

Douglas S. Wright, Jr., chair, called the meeting to order at 4:00 p.m., on Wednesday, September 1, 2021, on the Zoom virtual meeting platform.

I. Roll Call

Also present were commission members:

- o J. Stone, vice-chair
- o C. Davis
- o R. Thomas
- o J. Wheeler

Absent: S. McIntire , ex-officio

The following staff members were present:

- o K. Maher, PCAD Director
- o S. Bockmiller, Development Planner/Zoning Administrator
- o M. Flick, Planner
- o Jim Bender, Assistant City Engineer

II. REGULAR MEETING

A. Rules of Procedure: Steve Bockmiller explained the need for a motion to extend the previous rules of procedure through September 29, 2021 to give the Commission time to revise the rules.

MOTION: Mr. Thomas made that motion. Ms. Davis seconded, and the motion passed unanimously.

B. Approval of Minutes:

August 25, 2021 Meeting: Mr. Thomas made a motion to approve the August 25, 2021 minutes. Ms. Wheeler seconded the motion. The motion passed unanimously with the exception of Mr. Stone who abstained.

C. Development Review

**1. Consultation – Car Sales and Required Site Standards – 850
Pennsylvania Avenue**

Applicant represented by: R. Lee Royer, surveyor, and Giovanni Moore and Najah Mohammad of New Start Foundation.

Staff report: Mr. Bockmiller presented the staff report which is in the meeting file.

Applicant presentation: Mr. Royer indicated the plan to use the property to teach youth a trade – repair cars. They would repair, display and sell vehicles. Employee parking would be provided towards the railroad with customer parking towards the front. They would put up a small fence at the sidewalk (poles and chain) so people cannot access or park on the sidewalk. The building has been used this way for years. The planned primary use would be car repair with a minor amount of car sales. They have an access easement on the side of the property to get to the parking area. There will be no more than 10 students per session and no more than two sessions per day. Some students may Zoom. At the most there would be 4-5 cars for sale at a time. Transportation will be arranged for students.

Commission discussion: A discussion followed on whether this use should be considered a school, auto repair, or car sales. Mr. Wright asked if they would make a commitment that there would be no more than four cars for sale at one time. Eleven parking spaces are shown for parking. The commission indicated they would be okay with a determination that the use would be a professional school with no more than four cars for sale at one time. Mr. Bender indicated a concern with the uncontrolled access along Pennsylvania Avenue. Engineering would like to work with the applicant to create more control and limited access. Mr. Bockmiller stated that if anyone can drop by for auto repair, he would consider it auto repair and not a school. Mr. Bockmiller will review what parking is required and whether a variance would be needed for parking to allow for four spaces for car sales.

2. Site Plan for Fairgrounds Park Skatepark – 851 N. Cleveland Avenue - ZS-2021-11

Applicant represented by: Jim Bender and Rodney Tissue of the City Engineering Department.

Staff report: Mr. Bockmiller presented the staff report which is in the meeting file.

Commission discussion: Mr. Stone inquired if there was a liability concern for the City with this park feature. Mr. Tissue stated that this issue was studied by the Skatepark Taskforce with the City Attorney and our liability insurance company. The City has no concern about liability if we do not charge for entrance and it is open to the public. Mr. Thomas asked if there would be any City supervision and Mr. Tissue said no. Mr. Wright asked about lighting and Mr. Tissue said it will not be open at night. It will not be fenced but with road frontage there is good visibility into the site.

MOTION: Mr. Stone made a motion to approve the site plan; Ms. Davis seconded. Motion passed unanimously.

3. Consultation – Revision of Linwood Hollow Forest Conservation Plan for anticipated development - FC-2005-07

Applicant represented by: Ben Berman.

Staff report: Mr. Bockmiller presented the staff report which is in the meeting file.

Applicant presentation: Mr. Berman gave a briefing on his company and indicated they have the property under contract and are in the due diligence period. The two forest conservation easement areas are of concern because they limit options for site layout. They are exploring two development options:

- a. One 330,000-300,500 square foot building
- b. Two buildings with build to suit for smaller users.

They would like to push the forestry to the edge of the site to maximize use of the property.

Commission discussion: Commission members indicated willingness to explore modification of the forest conservation plan for the site. Mr. Bockmiller explained a platting error related to the width of the First Energy easement which will need to be corrected to be wider.

D. Planning Commission Business

1. Transportation Element of Comprehensive Plan regarding Paul Smith Boulevard and Harrison Lands

Staff presentation: Ms. Maher presented the powerpoint which is in the meeting file.

Commission discussion: A discussion followed on the possible amendments to the Transportation Element to remove the north leg of R. Paul Smith Boulevard as directed by the Mayor and City Council, add new road alignments in the other Harrison tracts, update the transportation planning of the Hagerstown-Eastern Panhandle Metropolitan Planning Organization, and update three transportation improvement projects completed since 2018. The Commission directed staff to move forward with drafting the text as discussed. A special meeting is planned for September 9 for final review prior to sending the proposed amendments out for the 60-day State clearing house review process.

2. Discussion of field trip to Walden, Mechanisburg, PA.

Mr. Wright thought it was very productive to have the city engineer and fire chief attending the field trip. He observed that garages that could be seen into were being used for a mix of parking and storage. Walden was a very attractive community and had a good mix of housing types. Houses fronting parks was a good design option.

Mr. Thomas noted the width of streets (with or without parking) and alleys should be paid close attention to in order to ensure safety and emergency access. Mr. Tissue pointed out that narrowness of roads does serve as a means of traffic calming. Mr. Bockmiller stated that arrangements are being to have a phone conference with the township manager of Silver Spring Township to discuss lessons learned with the Walden development. He stated that, based on the trip and his analysis of the Ordinance, changes to Article 5 would be minimal, but it was important to change “weasel words” like “recommended” to terms that provide more definitive direction and state policy priorities. But the City will not need to do large scale rewrites or amendments to Article 5. Ms. Davis mentioned that the buffers observed from exterior roads were effective. Mr. Tissue mentioned the use of the right angle turns (“two-legged intersections”) as a traffic calming feature.

Mr. Bockmiller also pointed out that there were features of this development that were non-starters with Hagerstown. The samples of development shown by touring Walden, and viewing photos of other similar developments in the region are intended to serve as samples and models, and no one of those developments are entirely something the city should adopt wholesale. The best elements of each should be borrowed, and lessons learned from what appears not to work in those communities (at least from our perspective). Mr. Bockmiller mentioned that the meeting with the representative of Silver Spring Township would be on September 3, and if any member had any specific questions they would like asked, forward them to the Chair or staff.

3. Discussion/Adoption of updated Rules of Procedure

Mr. Wright suggested at the bottom of page 3.... change to “in an on-line platform meeting...” Also, it is expected that at least one representative of the applicant shall appear in person. All agreed. Mr. Thomas moved to approve the new rules of procedure, with the aforementioned corrections. Ms. Davis seconded the motion. The motion passed unanimously.

III. ADJOURNMENT – 6:07 p.m.

1/12/2022
Date



Kathleen A. Maher, Director, PCAD