

**Planning Commission
MINUTES – Regular Meeting**

**August 12, 2020
City of Hagerstown, Maryland**

Douglas S. Wright, Jr., chair, opened the meeting at 4:00 p.m., on Wednesday, August 12, 2020, in the Council Chamber, Second Floor, City Hall. Also present were commission members C. Davis, S. McIntire, C. Ploscaru, J. Stone, 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.

All commission members were present

Approval of Minutes:

July 8, 2020.

MOTION: (Davis/Wheeler) So moved (to approve the minutes).

DISCUSSION: Mr. Thomas noted typographical errors on page 2, second paragraph, first line (“the” should be “that”) and on page 6, last paragraph, second line (“as” should be “has”). The maker and seconder were agreeable to the suggested corrections.

ACTION: APPROVED AS AMENDED (ABSTAIN – Ploscaru, Stone)

July 29, 2020.

The minutes were not available for approval.

Planning Commission Business:

The order of the agenda was revised because staff was not available for the Dollar General workshop.

Saylor House at Kiwanis Park Landmark Overlay District, Case No. ZM-2020-03.

(Copy of the staff report is in the meeting file.) Ms. Flick stated that in addition to the two emails received before the public review meeting, an email in support of the rezoning was received from Ann Aldrich of the Washington County Historical Trust during the ten-day period the record was left open. Martin Brubaker, on behalf of the Washington County Historical Trust, spoke at the hearing in support of the overlay. There was no additional discussion by the Planning Commission.

- MOTION:** (Wheeler/Davis) I’ll make the motion to send to the Mayor and Council our recommendation to approve the Landmark Overlay District at Saylor House.
- DISCUSSION:** None.
- ACTION:** APPROVED (ABSTAIN – McIntire)

Development Review:

217-237 East Franklin Street – Dollar General - Workshop.

Staff Report: (Staff report is in the meeting file.) The proposed tenant has approached the developer, PTV 1111, LLC (“PTV”) with significant changes to the proposed layout of the development. The proposed changes include moving the building from the northeast corner of the site to the northwest corner, along with other considerations. Staff suggested that the developer discuss the changes with the commission in a workshop.

Staff explained that with the new layout there will be a two-way drive aisle out to North Cannon Avenue which would eliminate approximately one third of the previously identified parking spaces for Mulberry Lofts. PTV received three variances from the Board of Zoning Appeals and the new plan as shown still abides by the parameters of the approved variance requests. However, applicants are held to the exhibit that was presented to the BZA. The BZA may have to reopen the hearing to determine whether the drawing is in substantial compliance with the testimony. Staff noted that the trash enclosure and the handicap ramp were moved to more practical locations. The new proposal shows the sidewalk located along the two-way drive aisle from North Cannon Avenue.

Planning Commission/Applicant Discussion: Austin Weinman of PTV, representing the developer, participated in the meeting remotely via Zoom. Mr. Weinman stated that Dollar General had concerns with visibility on East Franklin Street with the initial configuration. There will be a request for one waiver for a setback from the two-way road to the property boundary.

In answer to a question by Mr. Wright, Mr. Weinman stated that the sidewalk behind the building is needed to provide safe, emergency egress from the building. Mr. Bockmiller added that the handicap ramp was relocated to take advantage of a less steep grade. Mr. Wright asked if customers would be permitted to park in the lot that is proposed to be sold to Mulberry Lofts. Mr. Weinman could not answer that question since he had not discussed that option with the owners of Mulberry Lofts. It was not the intention of the new layout to provide additional parking areas for Dollar General patrons. Mr. Wright asked if an arrangement could be made that would allow Dollar General customers to use parking in the lot being purchased by Mulberry Lofts. Mr. Weinman believed the 20 parking spaces that will be provided on the Dollar General site would be adequate. Mr. Bockmiller pointed out that requiring Mulberry Lofts to permit Dollar General customers to use their lot would likely end Mulberry Loft's interest in acquiring the parking if they do not have exclusive use of it.

Mr. Stone asked if the elevation furnished at the last meeting would apply to the relocated building. Mr. Weinman said yes. Ms. Davis asked if staff discussed the proposed signage on the northeast corner with the developer. Mr. Bockmiller noted that the City of Hagerstown is considering whether to relinquish the City property on the corner and other options, however, those considerations are still preliminary. In response to a question by Mr. Thomas, Mr. Weinman described truck movements on the site and indicated there is no intention by Dollar General for trucks to back out onto East Franklin Street.

Commission members believed the revised layout and presentation are better than the first proposal. There were no other comments or concerns. Mr. Weinman indicated they plan to come back to the commission at the meeting at the end of August.

South End Shopping Center – Proposed Bank Pad Site - Workshop.

Staff Report: (Staff report is in the meeting file.) Mr. Bockmiller explained that the Subdivision and Land Development Ordinance expects an entire site (such as a shopping center) to be brought into compliance with current standards as much as possible if a site plan is submitted for just a section of the property. This provision was utilized with recent development at Long Meadow Shopping Center and the former Ames Shopping Center. Staff was recently approached about a lease area for a freestanding bank at the front of the South End Shopping Center.

Staff made suggestions as to how the site could be upgraded to current standards, such as landscaped islands along Maryland Avenue. There will be waiver requests by the owner. Mr. Bockmiller stated that adding a sidewalk on the front of the property will be difficult due to an existing drainage swale. Staff would support a waiver to not require sidewalk along Maryland Avenue. There is a sidewalk on the east side of Maryland Avenue. Mr. Bockmiller noted there is no pervious surface or landscaping on this property whatsoever. Waivers are possible but they

need to be expected to do something to bring the site closer to compliance with current standards.

Planning Commission/Applicant Discussion: Fred Frederick of Frederick, Seibert & Associates, was present on behalf of the developer. He thanked Planning staff for working with his client on this project. Mr. Frederick's client is out of Florida and they have a lease agreement with a local bank which states that everything within the lease area will be the bank's responsibility. The owner does not have extra money to do a retrofit of the property. For stormwater management, the owner is proposing a grass impression and Jim Bender, the Assistant City Engineer, has no objection to that solution. The owner does not want to spend any money outside of the lease area (which would be the leaseholder's responsibility). Mr. Frederick has talked with the owner and has possibly convinced them to install the grass area along Maryland Avenue. The owner does not want to lose parking spaces to green areas, however, they might be agreeable to installing low landscaping instead of full trees. At best Mr. Frederick felt he could get them to agree to install nine trees.

Concerning the issue of stormwater management and landscape islands, Mr. Bockmiller pointed out that the "downhill" sides of the landscape islands need some type of curb to prevent motorists from driving over the landscape islands. Ms. Davis noted there is a significant dip in parking lot between Rent-A-Center and Tuesday Morning. Water stands there for a long time after it rains. Ms. Wheeler concurred. Ms. Davis observed that the owner is proposing the bare minimum in the way of site improvements. Her recollection of the shopping center is that there are plenty of spaces available even on busy days. Ms. Wheeler and Ms. McIntire agreed that what the owner is proposing is minimal. Mr. Wright was not pleased with the idea of no sidewalk in this area; the least they can do is the landscaping. Mr. Bockmiller noted that if sidewalks are required the swale would have to be re-engineered.

Planning Commission members agreed that whatever is shown in green on the concept should remain. Mr. Frederick asked if the commission would be agreeable to low-growing shrubs instead of trees, anything without the rooting system of a tree. Planning Commission members were not opposed to shrubs along the parking lot. As a point of reference, Mr. Bockmiller stated that if this was new construction, the developer would be required to plant 71 trees. Ms. Davis suggested trees alternating with shrubs (tree-shrub-tree-shrub).

In summation the commission would be willing to work with the owner and would be looking for trees and shrubs. Concerning the developer's concern that trees will block visibility of the stores in the shopping center, Mr. Bockmiller suggested that the Long Meadow Shopping Center is very visible even with the number of trees that were planted in the retrofit.

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Announcements.

None.

Adjourn. It was moved and seconded that the meeting adjourn (5:15 p.m.)

8/31/2020

Approved



Debra C. Calhoun – Secretary