

**Planning Commission
MINUTES – Workshop Meeting**

**October 11, 2017
City of Hagerstown, Maryland**

James W. Stone, vice chair, called the meeting to order at 4:05 p.m., on Wednesday, October 13, 2017, in the Conference Room, Fourth Floor, City Hall. Also present were commission members R. Campbell (late), P. Corderman (late), D. Miller, R. Thomas, and J. Wheeler. The following staff members were present: S. Bockmiller, Development Planner/Zoning Administrator; and D. Calhoun, Secretary.

Mr. Stone noted that D. Wright, chair; R. Campbell; and P. Corderman, were absent.

Approval of Minutes:

September 13, 2017 – Workshop Meeting (if ready).

The minutes were not ready for approval.

**Home2 Suites by Hilton – 1681 Pullman Lane – Bowman Railway, LLC,
Site Plan, Case No. ZS-2017-08.**

Staff Report: This site plan is for the area located between Sam’s Club and the Bob Evans restaurant that has been developed since 2003 with a gravel vehicle storage lot used by Hagerstown Ford. The proposed development includes a 25,500 square-foot hotel building with 106 guest rooms. (Mr. Corderman arrived.) The facility will provide 128 parking spaces; 112 spaces are required. Access will be via the existing driveway on the north side of the Bob Evans restaurant. A sidewalk and crosswalk will connect pedestrians at the hotel with the existing sidewalks along Railway Lane which will provide a safe route to the restaurants at the west end of Railway Lane. Staff recommended against improvements that would encourage pedestrians to walk through the existing hotel property to the west in order to access the restaurants. The plan complies with the requirements of the ordinance. No waivers are being requested. Most remaining evidence of the storage lot on the part of the property that waits further development will be removed. The fence will be removed, and the gravel will be covered with four inches of topsoil and seeded. The bases for the existing light poles will remain until further development in order to clearly identify the alignments of underground electric lines that serve them.

Forest Conservation was addressed in the mid-1990s through a forest conservation plan administered by the State of Maryland. This project was not subject to review of an ESD sketch plan because stormwater quantity issues are already addressed via a regional stormwater management pond. Water quality features are used on the site in landscaped areas to address that issue.

The site plan was reviewed by the Plan Review Committee on September 26, 2017. All review agencies approved the site plan with the exception of Planning, Engineering, and the Fire Marshal. Staff recommended approval subject to any outstanding comments.

Commission/Applicant Discussion: One of the issues brought up is the adequacy of the sidewalk system. Stephen Cvijanovich of Fox & Associates identified a County-installed sidewalk system at the intersection of Railway and Pullman Lanes. (Ms. Campbell arrived.) Mr. Cvijanovich discussed conditions adjoining the site that make it difficult for Home2 Suites patrons to use the adjacent hotel property for access to the restaurants to the west.

Mr. Cvijanovich explained the storm drain easement abandonment which was part of the City Engineer’s comments. The revised site plan appears to address the City Engineer’s comments. There were no additional questions by the commission.

MOTION: (Miller/Wheeler) I’ll make a motion that we approve it subject to Engineering, Fire Marshal, and Planning comments.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

McCleary Hill – Variance Request.

Staff Report: The commission was asked to consider the following issues: a design variance for three “sticks” of townhouses; connection to an adjacent property; and design of stormwater management.

Variance. The applicant is requesting a variance per the discussion during the deliberation of the sketch plan for this project. The variance request would be to the design requirement that all buildings must front a public street, specifically referring to the three rows of townhomes in Phase I which are shown fronting on the central front open space area building be oriented to common streets [Article 5, “Subdivision and Land Development Ordinance,” Section A (General Provisions), Subsection 6.a.]. Staff noted that the applicant will present arguments that the development can be designed to comply with the letter of the ordinance; however, the design as proposed is the best design in that it limits the amount of paving and preserves the most open space. Staff had no recommendation on this request.

Connection to Adjacent Property. At the sketch plan review the commission directed the applicant to design connectivity into the adjacent block of four parcels located in the southwest quadrant of the intersection of MD 144 and Hopewell Road. Staff requested that the Planning Commission reconsider this requirement. The four adjacent parcels to the west total slightly less than three acres and are zoned RS (Residential Suburban) in the County. These properties are

currently developed by houses. The ordinance talks about connections to adjacent lands. Planning Commission members wanted to see some type of future connections.

Staff recommended that that requirement be retracted. The ordinance says unimproved lands and these lands are improved. Where the road would connect is the low point and will likely be developed as stormwater management area. Should those four parcels ever be redeveloped together, staff recommended that the developer make provisions to allow these four properties access to the alley network if desired by their owners.

The third issue is informational only. In meeting with the project engineer, staff has learned that the stormwater management in these areas will be developed very similar to lawns rather than pits. Staff stated that the development plan must contain 1:1 cross sections so the commission will know how the stormwater management areas will appear. Fencing will not be necessary for these areas.

Commission/Applicant Discussion: Michael Hicks, EcoLand Solutions, engineer for the project, was present on behalf of the developer. Concerning orientation of the units, he looked at different options to get the units to front a street. They contend that their original design is the best option. Mr. Hicks discussed the various options depicted on the drawings in the meeting file:

- Original – changed due to the fact that some of the units are similar to what was done at Gateway Crossing. Those are not allowed now because they would be considered apartments.
- Concept 1 – This option adds an extreme amount of impervious area and contains less green space. The Fire Marshal has concerns with the dead end street.
- Concept 2 – This scenario reorients everything and faces units toward existing alleys. There is a two-unit building which faces Insurance Way, however, the parking spaces for this building are a significant distance away.
- Alternate Site Plan B – This site plan shows an increase in the amount of paving required and a looped street. Radiuses would need to be changed. Access would be difficult and would probably draw concerns from the Fire Marshal. The proposed townhouses would be surrounded by impervious area.
- Alternate Site Plan C – Insurance Way is routed through the development and removes connectivity. The owner has an agreement that there would be two connections with the Fulton property. City codes for radiuses would not be met. This option also reduces the amount of space in front or in back of the units for parking.

Mr. Hicks stressed that the goal is to leave as much green space as possible. The proposed bio-retention areas could be reduced into smaller pockets of trees, bushes, mulch, etc. This would be the responsibility of HHA to maintain.

Mr. Bockmiller noted that in the PUD (Planned Unit Development) regulations the idea of developing houses that face into a town green is a preferred design, however, this proposal is not a PUD. Such design is viewed favorably in other provisions of the Zoning Ordinance. Mr. Hicks added that the HHA has funding requirements from the state that must be met.

There will be an interior sidewalk layout. Staff also asked the developer to consider a sidewalk connection throughout the side through the different phases and the community center. Sidewalks would follow the scheme of the streets.

The chair pointed out that the commission can grant a variance if there is an extraordinary hardship dealing with topography or whether there are environmental features that need to be saved. These are the basic design standards of the subdivision and this is the standard that is applied.

Mr. Hicks explained that the hardship is to meet the ordinance environmentally. If they meet the ordinance as is, additional impervious area would be added which goes against the state recommendations to reduce impervious area as much as possible. Commission members questioned whether they could meet the ordinance by decreasing the number of units in the development. According to Mr. Hicks, the funding being requested from the state in their application is based on the number of units shown on the development plan. If the number of units is decreased, it is unlikely they will receive funding for the project.

Mr. Stone was concerned that the definition of hardship cannot be met for this project. Mr. Hicks could not frame his argument for a variance except to note that the proposed design is the most environmentally acceptable and they are trying to design a project that is a better use.

Ms. Campbell asked if the lack of green space would be a hardship for the future residents if the development plan was revised to meet the ordinance requirements. Mr. Hicks stated that because the density is less than the maximum, there is no requirement for open space. Mr. Bockmiller read Subsection M (which applies to any subdivision—residential and commercial) and noted that there are occasions in the ordinance where this is taken into account (such as PUDs). Commission members discussed what “facing/fronting” a street means. Ms. Campbell felt this situation is unique because the development plan as proposed contains more green space to encourage children to play outdoors.

The site as a whole is irregularly shaped and a cul-de-sac is not possible. An alternative to reduce the number of lots may jeopardize funding for the project. The chair noted that funding issues are not the Planning Commission’s problem.

Mr. Bockmiller pointed out that the subdivision ordinance was re-written several years ago and this is the first time these standards have been applied to a project. It could be that the variance requirements are written too tightly. Staff will consider drafting text amendments to loosen the standards; however, that will not assist with this project.

- MOTION:** (Corderman/Wheeler) I’ll make a motion that we not grant the variance.
DISCUSSION: Ms. Wheeler noted that if the commission gets “too loose” in determining what it considers a hardship it could create problems later.
ACTION: APPROVED (Unanimous)

The second issue is connectivity to the property to the northwest. Mr. Miller did not see an issue with this request since the properties in question have been developed.

- MOTION:** (Campbell/Miller) I’ll move to remove that condition.
DISCUSSION: This project will not be connected to adjacent lands with a public street access. There is no practical planning process for a stub connection for less than three acres of already developed land.
ACTION: APPROVED (NO - Corderman)

Ms. Campbell said the commission needs to define what a hardship is in this part of the ordinance. It is either too gray or too restrictive, but at the same time it should not be too easy to obtain.

Comprehensive Plan Update: Maryland Department of Planning Comments.

Staff Report: (Copy of staff report in meeting file.) Commission members reviewed changes made by staff as a result of comments received from the Maryland Department of Planning.

Page 1:

- There is a pagination error – the information inserted is actually on page 2-8 in the bound copy of the plan. Otherwise, the language is acceptable.

Page 2:

- First Hollow Bullet Item – Commission members discussed the elimination of approximately ten pages that talk about Hagerstown’s history. Commission members were agreeable to removing the ten pages but want them placed in an appendix. Information from the 2008 plan will remain in the body of the Comprehensive Plan.
- Under “Growth Management and Land Use,” fifth bullet – The commission concurred with the staff’s suggestion to add the GIS analysis in a table.
- Commission members said it was acceptable to add acreage subtotals.

Page 3:

- Last bulleted item: The commission was okay with the proposed revision by staff (language in blue text).

Page 4:

- Economic Development – Commission members felt an analysis of Hagerstown industries and jobs would be helpful and useful (what businesses/industries are in Hagerstown now, not what residents do).
- “Use Census Bureau’s LEHD “OntheMap” dataset to help assess the strength of the local economy and workforce.” Planning Commission members were not clear on what that is and what it does. An example would be helpful.

Page 5:

- Second bullet, “Include a map identifying existing and proposed transit routes, PFAs, annexation areas, and MRGAs and LRGAs.” Commission members questioned whether this is an overlay of the existing/proposed transportation on top of a map that shows the annexation areas and MRGA and LRGA.
- Downtown, “Recommend using median household income (rather than family) since talking about rental housing. Assumption being that there would be more one-person households which would not be reflected in median family income.” Commission members were interested in what the numbers might be and whether there would be a way to capture this data.

Page 6:

- In the second bullet point, is there a correlation between the rental market and unemployment rates? Commission members felt it would be useful to find out why the rental/owner ratio is what is and why. It may be necessary to go back further than the 1990 Census.

**Land Management Code Amendments – 2017 Amendments Package
and Request to Process One Amendment Independently.**

Mr. Bockmiller gave a brief overview of a proposed patch amendment dealing with cluster subdivisions. Staff would like to advertise this amendment for a public review meeting at the October 26 meeting. A summary of the proposed amendment is in the meeting file.

Commission members had no concerns about placing this on the October 26 agenda for a public review meeting.

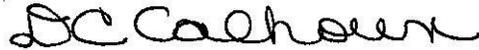
Announcements.

Mr. Bockmiller announced that Ben Abdo will be filling Alex Rohrbaugh's position. Mr. Abdo has a master's degree from Clemson University and his first day will be October 23.

Adjourn. It was moved and seconded that the meeting adjourn (5:50 p.m.)

1/10/2018

Approved



Debra C. Calhoun - Secretary