

**Planning Commission
MINUTES – Regular Meeting**

**December 11, 2019
City of Hagerstown, Maryland**

Douglas S. Wright, Jr., chair, opened the meeting at 7:00 p.m., on Wednesday, December 11, 2019, in the Conference Room, Fourth Floor, City Hall. Also present were commission members C. Davis, C. Ploscaru, J. Stone, and R. Thomas. The following staff members were present: S. Bockmiller, Development Planner/Zoning Administrator; M. Flick, Planner; and D. Calhoun, Secretary. **(NOTE: Planning Commission revisions are indicated in red text.)**

Roll Call.

Commission members S. McIntire and J. Wheeler were absent.

Approval of Minutes:

October 30, 2019.

The commission acted on the October 30 minutes in two motions (one for the public review meeting and one for the Regular Meeting):

MOTION: (Stone/Thomas) I'll make a motion that we approve the public review meeting minutes.

DISCUSSION: None.

ACTION: APPROVED (ABSTAIN - Davis)

Concerning the Regular Meeting, Mr. Wright noted that the correct name of the organization hosting the conference is "MCPA."

MOTION: (Stone/Thomas) I'll make a motion that the minutes, as amended, be approved.

DISCUSSION: None.

ACTION: APPROVED (ABSTAIN - Davis)

November 13, 2019.

MOTION: (Davis/Thomas) I move to approve the minutes of November 13, 2019.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

November 19, 2019 – Special Meeting.

The minutes were not ready for approval.

Development Review:

Lot 13, North Side Wesel Boulevard – CSX Transportation, Final Plat, Case No. S-2019-07.

Staff Report: (Staff report is in the meeting file.) This plat is for the creation of a single contiguous lot from the CSX lands between the Lowe’s Distribution Center and the Human Development Council. This area includes the quitclaimed areas. The portion of the property containing the railroad siding will remain with the adjacent CSX right-of-way.

This plan also shows the quitclaim area of four street rights-of-way totaling 0.70 acres of additional land. The applicant will be applying to the Mayor and City Council for a quitclaim of this area within the week. That request will be acted upon by the Mayor and Council prior to the recordation of this plat which is anticipated to be sometime in March 2020. An access easement will be created across the western property line to provide access to the lands CSX is retaining to Wesel Boulevard. The new Lot 13 will contain approximately 28.26 acres.

No development is proposed at this time for Lot 13. The Planning Commission has approved a sketch plan for the construction of a warehouse building on this site. No forest conservation issues are being addressed at this time. A forest conservation plan will be required when a site plan is submitted.

The plat was routed for review and the following agencies have outstanding comments: the Electric Division (comments included in meeting file); the Planning and Code Administration Department; and the Parks and Engineering Department. Staff recommended approval subject to the outstanding comments from Planning, Parks and Engineering and the Electric Division of the Utilities Department. The railroad siding will be retained by CSX. The commission will have the opportunity to review the quitclaim request when it is submitted.

Planning Commission/Applicant Discussion: Mr. Stone observed that the outline of the property assumes that the quitclaims will be granted. Mr. Bockmiller agreed and added that granting of the quitclaim would be a condition of the approval. If the Mayor and City Council do not approve the quitclaims then the plat will be void. The Planning Commission concurred that it would not be necessary for it to review the quitclaim when it is submitted; however, it should be added as a condition in the motion for approval of the final plat.

MOTION: (Stone/Davis) I’ll make a motion that we approve the subdivision plat, subject to the comments of the Planning and Code Administration Department and the Parks and Engineering Department, and the Mayor and Council granting of the quitclaim deed.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

NorthPoint Development – Buildings 1 and 3, Forest Conservation Variance for Removal of Seven Specimen Trees.

Staff Report: The staff report was entered into the record and can be found in the meeting file. The commission previously approved a sketch plan for the construction of this four-building warehouse and office complex which will be located on both sides of Wesel Boulevard. The applicant has applied for a variance from the Forest Conservation Ordinance for removal of seven specimen trees with a diameter of 30 inches or more. The trees are identified on the forest conservation plan as 20, 21, 22, 23, 24, 25, and 26. Two trees will remain.

The ordinance has certain criteria that need to be met in order for the variance to be granted. Staff made the following findings of fact concerning the variance request per Article 7, Section M.1.a. through b.(6):

- a. Hardship. The applicant’s hardship is created by 1) the need to locate the building where proposed in order to compensate for the long, narrow configuration of the two development areas; 2) the location of the seven affected trees near the center of the development areas or in proximity to Wesel Boulevard which dictates the location of certain improvements; 3) the relatively few specimen trees for the size of the development areas; and 4) their dispersed locations throughout the development areas.
- b. An applicant for a variance shall:
 - (1) Describe the special conditions peculiar to the property which would cause the unwarranted hardship. The special conditions include the number, location, and distribution of the seven trees throughout the two development areas and the shape of the properties affected. The Applicant has effectively described these special conditions.
 - (2) Describe how enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas. The Applicant has effectively described in their application how the location, distribution, and limited number of the seven trees, compounded by the shape and configuration of this site in the IG District would deprive them of rights commonly enjoyed on similarly sized properties intended for similar development.
 - (3) Verify that the granting of the variance will not confer on the applicant a special privilege that would be denied to other applicants. For the reasons cited in Sections (1) and (2) above, no special privilege will be conveyed to the developer in this case. These circumstances are unique to this site and excessively impact the

potential for reasonable development of such a large site in an existing development corridor.

- (4) Verify that the variance request is not based on conditions or circumstances which are the result of actions by the applicant. The number, location, and distribution of the seven trees and the shape of the property involved have not been created by the Applicant.
- (5) Verify that the request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property. The location of the seven trees would severely affect any development of this property, regardless of whether the use is permitted, permitted by special exception, or was an expansion of a nonconforming use.
- (6) Verify that the granting of a variance will not adversely affect water quality. All Maryland Department of the Environment (MDE) and City Sediment and Erosion Control protocols will be in place and complied with to protect water quality during construction.

Staff provided a draft Decision and Order for the commission’s consideration should it agree with the assessment presented.

Planning Commission/Applicant Discussion: Anthony Taylor, Frederick Seibert & Associates, 128 South Potomac Street, Hagerstown, Maryland, was present representing the developer. The quality of forest is not great in that there are only a few specimen trees. Mr. Bockmiller noted that in the 1930s the property was pastureland. To be able to develop this property, the developer would not be able to save trees. The overall condition is not that of a high-quality forest. The trees could not be used for timber. The property was always zoned for commercial development. They are not deviating from that intent. If you had to save every one, it would ruin the ability of the site to be developed.

Planning Commission members concurred with all the points in the staff memo.

MOTION: (Thomas/Davis) I move that we accept the staff’s recommendation on the specimen trees.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

NorthPoint Development – 1351 Wesel Boulevard (Building 1) – Industrial Warehouse, Mass Grading Plan, Site Plan and Waivers, Case No. ZS-2019-09; and Forest Conservation Plan, Case No. FC-2019-02.

Staff Report: (Staff report is in the meeting file.) This mass grading plan and site plan are for the construction of a 1,004,194-square-foot warehouse/office building. The site plan also includes stormwater management, two driveway entrances (one to be shared with future development of Lot 12 which creates a four-way intersection with one of the driveways accessing Building 3), 807 parking spaces, semi-trailer parking areas along the front and rear, and required landscaping.

There will be two forest retention areas separated by a utility easement in the southern portion of the property adjacent to the railroad and the Harbor Freight site. Part of the mass grading for the preparation of this development does extend onto Lot 12. However, the forest resources for this area have been delineated and forest removed on Lot 12 as part of this development will be addressed with the forest conservation plan that will be submitted with a site plan when Lot 12 is developed.

The applicant has requested the following waivers to the requirements of Article 5:

1. Elimination of the requirement for landscaping between the parking lot on the south side of the parking field facing Harbor Freight and the southern side property line. The developer cited the approximate 350-foot distance from the parking to the side property line, the topography and planting associated with the stormwater management, parking lot trees, and the wooded nature of the side property line (which will be held in forest conservation) as reasons why installing the landscaping in this case would be pointless.
2. Reduction of the 60-foot width of the landscaped buffer along the railroad tracks which separates this development from a residential area. A retaining wall will face into the site for part of this area, and the Applicant proposes to install a heavy double row evergreen buffer in this narrowed area to mitigate the impact on the residents across the railroad right-of-way.

Staff recommended that, given the circumstances, the waiver requests be approved. The railroad right-of-way is 60 feet wide making the nearest trailer parking area and drive aisle 90 feet from the rear property lines of the homes across the railroad tracks. The retained forest will also create a thicker, more mature buffer in other locations. Staff noted that on average, the buffer will exceed ordinance requirements. It is staff's view that, given the additional distance created by the railroad right-of-way, use of existing retained forest, manipulation of topography through the use of a retaining wall, and the installation of a double row of columnar evergreen trees, the proposed approach mixing these features combine to create a more effective buffer than basic compliance with the letter of the Ordinance.

Forest Conservation is being addressed in tandem with the Building 3 site across the street. Forest Conservation easements will be located in the southeastern corner of this site; and some of the 9.3 acres retained across Wesel Boulevard will be credited to this site. Therefore, the forest conservation plan for this development includes a mixture of retention on both sides of Wesel Boulevard, street tree credit, and contribution to the fee-in-lieu program. There will be a significant fee-in-lieu contribution as a result of this development. The amount of fee-in-lieu is based on 12.89 acres in addition to street tree credit and replanting. Staff asked that the motion reflect the number of acres rather than the amount of the payment since the amount is based on the rate in place when payment is made.

Staff recommended that the forest conservation plan be approved, provided that the variance to remove the specimen tree on this site is approved.

This mass grading plan was submitted and reviewed by the review agencies. All agencies have approved the mass grading plan with the exception of the Soil Conservation District (SCD). SCD approval must be obtained before the plan can be signed. Staff recommended that the mass grading plan be approved.

The site plan for this development was submitted for review. All review agencies have provided conditional approval, including Planning and Code Administration Department; Parks and Engineering; Water, Wastewater, and Electric Divisions of the Utilities Department; and the Fire Marshal. Most of the comments involve minor drafting revisions. Staff recommended approval of the site plan, contingent upon resolution of the drafting revision cited by the several agencies, and subject to the condition that road reconstruction plans are given final approval by the City Engineer. Street tree credit will be used for the street trees planted along the entire length of the development along Wesel Boulevard.

Planning Commission/Applicant Discussion: In answer to a question by Mr. Stone, David Ricker of NorthPoint stated there will be no railroad siding at this location since there is insufficient room on the side for a siding and the grade is not conducive to a siding. The only transportation to and from the site will be via tractor-trailers. Mr. Wright was deeply concerned that no sidewalk was proposed along the north side of the property in front of Building 3. Staff stated that sidewalks were discussed with the commission at the August 14 sketch plan review, noting that a sidewalk would be located on one side or the other.

Mr. Wright was very concerned that pedestrians have a safe walking path along Wesel Boulevard. He noted that people walk on both sides of Wesel Boulevard, either to their jobs or to shop. The City needs to have more regard for its citizens who need to walk to this area. Mr. Bockmiller noted that recent text amendments addressed the sidewalk issue, but staff was under the impression that certain roads are exempt from providing sidewalks. Mr. Wright thought the text amendment language exempted sidewalks in industrial parks only. Rodney

Tissue, City Engineer, stated that the roadway improvement plans would be where the sidewalks are shown and those have not been drawn yet.

Mr. Taylor stated that when Wesel Boulevard was first developed, there were no plans for sidewalks and as a result there is not enough right-of-way to work with on the south side with regard to sidewalk installation. The plan is for a shared-use path on the north side of Wesel Boulevard. Mr. Wright wanted a safe path for people to walk on both sides of the road. He believed a sidewalk is warranted on both sides of the road. Mr. Ricker stated there are engineering challenges to do that. He stated they will do everything in their power to make sure there is a safe walkway. Based on the discussion, Mr. Tissue retrieved the Engineering Department document that discusses where sidewalks are required. It was discovered that Wesel Boulevard is not one of the streets that is exempt. Staff corrected the record, clarifying that the adopted policy does not exclude Wesel Boulevard. Mr. Bockmiller stated that when this development started coming forward and the layout was proposed, the Planning Commission's sensitivity to the provision of sidewalks was one of the first things that he mentioned to the developer. Mr. Bockmiller wanted it known that it was mentioned to the developers and the arrangement they submitted in the sketch plan process was to put the sidewalk on north side only. Commission members noted that since Wesel Boulevard is not one of the streets where sidewalks are exempt the Planning Commission would be required to entertain a waiver request.

Mr. Stone stated that the development team's contention that it is physically impossible and/or economically impractical is a concern to him. He would be amenable to placing a condition on the approval that sidewalks be installed on both sides of Wesel Boulevard, unless the developer can prove that it is impossible to put a sidewalk on the south side. Mr. Wright noted that the developer owns more property on the south side so they have control over more of that side of the street. The north side is broken up. Mr. Taylor offered that sidewalks could be installed on the north side of Wesel Boulevard the entire length from South Burhans Boulevard to Lowe's. They have the right-of-way on the north side; they are challenged on the south side by utilities, slopes, etc. Mr. Wright said his concerns would be addressed if the developers would agree to install a continuous sidewalk from the housing area to the Lowe's store, not the distribution center. Mr. Taylor indicated they would have to look at the wooded area between Lowe's and Noland. Jeremy Michael of NorthPoint committed the developer to installing sidewalk on the north side of Wesel Boulevard from South Burhans Boulevard to the west side of their property (Lot 3). NorthPoint understands the commission's concern. A continuous sidewalk is better than one broken up. Mr. Wright was agreeable to the compromise of a continuous sidewalk on one side all the way. Mr. Michael stated they will look at the west end of their site with sidewalks in mind.

Staff restated on the record that they advised the applicant and the Planning Commission during sketch plan process that there would be sidewalk on one side as proposed.

- MOTION:** (Stone/Davis) I make a motion that we approve the following: that we grant the waiver requests that are listed on the first page of your memo; that we approve the forest conservation plan and 12.9 acres fee-in-lieu; that we approve the mass grading plan; and that we approve the site plan, subject to the conditions that you have outlined in your memo; plus the condition that we discussed just now the change sufficiently to have continuous sidewalk the whole way from Burhans Boulevard up to Lowe’s on one side.
- DISCUSSION:** None.
- ACTION:** APPROVED (Unanimous)

NorthPoint Development – 1050 Wesel Boulevard (Building 3) – Industrial Warehouse, Mass Grading Plan, Site Plan and Waivers, Case No. ZS-2019-10; and Forest Conservation Plan, Case No. FC-2019-02.

Staff Report: (Staff report is in the meeting file.) This application includes a mass grading plan, site plan, waivers, and forest conservation plan for the construction of a 177,673 square-foot warehouse/office building. The site plan also includes stormwater management, two driveway entrances, 168 parking spaces, a semi-trailer parking area along the rear, and required landscaping.

There will be two forest retention areas: one located in the northern corner of the property, adjacent to the railroad and the Lowe’s facility and another one on the western 40% of the site, extending the full depth of the site. A small amount of the storm water management will be located within the right-of-way of Wesel Boulevard. Staff had no objection to this approach. A six-foot tall fence with two strands of barbed wire, totaling eight feet in height, will be located along the rail line in the rear to impede trespassing onto this property from the rail corridor. An asphalt sidewalk/walkway/trail will be installed within the right-of-way of Wesel Boulevard across the front of this property. Wesel Boulevard is slated to be upgraded to handle the increased traffic resulting from this development; the plans for that walkway will appear on separate road construction drawings that are being prepared for the upgrade.

Staff recommended that the following waivers to the requirements of Article 5 requested by the applicant be approved:

- Eliminate the requirement for landscaping between the parking lot on the north side of the building and the northern side property line (Lowe’s). The developer cites the 60- to 120-foot distance of the parking to the side property line, topography, and the wooded nature of the side property line as reasons why installing the landscaping in this case would be unnecessary.

- Eliminate street trees along the eastern portion of the site’s frontage on Wesel Boulevard due to conflicts with utility lines and easements. To compensate, the applicant proposes to install additional landscaping behind the utility line and in the stormwater management area. Staff noted that except for this property, the entire length of NorthPoint’s properties on Wesel will have street trees.

Forest Conservation is being addressed in tandem with Lot 11 across the street. Forest Conservation easements totaling 9.3 acres will be included on this property, and the development will be credited with street trees. Surplus forestation on this property will be credited to the requirements of Lot 11 and their requirements tabulated together. Staff recommended that the forest conservation plan be approved. (The variance to allow removal of six specimen trees was approved by the commission earlier in this meeting.)

This mass grading plan was submitted for review and all agencies have approved it with the exception of the Soil Conservation District. That agency’s approval will be required before the plan can be signed. Staff recommended that the mass grading plan be approved.

This site plan was submitted for review and all agencies have approved it with the exception of conditional approvals provided by the Planning and Code Administration Department; the Parks and Engineering Department; the Water, Wastewater, and Electric Divisions of the Utilities Department; and the Fire Marshal. Staff recommended that the site plan be approved subject to the resolution of the drafting revisions cited by the review agencies, and subject to the condition that road reconstruction plans are given final approval by the City Engineer. Staff suggested that if the commission wanted to embed the condition for sidewalks discussed in the previous case that would be appropriate at this time as well.

Planning Commission/Applicant Discussion: Mr. Thomas wanted to confirm the location of the sidewalk for this property. Mr. Wright stated that the north side of Wesel Boulevard is likely where the developer will install the sidewalk the entire length of Wesel which was discussed earlier. Mr. Bockmiller reiterated that sidewalks are not shown on this site plan; they will be included in the road construction plans that will be approved by the City Engineer’s office before any of this goes to construction. There were no additional questions by the commission.

MOTION: (Ploscaru/Davis) I move that we approve the waivers, the forest conservation plan, the grading plan, and the site plan with the caveat as mentioned before that there be a provision for sidewalk running all the way from Burhans to the other end of the properties, as well as the outstanding comments from the City agencies.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

Lots 11 and 12, South Side Wesel Boulevard – N. P. Hagerstown Industrial, LLC, Final Plat, Case No. S-2019-08; and Forest Conservation Easement Plat, Case No. FC-2019-02.

Staff Report: (Staff report is in the meeting file.) This plat is for the re-subdivision of the CSX lands on the south side of Wesel Boulevard, the City fire station property, and the Startzman property to create two regular lots. The purpose of the plat is to create two lots for construction of one warehouse/office structure on each lot. Lot 11 will consist of 65.22 acres and Lot 12 will contain 68.60 acres.

This plat will also record the forest conservation easements for the Forest Conservation compliance requirements for Buildings 1 and 3. The details of compliance were discussed earlier in this meeting with the review of the two site plans. Separate forest conservation plans for Buildings 2 and 4 will be submitted with the site plans when those properties move forward to development. This easement plat records the boundaries of two retention areas on the Building 1 site; two retention areas for the Building 3 site; the approved use of street trees for this development (including street trees in front of future Buildings 2 and 4); street tree easements for the portions of those tree canopies that would extend onto the lots; and a notation regarding the 12.9 acres of fee-in-lieu use.

The plat was routed for review and all agencies have approved the final plat with the exception of the Electric Division (comments included in meeting file), the Water and Wastewater Divisions, and the Parks and Engineering Department. Staff recommended approval, contingent upon satisfaction of the outstanding comments from the Parks and Engineering Department, and the Light, Water and Wastewater Divisions of the Utilities Department.

Planning Commission/Applicant Discussion: Mr. Wright questioned why two plats were being brought together. Mr. Bockmiller said the two plats (subdivision for Building 1 and forest conservation plan for Buildings 1 and 3) are being considered together so they are recorded at the same time. Recording the plats together will make them easier to locate in the Land Records.

MOTION: (Stone/Davis) I make a motion that we approve the subdivision plat and the forest conservation easement plat, which is all part of one submission, subject to outstanding comments of the Light Department, Water and Wastewater, and Parks and Engineering.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

The commission took a five-minute recess and the meeting reconvened at 8:35 p.m.

Planning Commission Business:

2019 Land Management Code Text Amendments – Recommendation to Mayor and City Council, Case No. ZT-2019-01.

Staff Report: (See staff report in the meeting file.) Staff reported that during the ten-day comment period written testimony was received from the following individuals:

- Steve Wilson, 951 Kasinof Avenue, Hagerstown, Maryland, concerning the prohibition against allowing the Board of Zoning Appeals (BZA) to consider variances for chain link fences taller than four feet in residential zoning districts. Staff pointed out the difficulty in granting variances based on material in that the BZA has six legal criteria that need to be met. The Planning Commission agreed to not include an amendment to allow variances from fence material.
- Jason Divelbiss, Esquire, representing Meritus. The commission agreed to not include Mr. Divelbiss’s client’s request to add restaurants and pharmacies as principal-permitted uses as a sole user of a building in the I-MU zoning district.
- Jason Divelbiss, Esquire, provided comments on behalf of clients who have a possible interest in PUD developments. The concern is about the requirement that all PUDs be located on a collector or arterial street. Staff stated it could add clarifying language. Mr. Stone noted that Jim Castillo provided testimony at the public review meeting that this language was too restrictive. Planning Commission members had no concerns with staff drafting language to address these concerns. The main intent is to have adequate roads.
- Jason Divelbiss, Esquire, registered concerns with a proposed requirement for PUD design to include traffic circles as part of the focal area. Staff recommended and commission members agreed to leave the requirement in the text. Developers have the option of asking for a waiver from this requirement.
- Jim Castillo, on behalf of the Doub Farm, provided a list of ten items, in addition to his testimony at the public review meeting. The majority of Mr. Castillo’s comments were directed to the specifics of the Doub Farm and maintaining the maximum amount of flexibility to build out his development. (see detailed comments in meeting file)
 - a) Section J., Overlay Zones, Subsection 1.a. Mr. Castillo was satisfied with staff’s explanation for how development should progress.
 - b) Section J., Overlay Zones, Subsection 1.a. Staff noted that requirements to connect to outside pedestrian and/or bike trails would not be an issue at the Doub Farm.

- c) Section J., Overlay Zones, Subsection 1.a. In response to Mr. Castillo’s fears that staff will deny a proposal before it is brought to the Planning Commission or the Mayor and Council, staff stated that it does not approve or deny anything. Staff administers the ordinances. The developer has the option of talking to the Planning Commission or appealing staff’s decision to the BZA.
 - d) Section J., Overlay Zones, Subsection 1.e.(5). Mr. Castillo had concerns about the time frame for development to begin, in particular with a project the size of the Doub Farm. Mr. Stone recalled that the Planning Commission talked about five years with the possibility of an extension granted by the Planning Commission. Commission and staff discussed time frames and what would constitute “vesting” a PUD. Planning Commission members agreed to leave the time period at three years with extensions at the option of the Planning Commission. The language will be adjusted to take out the “50% of infrastructure” requirement and agreed that a project becomes vested once the projected has started. Any changes to the approved PUD must be approved by the Mayor and Council.
 - e) (See above.)
 - f) Section J., Overlay Zones, Subsection 1.f. At the bottom of page 4, staff pointed out that the process does not expect the names of potential businesses in the preliminary consultation phase of a PUD. This is a nonissue.
 - g) Mr. Castillo has since withdrawn this comment.
 - h) Mr. Castillo has withdrawn this comment.
 - i) Mr. Castillo reiterated his testimony to request that the minimum acreage for a “continuing care retirement facility” be reduced from 20 acres to between five and ten acres. The Planning Commission was not in favor of including this amendment to the proposed language.
 - j) Concerning allowing “concert facilities” in a PUD, the Planning Commission was unwilling to add this use to a PUD. If a use like this comes along, the Mayor and Council will find a way to make it happen.
- J.1.a. Mr. Stone recalled the discussion with Mr. Castillo in the “Purpose” section, second paragraph. At that time the commission discussed changing the word “concurrently” to “orderly manner” and changing “architectural theme” to “harmonious.”
 - Very last sentence of the Purpose section, “Designs that separate housing types and commercial use types into segregated areas or pods shall not be approved by the Mayor and Council and site plans for such development shall not be approved by the Planning Commission.” should be written in the positive rather than the negative.
 - Mr. Stone brought up the Boys & Girls Club’s request to amend the IR district to allow civic and social organizations and community centers. The IR zoning district currently

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permits similar uses such as recreation centers. The Planning Commission had no concerns about adding this use to the IR zoning district.

- Mr. Bockmiller stated that the Maryland Department of Natural Resources has confirmed that the City’s proposed amendments to the Forest Conservation Ordinance meet intent of state law.

Staff will be sending the commission revised language on three items for review. If the commission concurs with the revisions, they will be incorporated into the package that will be distributed to the Mayor and Council.

MOTION: (Stone/Davis) I make a motion that we recommend to the Mayor and Council the zoning text amendments as modified in our discussion tonight and the memo you are going to send out.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

Announcements.

None.

Adjourn. It was moved and seconded that the meeting adjourn (9:00 p.m.)

1/29/2020

Approved



Debra C. Calhoun – Secretary