

**Planning Commission
MINUTES – Regular Meeting**

**February 22, 2017
City of Hagerstown, Maryland**

Douglas S. Wright, Jr., chair, opened the meeting at 7:00 p.m., on Wednesday, February 22, 2017, in the Conference Room, Fourth Floor, City Hall. Also present were commission members R. Campbell, D. Miller, J. Stone, R. Thomas and J. Wheeler. The following staff members were present: K. Maher, Director of Planning and Code Administration Department; S. Bockmiller, Development Planner/Zoning Administrator; A. Rohrbaugh, Planner; and D. Calhoun, Secretary.

REGULAR MEETING

Roll Call.

Commission member P. Corderman was absent.

Approval of Minutes:

February 8, 2017 – Workshop Minutes.

MOTION: (Miller/Thomas) So moved.
DISCUSSION: None.
ACTION: APPROVED (ABSTAIN – Campbell, Stone)

Development Review:

**17932-17944-17950 Garland Groh Boulevard - Interface Development, Site Plan,
Case No. ZS-2016-09.**

Staff Report: (copy in the meeting file) This site plan is for the triangular-shaped parcel created in 2016 from the Aschenbach tract on Garland Groh Boulevard. The plan calls for a 19,054 square-foot grocery store, a 4,919 square-foot fast food restaurant, and a gasoline fuel station, with a 1,165 square-foot control building/store. A total of 144 parking spaces are required (89 for the grocery store, 51 for the fast food restaurant, and 4 for the convenience store). Plans show a total of 163 spaces.

In response to concerns raised by staff and the commission, the developer amended the plan to include all improvements necessary to connect to the frontage road on the adjacent Walmart tract, to within two feet of the common property line. Barriers are proposed to prevent traffic from creating its own crossover between the two properties. The property owner is providing

easements that would permit Walmart to construct the remaining few feet to connect the properties. The applicant has been responsive to staff requests to improve pedestrian circulation throughout the development and to change areas previously proposed as painted gore areas to raised islands with mountable curbs (necessary for delivery truck circulation). Forest conservation for this tract was addressed with the development of the Centre at Hagerstown Shopping Center.

One waiver was requested that would eliminate the six-foot landscape buffer along the front and most of one side of the grocery store building. Staff had no objection to this request given that a larger-than-typical island is provided, and there is a 20-foot landscaped buffer along the side of the building adjacent to Walmart.

The concept plan was approved by the Planning Commission on August 31, 2016, with a condition that the proposed right-in-right-out entrance to the gasoline station be omitted. The latest version of the site plan does not show this entrance. All review agencies have approved the site plan, with the exception of the City Engineer (see comments in meeting file) and the Planning and Code Administration Department. Planning staff needs to provide the engineer with language for several missing note references and is requesting the addition of the three building elevations to the plan. Staff is also requiring that the easement granted to Walmart be recorded in deed form in the Land Records.

The City Engineer recommended that the plan not be signed until everything is in place for the design and approval of the traffic signal. The intersection with Garland Groh Boulevard will be converted to a four-way intersection and the Starbucks side of the intersection will be redesigned. Trevor Frederick, of Frederick, Seibert and Associates, indicated that his client would like to pay for all the improvements but is waiting for cooperation from the owner of the shopping center across Garland Groh Boulevard.

Staff recommended approval, subject to the conditions set forth by the City Engineer and Planning.

Applicant/Commission Discussion: Staff and the commission commended the applicant and their engineer for the new design, including providing a stub to the Walmart site and eliminating the right-in-right-out driveway for the fuel station on Garland Groh Boulevard. Mr. Wright asked about the Walmart encroachment at the rear of that tract. Mr. Frederick stated that his client has not pursued the encroachment issue with Walmart. Mr. Thomas was concerned that tractor-trailers will be unable to maneuver when making deliveries to the grocery store. Mr. Bockmiller noted that the dumpster for the restaurant was moved to a better location at staff's request.

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- MOTION:** (Campbell/Miller) I will move for approval subject to compliance with the conditions from Engineering and Planning; and approval of the waiver.
- DISCUSSION:** None.
- ACTION:** APPROVED (Unanimous)

In reference to the access point with the Walmart property, Mr. Stone suggested that the commission adopt standards as part of the Subdivision and Land Development Ordinance that would require that cross easements be granted and stubs created into adjacent undeveloped tracts. Mr. Bockmiller stated he would look into this.

Coinop Warehouse – 367 East Franklin Street – Parking Improvements, Site Plan, Case No. ZS-2016-10; Forest Conservation Plan, FC-2017-01.

Staff Report: (copy in the meeting file) The site consists of two parcels bisected by a paper alley right-of-way which is being quitclaimed by the Mayor and City Council in order to consolidate the site. A subdivision plat is pending. The northern parcel is improved with a 33,000+ square-foot former warehouse building (expired nonconforming use). The intent is to operate a store for the developer’s business of buying and selling jukeboxes, large curiosities (such as antique gas pumps), and video arcade games, among other items. In order to accommodate the parking needed for these uses and any future uses permitted in the CG (Commercial General) zoning district, the applicant is proposing to improve the vacant lot to the south of the building and alley right-of-way (fronting on East Washington Street) with a parking lot containing 91 spaces. An existing loading area on the west side of the building would be expanded slightly and striped to provide 19 parking spaces. A total of 110 parking spaces will be provided. Public sidewalks will be provided on all public street frontages that do not currently have them.

The large parking lot complies with all design requirements with the exception of two landscaping issues. The applicant requests waivers to: 1) eliminate one landscaped island in the retro-fitted parking area on the west side of the building; and 2) eliminate the six-foot landscaping buffer between the building and parking in this area. Given this project is a retro-fit of an expired nonconforming warehouse facility for reuse within the CG zoning district, and the building occupies a substantial portion of the northern part of the site, staff believed the applicant’s proposal is an excellent plan to bring the site into near complete conformance with current design and landscaping standards and recommended approval of the two waivers.

Since there is no forest on site, the applicant used the express method for the delineation. Development area is 1.6 acres, which results in a requirement for 0.24 acres of forest conservation. They are proposing to meet this requirement through street tree credit for eight street trees (four on East Washington Street and four on Osborne Avenue). They are shown outside of the street rights-of-way and staff will make sure that protective easements will be

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shown on the final plat for the development. The plat will be brought to the Planning Commission for review at a later date.

The site plan was reviewed by all review agencies; and all have provided approval with the exception of the City Engineer (copy of comments attached) and the Planning and Code Administration Department. Planning and Code Administration is requesting that the photometric plan be embedded into the site plan and that the forest conservation file number be added to the data block.

Staff recommended approval of the site plan, contingent upon the outstanding comments of the City Engineer; that the two waivers be approved; and that the forest conservation proposal to meet the 0.24 acre requirement through street tree credit be approved.

Applicant/Commission Discussion: Mr. Poffenberger stated that the Engineering Department has not had a chance to review the drawing being used as an exhibit at this meeting and noted that their comments are addressed on the exhibit plan. The trees under the power lines are dogwood and cherry trees and they do not grow very tall. The City Engineer's comments are mistaken regarding the red maples and power lines in that the red maple trees they reference are not near any overhead power lines.

Staff and commission members commended the developer and their engineer for an excellent redevelopment plan for this site. Staff noted that since the subject property is being redeveloped, the adjacent former used car sales facility will now be required to add landscaping where the properties adjoin should it be redeveloped in the future for a car sales use.

MOTION: (Stone/Wheeler) I make a motion that we approve, just subject to the minor outstanding engineering comments and with the two requested (landscaping) waivers.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

Planning Commission Business:

None.

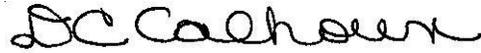
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Adjourn. It was moved and seconded that the meeting adjourn (7:30 p.m.)

3/8/2017

Approved



Debra C. Calhoun - Secretary