

**Planning Commission
MINUTES – Regular Meeting**

**January 29, 2020
City of Hagerstown, Maryland**

James Stone, vice chair, opened the meeting at 7:00 p.m., on Wednesday, January 29, 2020, in the Conference Room Fourth Floor, City Hall. Also present were commission members C. Davis, R. Thomas, and J. Wheeler. The following staff members were present: K. Maher, Director of Planning and Code Administration; S. Bockmiller, Development Planner/Zoning Administrator; M. Flick, Planner; and D. Calhoun, Secretary.

REGULAR MEETING

Roll Call.

Commission members S. McIntire, C. Ploscaru, and D. Wright were absent.

Approval of Minutes:

December 11, 2019.

- MOTION:** (Davis/Thomas) I make a motion to approve.
DISCUSSION: Mr. Thomas pointed out a typographical error on page 4, fourth line down under “Planning Commission/Applicant Discussion,” add “to” to the second sentence in that line (“To be able *to* develop this property, . . .”). Mr. Thomas also asked if the motion on the top of page 8 could be made clearer. It was pointed out that once motions are made, they cannot be altered, even for clarity purposes.
ACTION: APPROVED AS AMENDED (ABSTAIN - Wheeler)

January 8, 2020.

- MOTION:** (Wheeler/Davis) I move approval of the minutes.
DISCUSSION: None.
ACTION: APPROVED (Unanimous)

Development Review:

Hagerstown Commerce Center – Lots A1 and A2, Final Plat, Case No. S-2019-09.

Staff Report: (Staff report is in the meeting file.) This plat is for the creation of two lots for the hotel and office/commercial building on the west side of All Star Court. A site plan for this

development was recently approved by the Planning Commission. The plat also shows a right-of-way reservation of 0.44 acres held for a period of ten years should the City decide to construct a connecting road from All Star Court to Emmert Road. If the City does not exercise its option within that ten-year period, the reservation expires.

The final plat was submitted for review and all agencies have approved the plat. Staff recommended approval.

Planning Commission/Applicant Discussion: Planning Commission members had no concerns with this subdivision plat.

MOTION: (Thomas/Davis) I move that we approve the subdivision plat.
DISCUSSION: None.
ACTION: APPROVED (Unanimous)

Sketch Plan for Stormwater Management – Hagerstown Crossing (former Aschenbach Property).

Staff Report: (Staff report is in the meeting file.) Staff received a new sketch plan for development of this tract which includes:

- Lot with a 3,500-square-foot convenience store, gas canopy with pumps, and a car wash.
- 4,200-square-foot retail building north of the existing Bulldog Federal Credit Union.
- 10,200-square-foot building showing a “Subway,” mattress store, fast food, and a retail unit in the northwestern portion of the property.
- 1.7-acre lot – use to be determined, north of the 4,200-square-foot retail building.
- 3.1-acre lot – use to be determined, in the center rear of the property.
- 2.6-acre lot – use to be determined, adjacent to the Walmart building.
- Private access driveway that reaches from Hager’s Crossing Drive through the site to connect in the future to the Walmart driveway.
- Right-in-right-out access point to Garland Groh Boulevard north of Bulldog.

The site has been mass graded. The 4.9-acre area on the north side of the site is not part of a forest conservation plan. A forest stand delineation showing no qualifying forest in this area has been provided. There is floodplain in the area along Hager’s Crossing Drive. The Forest Conservation Ordinance identifies floodplain as a priority area for reforestation. Staff recommended that the entire floodplain area (minus any needed grading and the culvert that carries the driveway out to Hager’s Crossing Drive) be replanted in forest to the maximum extent possible. Should this exceed ordinance requirements for this development, the developer could

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use the residual as a bank for other future developments where developers need to find off-site areas to meet their commitments.

Staff noted that additional landscaping will be required to buffer stormwater management facilities adjacent to public streets. Staff pointed out that the fast-food drive-through site on the north side of the building on proposed Lot 6E seems short and awkward to access.

The City Engineer’s office provided a memorandum concerning the environmental site design elements (copy in the meeting file).

Ms. Maher noted that the proposed name of this development is confusing since it is very similar to the development behind it (Hager’s Crossing).

Planning Commission/Applicant Discussion: Trevor Frederick of Frederick, Seibert & Associates, Inc., engineers for the project, was present on behalf of the developer. There are multiple easements running through the property and sanitary sewer reserved by the previous owner to provide sewer service to the intersection of Hager’s Crossing Drive and Garland Groh Boulevard. Access will be provided from Hager’s Crossing Drive to the Walmart entrance at a future date. A box culvert will be constructed across the floodplain. Construction of this access point will depend on when it is warranted by a traffic analysis. Chad Scott, representing the developer, stated they have potential commitments from 7-11 and Verizon. The developer is agreeable to staff’s forest conservation planting requirement.

Staff noted this is a sketch plan and developments shown are not shown to the degree of a full site plan. The commission can advise the developer of its concerns with any items that can be addressed at the site plan phase. Mr. T. Frederick stated that the user they had in mind is a small user (similar to a Tropical Smoothie), a use that would not create much stacking. Staff was concerned about the stacking distances typical with a fast food restaurant. Mr. T. Frederick said they would look at that when the site plan is developed. Mr. Thomas had questions about the service area in the rear and whether there would be a problem with their drive-through operations when deliveries are made. Mr. T. Frederick said this will be a temporary loading/unloading zone which would be utilized in the early mornings/late evenings to avoid conflicts.

MOTION: (Wheeler/Davis) I’ll move approval of the sketch plan for stormwater management.

DISCUSSION: Mr. Stone asked if the motion could be amended to include the staff’s comment concerning reforestation of the floodplain area. Ms. Wheeler and Ms. Davis agreed to the amendment to the motion.

ACTION: APPROVED AS AMENDED (Unanimous)

Tractor Supply – 11935 Hopewell Road, Waiver to Parking Lot Design Standards.

Staff Report: (Staff report is in the meeting file.) Tractor Supply needs to expand its warehouse on Hopewell Road. The site plan that was approved by Washington County shows a building expansion area and a trailer parking expansion area. The site plan is still valid and the City's position is that the existing staged site plan will be respected.

The proposed building expansion area is larger than what is shown on the existing site plan. Therefore, they need to submit a new site plan for that addition and the associated motor vehicle parking. The trailer expansion area was graded as part of the original construction and the developer will be moving forward with construction of the trailer storage area in the spring per the site plan approved by Washington County. The Planning Commission approved the renewal of the County-approved site plan in 2019.

Tractor Supply needs to maximize all available area on this property or they will need to look for a new location for their warehousing operations.

The applicant is requesting the following waivers:

- Two landscaped islands are shown on each end of the trailer storage area that would be required by the trailer storage expansion shown on the site plan approved by Washington County. In order to maximize trailer storage, the developer requested a modification of the site plan to eliminate these two islands in order to make more room for trailer storage. Staff does not interpret trailer storage as intended to be covered by the parking lot design standards found in Article 5. Therefore, staff did not view this as a waiver request but as a modification of the existing site plan. Given that these islands cannot be seen from Hopewell Road, staff had no objection. Nothing is lost approving the modification due to the front slope of the stormwater management area.
- There are six landscaped islands in the employee/visitor parking area to the north of the building. The applicant is requesting waivers to the design requirements to remove these islands and not install interior islands in the additional bay of parking. The additional bay of parking will be needed to provide parking for the expanded employee base that will result from the warehouse expansion. The ordinance requires more spaces than are shown, and the applicant will be applying to the Board of Zoning Appeals for a parking variance to reduce the number of required spaces. The argument for the variance will be that strict compliance with the ordinance would provide more parking than this use actually requires. Given the limitations of the site, the developer is struggling to make the expansion work within the parameters of the ordinance.

The applicant is proposing to improve and increase the amount of landscaping along Hopewell Road, mostly in the vicinity of the entrance, as an offset to the requested waivers. Under other circumstances, staff would have had concerns with this request; however, given the isolated nature of the location of the requested variances and the fact that the City will have another chance to look at the site when the site plan is reviewed, staff had no objection to the request. The site can be brought into closer compliance with current City standards at that time.

Staff requested that the one island remain at the front end of the driveway to the site to create definition to the entry area. The developer is amenable to that. In an industrial zone the ordinance requires no more than 25 spaces without a landscape island. It was pointed out that the west side of this property is adjacent to I-81.

Planning Commission/Applicant Discussion: Fred Frederick of Frederick, Seibert & Associates was present along with Mickey Heckman of Tractor Supply. Mr. Heckman is the general manager of the facility. They have been working closely with the City of Hagerstown Planning and the City's Economic Development office. This building was built in 2004 and they need to expand their operations. Mr. Heckman stated that this facility currently serves Tractor Supply stores from the Pennsylvania/New York line and south into North Carolina. A total of 235 stores are served by this distribution center.

Mr. F. Frederick stated that another expansion will be necessary over and above the expansion area shown on the site plan approved by Washington County. A second addition will be necessary to give them enough storage space to service all of the stores in their territory. In order to make more room for the additions, the perpendicular docks on the south side will be converted to slanted spaces. Currently Tractor Supply Co. is leasing five other locations in Washington County for additional storage. Mr. F. Frederick reviewed the variances they are requesting from the Planning Commission. Waivers are being requested to eliminate the landscape islands at the trailer parking area and a variance from the buffer requirement every 25 spaces. They will ask to go 59 spaces between landscape islands and a variance to reduce the width of the buffer at the end of the driveway from eight feet to six feet. In February they are going to the Board of Zoning Appeals for a reduction in the number of employee parking spaces. Paved parking at warehouse distribution centers are more likely to be used for tractor-trailer parking rather than for employees. Mr. Heckman elaborated and said they have approximately 425 team members; however, they only need 150 spaces per shift. With shift overlaps, they need a total of 300 spaces. Staff said the next text amendment package may include new language for warehouse parking requirements.

Mr. F. Frederick reiterated that the surface of the site is invisible from Hopewell Road. When they submit the next site plan, there will be increased landscaping at the entrance and along the Hopewell Road frontage.

Commission members had no comments or concerns to pass on to the developer at this time. Official approval of the waiver requests will occur during site plan review.

Planning Commission Business:

Update on Mayor and Council Deliberations on Comprehensive Plan Amendments and I-81/CSX/Halfway Boulevard Annexation.

Ms. Flick indicated that the Mayor and Council approved the full package of Comprehensive Plan amendments. In addition, the Mayor and Council also approved the I-81/CSX/Halfway Boulevard Annexation Resolution.

Recommendation on 2019 Comprehensive Rezoning.

The City’s updated Comprehensive Plan, visionHagerstown 2035, was adopted on April 3, 2018. In order to implement the Comprehensive Plan, a comprehensive rezoning was initiated in 2019 to create conforming uses and consistency between the future land use plan and the City’s current zoning map.

The Planning Commission finalized the proposed comprehensive rezoning in May 2019 and held a public review meeting on June 26. Due to changes proposed that differed from the Future Land Use Plan recommendation, the Planning Commission tabled the Comprehensive Rezoning on July 5, 2019, in order to pursue the amendments to the Future Land Use Map in the Comprehensive Plan. With the Comprehensive Plan amendments package up for adoption by the Mayor and Council on January 28, the Planning Commission can make its final recommendation to the Mayor and City Council.

Staff hopes to have a public hearing on the Comprehensive Rezoning on February 25. Ms. Flick briefly recapped the areas to be included in the Comprehensive Rezoning.

MOTION: (Wheeler/Thomas) I move we recommend the 2019 Comprehensive Rezoning to the Mayor and Council.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

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Land Management Code Update – Correction to Proposed PUD Regulations.

Mr. Bockmiller pointed out an omission that was discovered between the time the Planning Commission made its recommendation on the text amendment package and the Mayor and Council’s public hearing. There is nothing in the ordinance that addresses the three existing Planned Unit Developments (PUD). The proposed amendment (see meeting file) adds language concerning the treatment of the existing PUDs. If developers want to amend an existing PUD (those without the –V or –R suffixes) they must go through the rezoning process. Planning Commission members had no concerns about the proposed amendment to Proposal 2019-27.

- MOTION:** (Thomas/Wheeler) I move that we recommend that we adopt the 2019-27 text amendment revision.
- DISCUSSION:** None.
- ACTION:** APPROVED (Unanimous)

Mr. Bockmiller recapped the testimony received during the Mayor and Council’s public hearing on the Land Management Code text amendments on January 28.

Announcements.

None.

Adjourn. It was moved and seconded that the meeting adjourn (8:00 p.m.)

2/12/2020

Approved



Debra C. Calhoun – Secretary