

Douglas S. Wright, Jr., chair, called the meeting to order at 3:59 p.m., on Wednesday, May 10, 2017, in the Conference Room, Fourth Floor, City Hall. Also present were commission members D. Miller, R. Thomas, and J. Wheeler. The following staff members were present: K. Maher, Director of Planning and Code Administration; A. Rohrbaugh, Planner; and D. Calhoun, Secretary. **(NOTE: Planning Commission revisions are indicated in red text.)**

Approval of Minutes:

April 5, 2017 – Workshop Meeting.

MOTION: (Wheeler/Miller) I will move approval of the minutes.
DISCUSSION: None.
ACTION: APPROVED (Unanimous)

April 26, 2017 – Regular Meeting.

The minutes were not ready for approval.

**Burger King/Krispy Kreme - 503 Dual Highway – Sketch Plan/ESD 67
East Franklin Street – 339 Antietam LLC, Final Plat,
Case No. S-2017-01.**

Staff Report: (Copy of staff report in meeting file) Mr. Rohrbaugh presented this sketch plan for the northwest corner of the Hagerstown Shopping Center which includes the Aldi food market. The plan calls for a 2,671 square-foot Krispy Kreme donut store and a comparably sized new Burger King restaurant. Both stores would have drive-through aisles. The entire existing Burger King property would be used as well as a portion of the adjacent shopping center property. The existing property line would be retained and cross easements for parking and circulation would be exchanged between the parties. The applicant shows new landscaped islands at the end of parking rows which is consistent with what was provided when the nearby Auto Zone was developed.

The City Engineer’s office provided a separate report (in meeting file) addressing stormwater management. Because this is a redevelopment of the site, only qualitative mitigation efforts will

be necessary. The City Engineer reported that the ESD concept plan generally meets their requirements.

There are no unique or sensitive land features on this property. Staff identified the following variances that would be necessary from the Board of Zoning Appeals for this project to move forward:

- The new Burger King restaurant building would be located 6.8 feet from that property's rear building line. A variance to the rear yard setback requirement will be necessary.
- When parking is removed and the additional Krispy Kreme restaurant is added, the site will be below minimum parking requirements for this amount of development. The total number of spaces on site is 495 and that number will be reduced to 463. The required number of parking spaces for the current development is 533. The requirement for all planned uses on site will be 572 spaces which results in a deficit of 109 spaces. Staff stated that a parking variance will be required for this project to move forward, but will want to review the applicant's calculations to make sure they do not apply for more of a variance than they need. Given the nature of the development and use of this tract, parking variances would seem to be in order and would not create parking problems on this site. Variances would need to be obtained prior to the site plan submission.

The commission questioned whether parking calculations would include the entire shopping center. Sally Feather of Zamias Services Inc. (on behalf of the shopping center) noted there is a reciprocal agreement regarding parking and it is being amended to include the Krispy Kreme building.

Staff identified the following waiver needs; however, additional waivers may be required as a result of site plan review:

- Reduction of the ten-foot buffer along South Cleveland Avenue to six feet.
- Reduction of the six-foot landscaping area around the buildings to zero feet in places.
- Reduction of the width of internal landscaped islands to conform to existing traffic patterns.
- Absence of the end of a parking bay being defined by a landscaped island at the Krispy Kreme. Peter Seckinger of Omni Consulting stated this is for the water quality device and access must be maintained for twice yearly replacement of the jelly filters.

Staff Comments:

- Staff recommended that a full ten-foot landscaped edge along South Cleveland Avenue be maintained consistent with the discussion the applicant had with the Planning Commission in January.
- The drive aisle is 22 feet wide, which seems wider than necessary.
- Staff had no objection to the reduction of the landscaping around the buildings as this has been identified as a problem with this type of use and waivers have been granted for fast food restaurants in the past. Also, there are additional landscaped areas being provided in front of and behind both buildings that are wider than the required six feet, which will offset the reductions requested.
- The landscaped islands are custom designed in the main parking lot to consume only as much parking as is needed. As a result, some parts of them are narrower than would otherwise be required. The Planning Commission granted such a waiver to the Auto Zone project (another freestanding building in this shopping center), and this would provide continuity and consistency with that precedent on this site.
- The applicant should look for ways to redesign the front left corner of the Krispy Kreme parking to provide the normal landscaping.
- Staff recommended that the gored triangle areas at the interior of the main entrance be raised islands (preferably with landscaping) rather than paint on paving. Staff stated it would be willing to reconsider its concerns if there is evidence provided that these areas need to remain at grade due to turning radius issues or other factors. Mr. Seckinger indicated there will be issues with truck deliveries in this area. He added that they must maintain the space around the building as shown since any curbs will be crushed by delivery trucks. The six-foot landscape buffer proposed along South Cleveland Avenue is more than what is existing. Landscaping has been added along South Cleveland Avenue to address previous concerns by the commission about headlights.

Commission/Applicant Discussion: Mr. Wright suggested that staff review the turning radius drawings to find out whether ten feet or eight feet can be achieved and also to review the painted gores. He instructed Mr. Seckinger to provide turning radius drawings to staff to support his case.

Mr. Wright stated that he had no concerns about removing the landscaping areas around the buildings since the commission has agreed to that in previous cases. He noted that the developer is providing additional landscaping in other areas on the site. He had some concerns about holding on to the property line. The dumpster and other items are shown for Burger King's use on the shopping center's property. The agreements need to address that and set forth which entity will be responsible for maintenance. Ms. Feather said the Reciprocal Easement Agreement will be amended (the original was recorded in 1972). Mr. ~~Rohbaugh~~ **Wright** suggested that a copy be provided to staff so it can be made a part of the file. In addition, the easements will need to be

labeled on the site plan. Mr. Seckinger recalled that the commission expressed support of the parking variance request at the workshop in January.

MOTION: (Thomas/Wheeler) I move that we approve the storm water concept plan as submitted.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

Comprehensive Plan.

Future Land Use Plan Amendments.

Staff Report. (A copy of the staff memo and map is in the meeting file.) Since the Commission last discussed the Future Land Use Map, staff discovered two oversights in the area proposed for Medium-Range Growth Area (MRGA) realignment near Sharpsburg Pike and Rench Road. Previous versions of the draft Land Use Plan in *visionHagerstown 2035* show this area as Commercial General; however, the County has zoned this area Residential Multi-Family (RM) and Residential Urban (RU). Much of the area is vacant land, which will likely see development in the near future when the Arnett Drive is constructed.

Staff recommended correcting the oversight by designating the County-zoned RM and RU areas as “High Density Residential” and “Medium Density Residential,” respectively, to ensure consistency between the City and County land use plans. Staff will update all relevant data in the draft Plan concerning Growth Management and Water Resources if the commission approves this change.

Commission Discussion: Commission members questioned the “High Density Residential” designation on the parcel labeled “172” and discussed future plans for properties across from Col. Henry K. Douglas Drive. Commission members had no concerns about the changes proposed by staff. Mr. Rohrbaugh added that this change will trigger very small changes to the growth calculations.

Review of Survey and Survey Comments.

Staff Report. (A copy of the staff memo and survey results is in the meeting file.) Staff reviewed the survey responses with the Planning Commission.

Public Outreach Overview.

Planning staff and Communications staff worked together to develop an online survey to gather community input for the broad themes addressed in *visionHagerstown 2035*. Five online surveys were developed using the SurveyMonkey® platform based on the following themes: Downtown, Economic Development, Transportation & Water Resources, Urban Design & Sustainability, and Housing & Neighborhoods. The format and questions in each survey were modeled after a similar Comprehensive Plan survey from Asheville, North Carolina, and included a series of guided questions and statements that allow for interval-style answers (i.e. Strongly Agree, Agree, Disagree, Strongly Disagree) with one open-ended feedback question.

The surveys were released the week of March 21 and distributed through the City’s social media platforms (Facebook, Twitter), a City-maintained email distribution list of over 500 citizens, through the Neighborhoods 1st and Main Street groups, a *visionHagerstown 2035* plan webpage on the City’s website, as well as a media press release. The surveys also received extensive coverage from the *Herald-Mail* and WHAG news.

Survey Data Metrics.

To date, 1,300 responses have been received. Staff was appreciative of the assistance from the City’s Communications Manager, Erin Anderson, and her assistant, Megan McCarty. The most popular topic was “Downtown” with 500 responses. Summary data for each of the surveys was included in the staff report for the commission’s review. Mr. Rohrbaugh stressed the importance of considering the “Weighted Average” number for each of the questions (the lower the weighted average is, the more respondents indicated that they felt an item was “Important” or that they agreed with what was being said).

From a design standpoint, Mr. Wright suggested reconfiguring the bars to help accentuate the differences. He also suggested eliminating charts for the repeating questions (just report as a tabulation, such as whether a respondent lives in the city).

Open-Ended Comments from Surveys.

Of the 1,300 survey responses, nearly 40% of those responders also provided open-ended comments. The Planning Director reviewed the comments and summarized them into common themes and specific recommendations/requests (meeting file). Staff noted that while many of the comments were beyond the scope of *visionHagerstown 2035*, they did have relevance to the daily operations of the City’s various departments. As such, Planning staff shared these analyses with the affected City department managers so they can investigate and address issues as appropriate.

Commission Discussion: Mr. Wright was concerned about the manner in which the survey results are depicted in the bar charts and felt the information could be misleading. Staff asked if commission members wanted to make any adjustments to the plan based on the survey responses. There were no suggestions and staff indicated that it would initiate the 60-day review process. The public meeting will be scheduled for the regular meeting at the end of July.

Board of Zoning Appeals Agenda – May Hearing.

The commission had no comments.

Planning Commission/Staff Comments.

- Ms. Maher informed the commission that the Hagerstown Housing Authority will be holding a neighborhood meeting about the proposed “McCleary Hill (West)” subdivision. The Cedar Lawn area residents are becoming vocal in their opposition to this new housing development being proposed for the cornfield between Route 40 and Route 144 near Cedar Lawn Cemetery. The property was annexed into the city approximately ten years ago. If any commission members are interested in attending, the meeting will be held on Tuesday, May 16, at 12031 Hopewell Road (New Life Church) beginning at 6:00 p.m. Ms. Maher has suggested to the Housing Authority that they include the mediation center to help manage the crowd based on staff’s experience with the community meeting for the annexation.
- Mr. Wright announced that the Maryland Planning Commissioners Association (MCPA) is arranging a series of regional meetings to meet with local planning organizations (planning commissions, historic district commissions, boards of zoning appeals) to see how the state organization can serve them better. Mr. Wright is hoping to get a meeting organized in the Hagerstown area. He will let the commission know when a date and location has been determined.

Adjourn. It was moved and seconded that the meeting adjourn (5:11 p.m.)

5/31/2017

Approved



Debra C. Calhoun - Secretary