

Douglas S. Wright, Jr., chair, called the meeting to order at 7:00 p.m., on Wednesday, September 29, 2021, in the Council Chamber, Second Floor, City Hall.

## **I. Roll Call**

Also present were commission members:

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

Absent: S. McIntire , ex-officio

The following staff members were present:

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

## **II. REGULAR MEETING**

**A. Approval of Minutes:** No minutes were ready.

### **B. Development Review**

#### **1. Site Plan and Waiver Requests – AutoSpa of Hagerstown Car Wash, 1620 Wesel Boulevard – ZS-2021-10**

**Applicant represented by:** Fred Frederick, FSA.

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

**MOTION: Waiver to Eliminate landscape island at end of parking strip –** Mr. Stone made a motion to approve the request based on Criteria C; Mr. Thomas seconded. Motion passed unanimously.

**MOTION: Waiver to Reduce Side Yard Vegetation and Allow Driveway Closer to ROW than required –** Mr. Stone made a motion to approve the request based on Criteria A and E; Ms. Davis seconded. Motion passed unanimously.

**Commission discussion:** Mr. Wright observed that there were no sidewalks proposed, but then there no sidewalks anywhere along Wesel Blvd in this area. An inquiry was made about the lines by the vacuum bays and Mr. Frederick indicated they are hoses.

Staff raised the issue of needing review of the bright blue color on the building which does not meet the code's definition for an earthtone. A discussion followed on the appropriateness of this code requirement in the commercial districts. Ms. Maher suggested this design standard be discussed during the 2021 LMC amendments review, since there seemed to be some feeling it was not an appropriate requirement. Mr. Frederick said that the property owner wanted to use the same blue as on their W. Baltimore Street carwash.

**MOTION: Waiver on Earthtone Color Requirement for the Building** – Mr. Stone made a motion to approve the waiver based on Criteria C; Ms. Davis seconded. Motion passed unanimously.

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

## **2. Subdivision Sketch Plan – Brook Meadow Townhouses, North side of Security Road – C-2021-02**

**Applicant represented by:** Gordon Poffenberger, Fox & Associates, and Trey Alter, property owner.

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

**Commission discussion:** Mr. Thomas raised an inquiry as to whether the open space provided was adequate to meet the cluster subdivision requirements and whether the purpose was being met with much of it being in the floodplain. Mr. Poffenberger stated that they are providing 6-7 acres of open space which far exceeds the requirement and that the floodplain will only be wet about 1% of the time. The floodplain is also very flat which would make those areas not under forest conservation available for ball play. Commission members observed that there are City parks which have land within the floodplain.

**Engineering Comments:** Mr. Bender went over his memo in the file and voiced Engineering's concerns about divergences from code requirements which will be further explored as the more detailed site plan is developed.

**Commission Discussion:** Mr. Stone observed that narrower streets on non-collector roads is desirable for traffic calming. Mr. Poffenberger indicated that the plan is for parking on one side of the street, due to the narrower street widths. Mr. Stone felt this was reasonable. Mr. Thomas asked about comment #5 which involved a proposed connection between the development parking lot and the Pangborn Park parking lot. Mr. Bender indicated that his comments were made on a previous version of the plan and this issue is now moot; however, Engineering had not wanted such a connection, because it is

desirable to keep the Pangborn Park parking lot just for park patrons and not for spillover parking from the development.

**MOTION: Subdivision Sketch Plan** – Mr. Stone made a motion to approve the sketch plan, incorporating the agency comments, and agreed to allowing the project to move on to the site plan stage; Ms. Davis seconded. Motion passed unanimously.

### **3. Subdivision Sketch Plan – Virginia Commons, Phase 1 (Unger Property), East end of Armstrong Avenue, East of Virginia Avenue – C-2021-01**

**Applicant represented by:** Fred Frederick of FSA, Donald Unger, property owner, and Stephen Ferrandi, Maryland Land Advisors.

**Staff report:** Mr. Bockmiller presented the staff report which is in the meeting file. Mr. Bockmiller provided some additional information about the Civil War history for this property during the retreat from the Battle of Hagerstown. There were bodies buried in the area but most likely they were all reinterred elsewhere after the war.

**Applicant presentation:** Mr. Frederick handed out the 1966 plat which created the paper streets for this development. Mr. Unger provided information on the family's history with the property. Mr. Frederick indicated that they are proposing changes which are not shown on the sketch plan and which had not previously been shared with staff. The applicant would like to replace the three proposed lots on Virginia Avenue with one forest conservation easement lot and offer it is a possible site for the Civil War interpretive marker that the City has expressed interest in placing on the property. The applicant is also proposing not to build the alley behind the forest conservation area lot, so they do not disrupt the existing neighbors' use of that area and they preserve the specimen tree in the path of the proposed alley. Mr. Unger indicated they want this subdivision to blend seamlessly with the adjoining development, which his grandfather developed and which those buyers expected. Mr. Unger indicated this blending desire is consistent with recommendations of the City's Comprehensive Plan. Mr. Frederick indicated this change would allow the developer to meet their forest conservation requirements on-site without having to make a large PIL contribution for City tree planting elsewhere.

**Commission discussion:** Mr. Wright indicated he didn't have a problem with the proposed change to retain the forest along Virginia Avenue, but recommended creating a pull-off area on Virginia Avenue for the interpretive marker. Mr. Stone agreed. A discussion followed on the merits of having the alley behind this area and the impact its removal might have on development of the adjoining farm. Mr. Frederick indicated they could address the alley connectivity issue with the design of the plan for the rest of the Unger farm.

**MOTION: Subdivision Sketch Plan** – Mr. Stone made a motion to approve the sketch plan as amended at the meeting and agreed to allowing the project to move on to the site plan stage; Mr. Thomas seconded. Motion passed unanimously.

**C. Planning Commission Business**

1. **2021 Annual Package of Land Management Code Text Amendments** – review postponed until next meeting.

**D. Other Business**

1. **Maryland Planning Commissioners Association Conference, October 25-27** – Mr. Wright updated the Commission on the conference which has been changed to virtual event with no admission fee. October 25, 9:00 a.m. to Noon is an Open Meetings Act session. October 26 and 27 will have various agenda items from 9:00 a.m. to 4:00 p.m. All are encouraged to attend.
2. **Water Pressure in East End** – Mr. Thomas raised continued concerns about this issue and questioned whether the County should be approached to address the problem. Ms. Maher stated that the water is provided by the City of Hagerstown. When new development is proposed, our Utility Department will require the developer to make improvements as necessary to ensure the water system is adequate to serve. When Black Rock PUD develops our Utility Department will require them to make water system upgrades which should help with the water pressure issue.

**III. ADJOURNMENT** – 9:07 p.m.

10/13/2021  
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Date

  
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Kathleen A. Maher, Director