

Phase Four 2010 Comprehensive Rezoning City of Hagerstown

Findings of Fact

The 2010 Small Areas Plan includes a future Land Use Map with recommendations for changes in three (3) of the special planning areas in the City. The special planning areas identified in the 2008 Comprehensive Plan include the East End/Hospital Special Planning Area, Jonathan Street Special Planning Area, and Locust/Mulberry Streets Special Planning Area. These recommendations were based on analyses and relevant data presented in the 2010 Small Areas Plan, as well as a review of the appropriateness of the existing zoning given current practices and the character of the surrounding neighborhoods and a desire to direct certain types of development to appropriate areas of the City.

In late 2009, the Planning Department held several staff meetings on delineating a portion of the City as the Phase Four area for the comprehensive rezoning to implement the 2008 Comprehensive Plan and the 2010 Small Areas Plan. The existing zoning map was also reviewed to determine if there were any areas which had changed in character and warranted a change in zoning or which were viewed as inappropriately zoned given the use of the properties and the character of the surrounding area. After due deliberation, Planning staff made various recommendations to the Planning Commission on rezonings in the Phase Four area for the following reasons:

EAST END/HOSPITAL SPECIAL PLANNING AREA

It should be noted that the Hospital, First Urban Fiber, and the old MELP Plant are not included in Phase IV, but will be subject to a future comprehensive rezoning when further study can be done in relation to identified plans for the re-occupation or redevelopment of these complex, use-specific buildings.

AREA 1: 309-345 EAST ANTIETAM STREET

This area encompasses both sides of East Antietam Street from #309 to #345. The properties in this area are primarily medical office uses and some commercial uses. The area is currently zoned C2 (Commercial General), IR (Industrial Restricted), and R2 (Residential) and is proposed to be rezoned to POM (Professional Office Mixed). The rezoning to POM brings the medical offices into conformity and better reflects the character of this area. Also, a small portion of 301 East Antietam Street, currently zoned IR (Industrial Restricted), is proposed to be rezoned to R2 to resolve split-zoning on that parcel. The POM and R2 rezonings are consistent with the Future Land Use Plan in the 2010 Small Areas Plan.

AREA 2: SW CORNER OF EAST ANTIETAM STREET & SOUTH CLEVELAND AVENUE; THE VENICE PARKING LOT

Currently zoned IR (Industrial Restricted) and C2 (Commercial General), the properties are used for offices along with limited retail and branch bank activity, as well as vacant lots that are too small to be developed for Industrial zoning. This area also includes a portion of the Venice Inn parking lot on the north side of East Antietam Street that is split-zoned C2 and IR. It is recommended to rezone the area to POM (Professional Office Mixed) to reflect current land uses and encourage more office uses. The rezoning to POM is consistent with the 2010 Small Areas Plan's future land use recommendation of "Business-Employment" for this area. The Venice parking lot is proposed to be rezoned to C2 to make the zoning consistent with the rest of the Venice property and correct the split-zoning discrepancy.

AREA 3: MILL STREET AREA

This area generally includes properties on both sides of Mill Street between Hager Park and East Baltimore Street. The west side of Mill Street, zoned R4 (Residential), consists of primarily office-type uses, as well as several single-family residential uses. The eastern side of the street, zoned IR (Industrial Restricted), consists of a large parking lot currently owned and used by the Hospital and an industrial storage business adjacent to Hager Park. Based on the land use analysis, it is recommended that this area be rezoned to POM (Professional Office Mixed) to maintain conforming status of the office uses and allow for redevelopment opportunities for when the Hospital-owned parking lots are no longer being utilized. The rezoning to POM is consistent with the "Business-Employment" future land use identified for this area in the 2010 Small Areas Plan.

AREA 4: 221 MEMORIAL BOULEVARD

The property, owned by Verizon Maryland, is currently split-zoned between IR (Industrial Restricted) and C2 (Commercial General). It is proposed to rezone the property entirely to IR to match the adjacent IR zoning facing Memorial Boulevard and to also remove the split-parcel zoning situation. Rezoning to IR is also consistent with the "Industrial" future land use in the 2010 Small Areas Plan.

AREA 5: 401 SOUTH CANNON AVENUE & 345 SOUTH CLEVELAND AVENUE

This area, located across from Municipal Stadium, includes medical offices zoned C1 (Commercial Local). Also included in this area a restaurant/tavern at 401 South Cannon Avenue, zoned IR (Industrial Restricted), and a single-family detached dwelling at 345 South Cleveland Avenue, zoned C1 (Commercial Local). It is recommended that the property at 401 South

Cannon to be rezoned to C1 to reflect the adjacent zoning and allow the uses at these locations to be conforming. It is also proposed to rezone the property at 345 South Cleveland Avenue from C1 to R2 (Residential) to reflect the residential character of Cleveland Avenue. The rezonings are consistent with the Future Land Use Plan in the 2010 Small Areas Plan.

AREA 6: EASTRIDGE TOWNHOMES DEVELOPMENT

The Eastridge Townhouse development was approved as a Planned Unit Development (PUD) in the early 2000s. This development, currently zoned R4 (Residential) and C2 (Commercial General) with a PUD overlay, reflects a Medium-Density residential land use. While R4 zoning permits townhouses, this classification is intended for older neighborhoods with opportunities to allow higher-density residential and office uses. Because of the PUD overlay, the C2 zoning is incompatible with the residential development. It is recommended to rezone the Eastridge Development from R4 and C2 (PUD) to R2 PUD. R2 zoning would keep the townhouses in conforming status. The rezoning is consistent with the future land use of “Medium-Density Residential” in the 2010 Small Areas Plan.

AREA 7: LOT ON NORTH SIDE OF TRACY’S LANE AT EASTRIDGE DRIVE

The vacant lot, currently zoned R2 (Residential), is zoned inconsistently with the adjacent vacant lots, which are zoned C2 (Commercial General). It is recommended to rezone the lot from R2 to C2 to make it consistent with adjacent lots. The rezoning is also consistent with the “Commercial General” future land use identified in the 2010 Small Areas Plan.

JONATHAN STREET SPECIAL PLANNING AREA

AREA 8: 226-234 JONATHAN STREET

The 200 Block of Jonathan Street encompasses the northernmost extent of the Downtown future land use identified in the 2008 Comprehensive Plan. Currently only the western side of the street is zoned D-MU (Downtown Mixed Use). The area that contains 226-234 Jonathan Street is zoned R2 (Residential) and includes the former car wash property. In order to encourage mixed-use re-development, it is proposed to rezone the area from R2 to D-MU. The rezoning to D-MU is consistent with the Jonathan Street Future Land Use Plan in the 2010 Small Areas Plan.

AREA 9: 115-137 BETHEL STREET

This area of Bethel Street is currently zoned D-MU (Downtown-Mixed Use) and consists of several single-family detached dwellings and a church. It is recommended that the residential units on the south side of Bethel Street be rezoned from D-MU to R2 (Residential) to reflect the residential character of that area and to reflect the Future Land Use Plan recommendation of “Medium-Density Residential” in the 2010 Small Areas Plan.

AREA 10: 26 & 56 BETHEL STREET

This area is located on the north side of Bethel Street near the intersection of Henry Avenue. The area of rezoning includes a church property at 26 Bethel Street, zoned R3 (Residential), and a single-family detached dwelling at 56 Bethel Street that is split-zoned between R3 and R2 (Residential). It is proposed that these two properties be rezoned completely to R2 to reflect the medium-density residential character of Bethel Street and the split-zoning issue. The rezoning is consistent with the Future Land Use Plan in the 2010 Small Areas Plan.

AREA 11: 23-43 WEST NORTH AVENUE

This area is located on the south of West North Avenue between Bethune Alley and the northern extent of the Bethel Gardens Apartments. This area also includes one property that fronts on Bethune Alley. The area is currently zoned R3 (Residential) and consists of single-family detached and semi-detached dwellings. It is proposed that Area 11 be rezoned to R2 (Residential) to reflect the medium-density residential character of the neighborhood. The rezoning is consistent with the Future Land Use Plan in the 2010 Small Areas Plan.

AREA 12: JONATHAN STREET, 300 & 400 BLOCKS

This area of Jonathan Street, zoned R3 (Residential), was once the commercial core of the neighborhood, but now consists of mostly semi-detached residential dwellings, a small retail store, and a church. On the north side of West North Avenue between Jonathan Street and Sumans Avenue are residential townhouses. It is recommended to rezone this area from R3 to R2 (Residential) to better preserve the character and density of the existing neighborhood. The rezoning is consistent with the Future Land Use Plan in the 2010 Small Areas Plan.

AREA 13: WEST SIDE OF NORTH PROSPECT STREET (407-443, 597-617)

The west side of North Prospect Street, currently zoned IR (Industrial Restricted), contains single-family detached and semi-detached residential uses. Similar residential land uses exist on

the east side of North Prospect Street, opposite of this area. The lots in this area are too small to be redeveloped as industrial without substantial setback variances. It is proposed to rezone this area from IR to R2 (Residential). This would better reflect the residential character of the neighborhood and allow for consistency with the R2 zoning on the opposite side of the street. The rezoning is consistent with the Future Land Use Plan in the 2010 Small Areas Plan.

AREA 14: CHARLES STREET & PARK PLACE AREA

The Charles Street and Park Place area, currently zoned R3 (Residential), consists of primarily single-family and semi-detached residential uses. Also in this area (on the NE corner of Hamilton Lane and Charles Street) is an automotive repair business with an attached apartment dwelling. It is proposed to rezone this area from R3 to R2 (Residential) in keeping with the Future Land Use Plan and goal of preserving medium density residential in the neighborhood. It is also proposed to rezone the property on the northeast corner of Hamilton Lane and Charles Street from R3 to IR (Industrial Restricted) to reflect the adjacent industrial zoning in order to make the current use more conforming. The rezonings proposed are consistent with the Future Land Use Plan in the 2010 Small Areas Plan.

AREA 15: 645-651 FOREST DRIVE & PORTION OF 100 CHARLES STREET

The four lots in this area are split-zoned between IR (Industrial Restricted) and R2 (Residential). The existing land use of the lots are semi-detached residential. The rear yards of the lots are zoned IR while the dwellings themselves are zoned R2. Also included in Area 15 is a small piece of an industrial warehouse property to the south (100 Charles Street) that is split-zoned between IR and R2. It is recommended to rezone the residential lots fully to R2, which would reflect the existing land uses, surrounding R2 zoning, and correct the issue of split zoning. It is also recommended to rezone the warehouse property to the south fully to IR to resolve the split-zoning issue. These changes are consistent with the Future Land Use Plan in the 2010 Small Areas Plan.

AREA 16: 686 PENNSYLVANIA AVENUE

This area is currently split-zoned between R2 (Residential) and IR (Industrial Restricted). The existing land use of the property is industrial and covers two parcels. It is proposed to rezone the two parcels to IR to better reflect the industrial use of the property as a whole. The rezoning is consistent with the Future Land Use Plan's recommendation of "Industrial" in the 2010 Small Areas Plan.

AREA 17: 701-711 FOREST DRIVE

The lots on the west side of Forest Drive, zoned IR (Industrial Restricted), contain semi-detached residential dwellings. If left to IR, the lots would be too small to redevelop as industrial without substantial variances for setbacks. It is proposed to rezone this area from IR to R2 (Residential) to make the residential uses conforming. This change would reflect the Future Land Use Plan's recommendation of "Medium-Density Residential" in the 2010 Small Areas Plan.

AREA 18: SOUTH SIDE OF PROSPECT AVENUE

Currently zoned IR (Industrial Restricted), the south side of Prospect Avenue from Forest Drive to Pennsylvania Avenue contains primarily commercial uses, including a liquor store, retail, and offices. Small light industrial activities are conducted in the building at 241 Prospect Avenue, such as a cabinet making business. The three lots in this area are too small for any major industrial redevelopment and would require setback variances to do so. This area is proposed to be rezoned to C2 (Commercial General) to make the commercial uses more conforming and to provide a better transition to the residential neighborhoods on the north side of Prospect Avenue. The rezoning is consistent with the Future Land Use Plan in the 2010 Small Areas Plan.

LOCUST/MULBERRY STREET SPECIAL PLANNING AREA

AREA 19: 320 VALLEY ROAD

It is proposed to rezone this area from IR (Industrial Restricted) to R2 (Residential). The property consists of a single-family detached dwelling and would be too small to redevelop as industrial without significant setback variances. The rezoning is consistent the Future Land Use Plan in the 2010 Small Areas Plan, with the adjacent R2 zoning to the east and south, and with the residential character of the south side of Valley Road.