Highway Administration (SHA) along the front of this site and partially including the vacant lot to the west, between the hotel and the auto parts store. The proposal is for the entrance and grading only, to make the property more marketable for potential sale and redevelopment by others.

The disturbance is approximately 0.7 acres. It was submitted with the intention of being a minor site plan, but staff's authority to process it as such is limited to disturbance of 5,000 square feet. This is being processed as a standard site plan, and standard plan fees were paid. The applicant, however, is requesting that the plan standards for a minor plan (application checklist) be used in lieu of the lengthy standard site plan application, due to the limited nature of the work. Their position is that much of the content of the standard site plan application will not apply to this proposal. See the attached waiver application and page 3 of the submitted plan.

Staff had no objection to this request. It will be handled like any other standard site plan in all other respects, and the plan will be put in front of the Planning Commission for approval when ready. Full site plan compliance will be expected when a plan for development of the site comes in at a future date.

Applicant/Commission Discussion: Fred Frederick of Frederick, Seibert & Associates, Inc., engineers for the project, said the biggest review will be by State Highway Administration (SHA). SHA has dictated where the entrance will be located. Mr. Frederick's client is interested in getting the site pad ready for market. Typically, SHA review is a very long process, and this is an attempt to help an eventual project get through the review process quicker. Sidewalk is proposed along the frontage. Mr. Miller asked about the grade. Mr. Frederick said it would eventually be a 4:1 slope. A guardrail will be installed for pedestrian safety.

**MOTION:** (Brubaker/Campbell) I'll move a waiver from site plan standards.  
**DISCUSSION:** None.  
**ACTION:** APPROVED (ABSTAIN - Wright)

**Site Plan Renewal – Hagerstown Commons Shopping Center.**

(Staff memo is in the meeting file.) In the past, Planning Commission approvals were indefinite, but the Soil Conservation District (SCD) and Engineering Department approvals were good for two years. If someone wanted to keep a site plan viable that had not been built or completed, they needed to get SCD and Engineering to reapprove the plan, which in just about all respects was a formality. As a result of recent text amendments, Planning Commission approval of site plans is good for only two years. Now Planning Commission in addition to the City Engineer and SCD need to sign off on renewals. In most cases site plans that are approved by the Planning Commission are built soon after approval or dropped by the prospective developer or owner prior to construction.

The owner of Hagerstown Commons Shopping Center received site plan approval for Case No. ZS-2009-07. The property is currently the subject of a zoning violation dating back to last summer. The case is open, but the developer has been promising to move forward with mass grading which will resolve the violation. A two-building retail complex is proposed. Staff has no objection to the renewal. Renewal will be good for two years. The Engineering Department will not issue any more renewals after this one because of stormwater management regulations that have gone into effect since original approval.

- MOTION:** (Miller/Campbell) I'll make a motion to approve the renewal.
- DISCUSSION:** Mr. Thomas questioned what will be done with the rubble in the meantime. Rob Holmes of Frederick, Seibert & Associates indicated to the commission that he has discussed this with the owner. The owner has agreed to correct this as soon as possible. Mr. Thomas recommended a condition with a time limit. Mr. Frederick suggested 60-90 days because a 45- day limit would be unrealistic. Mr. Miller and Mr. Campbell agreed to the amendment to the motion. Mr. Wright asked whether old site plans are grandfathered. Mr. Bockmiller stated that his ruling is that the approval has expired. Mr. Thomas recommended that if the grading does not start the debris needs to be removed, but that should not negate the site plan.
- ACTION:** APPROVED, AS AMENDED (Unanimous)

**Board of Zoning Appeals – April Hearing.**

The commission had no comments to pass along to the Board of Zoning Appeals.

**Proposed FY 2016 Capital Improvements Program (CIP).**

(Staff memo is in the meeting file.) Each year the Planning Commission reviews the proposed Capital Improvements Program (CIP) for consistency with the Comprehensive Plan and offers comments to the Mayor and City Council as warranted.

Staff reviewed the proposed projects with the commission and the Planning Commission made the following comments and recommendations:

- After many years of recommending dredging for City Park Lake, that project has been included.
- Mr. Wright questioned whether all the wastewater treatment plant upgrades have been completed. Ms. Maher stated that all the big items in this CIP related to wastewater are planning and design for the sludge storage system. All other items are maintenance items. The City is no longer under a consent judgment because all of the state's requirements have been addressed.
- Mr. Thomas asked if there are any projects to address water pressure issues in the southeast corner of the city (near the former Sheraton). Ms. Maher will check with the Utilities Director and this could be added as a comment to the Mayor and Council.
- Mr. Campbell asked about projects for public art. Ms. Maher stated that locations for public art are being considered on East Franklin Street.
- Mr. Miller asked whether there are any major improvements proposed for Municipal Stadium. Ms. Maher stated that nothing is proposed until FY 2018, which is "planning and design" money to explore use options.
- Concerning the extension of Professional Court, the budget shows \$1 million in FY 2017, but is contingent upon certain events happening first, such as construction of the bridge over Antietam Creek. Mr. Brubaker noted that funds are being sought from the state to help pay for the bridge construction, but many things must happen first before this happens. It is a long way down the road.

**MOTION:** (Miller/Thomas) So moved, with comments about the southeast water pressure and a "hip-hip hurray" on the lake dredging project.

**DISCUSSION:** None.

**ACTION:** APPROVED (Unanimous)

**Adjourn.**

It was moved and seconded that the meeting adjourn (4:45 p.m.).

6/10/2015

Approved



Debra C. Calhoun - Secretary