

**Planning Commission
MINUTES – Regular Meeting**

**September 30, 2020
City of Hagerstown, Maryland**

Douglas S. Wright, Jr., chair, opened the meeting at 7:00 p.m., on September 30, 2020, in the Council Chamber, Second Floor, City Hall. Also present were commission members C. Davis (via Zoom), S. McIntire, C. Ploscaru, J. Stone, and R. Thomas. 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 member J. Wheeler was absent.

Approval of Minutes:

September 9, 2020.

MOTION: (Davis/Thomas) I will move approval of the minutes for September 9.

DISCUSSION: Mr. Wright requested two corrections on page 2. The second paragraph should begin with “*For the second case*, Ms. McIntire recused herself . . .” The second change was to the second sentence, same paragraph. The beginning of that sentence should read, “*That case concerns* the application filed by Gideon Properties . . .” The maker and seconder had no objections to the proposed amendments.

ACTION: APPROVED AS AMENDED (Unanimous)

Development Review:

382 and 376 South Cleveland Avenue – Landscape Buffer Waiver Request.

Staff Report. (A copy of staff report is in the meeting file.) This special exception was discussed at the commission’s last meeting. The special exception was approved by the Board of Zoning Appeals with the condition that the special exception be void if the two properties come under separate ownership in the future. The outdoor play areas include an existing fenced area along the east side property line where the fence is on the property line and a new play area located behind the house at the above address. The applicant is requesting waivers to the required ten-foot landscaped property boundary buffer as follows:

- East side: Reduce to zero, using existing fence as a substitute screen in place of landscaping;
- North side property line of 376 South Cleveland: Reduce distance to four feet, with a six-foot privacy fence being constructed four feet from the property line, and columnar evergreen trees every ten feet as an alternative to the ten-foot buffer and code-mandated plantings; and
- Rear along alley: Reduce the ten-foot buffer to four feet, also using a six-foot privacy fence and columnar evergreens every ten feet as an alternative to the ten-foot buffer and requisite plantings.

Staff had no objection to the waiver requests. Given that the only site improvements will be a fence and some play equipment, staff saw no point in requiring a site plan, and requested that the commission agree to not require a site plan. The location of the fence and play equipment will be reviewed with the processing of a fence permit.

Planning Commission/Staff Discussion: Dan Wolfe of Gideon Properties was present via Zoom to answer any questions. The purpose of the fence and waiver requests is to maximize the play area for the children. In answer to a question by Mr. Wright, Mr. Wolfe indicated that the house in the front at 376 South Cleveland Avenue is owned by Gideon Properties and rented out.

MOTION: (Thomas/Stone) So moved (to approve the waivers).

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

Planning Commission Business:

Land Management Code Package 2021 – Part 1: Small-scale Craft Distilleries, Wineries, Breweries.

Ms. Maher presented her research and suggestions for working wineries, micro-breweries, distilleries, into the City’s ordinance to bring it more in line with other jurisdictions that permit them. These uses have become a major contributor to the local economies and tourism industries where they are permitted (see PowerPoint and memo in meeting file). The PowerPoint includes economic impact; definitions of micro-brewery or small-scale craft brewery; how other jurisdictions handle these uses. There are two of these uses in Washington County and both are in industrial-flex buildings. Staff is proposing one definition to cover all the uses. The size would be capped at 15,000 square feet.

Mr. Wright had these comments and recommendations about staff’s proposed text:

- Agreed with base calculations on the square footage of the establishments rather than the number of gallons produced.
- When you define the small-scale brewery, instead of stating tables within 250 feet of a residence, tables should be at least 250 feet away from residences.
- This activity should be focused in downtown Hagerstown. This use could be a good fit and help with revitalization efforts downtown. These establishments bring in disposable income and it is a positive to have this activity downtown, more so than in industrial areas. This would be a possibility for reusing the big empty buildings. He would like to target downtown first.

Ms. McIntire stated that these types of uses are destinations, people seek these out, and the businesses do not rely on pedestrian foot traffic. Ms. Maher pointed out that the city has many old, unused factory buildings zoned IR. Mr. Stone had concerns that the number of appropriate sites would not be adequate downtown. He was not in favor of restricting them to the downtown area. There are many unused buildings scattered around. Mr. Bockmiller added that the Conversion District is targeted toward large, unused warehouse buildings.

Mr. Wright asked staff to provide more information. He was not swayed that it would benefit the city to allow these uses outside of the downtown. Ms. Maher made site visits to breweries and distilleries in the Frederick and Baltimore areas. She noted that the downtown Frederick locations are not large and are on the outskirts of town. Ms. Flick added that they are walkable and not too far from downtown. Ms. McIntire stated that her experience with craft brewers is that they are very community conscious and make an effort to avoid disrupting the neighborhood. They are good partners and collaborate well with each other.

Staff's proposal would include several size options. Ms. Maher noted that these operations are tightly regulated by the state. She suggested making the uses a special exception outside the downtown and permitted by right in the downtown. Mr. Wright asked that staff study this further. He asked that staff reduce the number of zoning districts these uses are permitted—currently staff is proposing nine zoning districts. He suggested consulting the Comprehensive Plan to see which areas would be the best fit.

Doug Reaser, Business Development Specialist in the City's Community and Economic Development Department, agreed that these uses should be focused in the downtown area. These types of uses require concrete floors and good drainage since the equipment used tends to be very tall. He noted that the brewing industry is a cluster-based industry—when one starts up, it draws others. The city has no breweries so the more opportunities the better to draw these uses downtown. Mr. Wright wanted to include hours of operation just as other jurisdictions have done.

This will be discussed at the next regularly scheduled meeting on October 14.

Planning Commission Annual Report - Final.

Ms. Flick went over the revised annual report since the last time the commission saw this there were blanks. Some of the tables were still not clear. Ms. Flick stated that most of the information requested is not data that the City tracks. This is the first year that the City has been required to complete the long form due to the fact that the City issued more than 50 residential permits in the reporting period.

Mr. Wright pointed out two corrections on page 4. First the Barbara Ingram School of the Arts does not serve a specific geographic area. He suggested adding a third bullet “Note this school is open to all high school students in Washington County by audition.” Second, add “(PCAD)” after the first mention of “Planning and Code Administration” in the first line of the first bullet under “(D), Did your jurisdiction identify any recommendations for improving the planning and development process within the jurisdiction?”

Ms. Davis questioned whether the commission wanted to track sidewalk installations given the commission’s interest in building of infrastructure. Since the commission has shown an interest in requiring sidewalks it should be shown. Ms. Maher questioned what number would be tracked (i.e., number of linear feet of sidewalk required). Mr. Bockmiller added that there would be sidewalks required by the site plan process and those required by the City and the State Highway Administration.

Announcements.

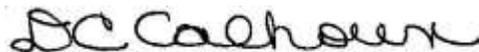
- Mr. Wright attended the MPCA “Smart Cities” virtual meeting and found it very informative.

Adjourn.

It was moved and seconded that the meeting adjourn (8:05 p.m.)

12/9/2020

Approved



Debra C. Calhoun - Secretary