

Douglas S. Wright, Jr., chair, called the meeting to order at 7:02 p.m., on Wednesday, December 8, 2021, in the Council Chamber, Second Floor, City Hall.

I. Roll Call

Also present were commission members:

- o J. Stone, vice-chair
- o C. Davis
- o R. Thomas
- o T. Martinez
- o S. McIntire , ex-officio

Absent member:

- o J. Wheeler

The following staff members were present:

- o K. Maher, PCAD Director
- o S. Bockmiller, Development Planner/Zoning Administrator
- o Amy Haight, Administrative Coordinator and Commission Secretary

II. Public Review Meeting

Mr. Wright explained how the process would work for the two public review meeting items.

1. 2021 Land Management Code Amendments

Staff presentation: Mr. Bockmiller presented the powerpoint which is in the meeting file.

Public testimony:

Milan Broadus – Real Estate Solutions-Local investors; purchased a row of townhomes, etc. – In favor of the change in code regarding expired nonconforming townhouses and allowing them to be reconfigured to original arrangement and use (proposal 2021-06, Change 12).

Fred Frederick – Opposed to proposal 2021-07. He believes that the code design standards would now be a requirement and not an option. He believes it will discourage residential development. Rear alleys will increase cost of construction and design and increase impervious surface area. He believes this is counter to Maryland stormwater design standards. He asked whether alleys will be designed to accommodate two-way traffic and trash collection. He asked who will maintain the alleys; the City or the homeowner's association. If HOA maintained, maintenance increases cost of the home. If City maintained, it will cause a burden for the City. He feels that very few developments around areas that are developing have alleys. If this change is adopted, it

will increase the cost of construction and the developer will simply move on and not develop in our area. He does not want traditional design to be identified as the “preferred method”. In response to Mr. Bockmiller’s inquiry about what makes other areas more appropriate or accommodating for traditional development style, Mr. Frederick stated the per capita income is higher in those areas. Developers review per capita income and will not develop in areas if this “preferred” code goes into effect for traditional neighborhood design. Most development happening proposes more of a suburban feel and not a ‘city’ feel. He said the design criteria is not bad, but he is concerned that making it the “preferred” model will be enforced, rather than it being an option. He asked whether it could be put off for two years.

Public review meeting was closed.

Motion: Mr. Stone made a motion to keep the record open for ten days. Ms. Davis seconded, and the motion passed with Ms. McIntire abstaining.

2. Amendment to Transportation Element of Comprehensive Plan

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

Public testimony:

Fred Frederick – updated the Commission that the proposed roads through the Harrison tract south of Edgewood Drive are being designed, so they will happen.

Commission discussion: Mr. Wright inquired about the connection between All Star Court and the land to the west which had been planned at one point. Staff will investigate.

Public review meeting closed.

Motion: Mr. Stone made a motion to keep the record open for ten days. Mr. Thomas seconded, and the motion passed with Ms. McIntire abstaining.

III. Regular Meeting

Development Review

1. Final Plat – Board of County Commissioners and Board of Education – 50 W. Oak Ridge Drive (S 2021-14)

Mr. Bockmiller presented the staff report which is in the meeting packet. Approvals have been granted by Water, Wastewater and the Fire Marshal. Conditional approval from the City Engineer. Planning has approved, subject to removing the existing and proposed

improvements from the plat. Staff recommends approval, subject to resolving the conditions of Planning and the City Engineer.

Motion: Mr. Thomas made a motion to approved subject to the conditions from Planning and the City Engineer. Ms. McIntire seconded, and the motion passed.

2. Final Plat – City of Hagerstown – Lot for Substation, 548 Eastern Boulevard (S 2021-16)

Mr. Bockmiller presented the staff report which is in the meeting packet. Nathan Fridinger explained the substation’s previous history. Approvals have been approved by Water, Wastewater, Light, City Engineer, Planning and the Fire Marshal. The City currently serves this area. This is for transfer of land only.

Motion: Ms. Davis made a motion to approve with the condition to getting minor correction made cited by the City Engineer. Mr. Stone seconded, and the motion passed with Ms. McIntire abstaining.

3. Final Plat – City of Hagerstown and Columbia Gas – for creating lot for a fire station – 441 S. Potomac Street (S 2021-11)

Mr. Wright recused himself and left the room. Mr. Stone took the chair. Mr. Bockmiller presented the staff report which is in the meeting packet. This plat is created to meet the requirements of a sales contract entered into between Columbia Gas and the City. It is possible it may or may not move forward, depending on whether the contract is fully executed, and settlement is anticipated for January 2022. Two different zoning designations (RMOD and IR) on the new parcel is a concern. The following agencies have approved: City Engineer, Fire Marshal, Wastewater, Water, Planning, and Columbia Gas. The Light Department recommends conditional approval. Staff recommends approval subject to the Light Department’s conditions.

Motion: Mr. Thomas made a motion to approve, subject to resolving the Light Department’s conditions. Ms. Davis seconded. The motion passed. Ms. McIntire abstained.

Motion: Mr. Thomas made a motion to direct staff to prepare a memorandum to the Mayor and Council requesting that the City initiate a piecemeal rezoning, amending the zoning map to make the new parcel have one zoning designation after the fire station is complete. Ms. Davis seconded, and the motion passed with Ms. McIntire abstaining.

Mr. Wright returned to the meeting and resumed the chair.

4. Minor Site Plan – Parking lot with design waivers – UGO Management – 115 W. Washington Street (SA 2021-08)

Mr. Bockmiller presented the staff report which is in the meeting packet. Applicant seeks multiple design waivers due to the narrow and unique circumstances of the property. This is a minor site plan that does not require Planning Commission approval, however the waivers can only be approved by the Commission. This has already been reviewed by the Historic District Commission. The plan has been approved by Potomac Edison, Water, Wastewater and Fire Marshal. Planning has approved with three minor corrections. City Engineer provided conditional approval with accompanying drawing. Adjacent property owner, Bill Wantz, was present to testify as they have a shared parking lot with a prescriptive easement on a shared driveway. In order to accommodate that prescriptive easement, the parking spaces would have to be reversed. Staff has no objection to any of this. The Commission feels the requested waiver would be appropriate given Criteria E. No landscaping would be required.

Motion: Mr. Stone made a motion to approve the site plan with the space closest to the building be moved and orientation of parking spaces be flipped. Mr. Thomas seconded, and the motion passed.

5. Final Plat – Richmond American Homes – Hager’s Crossing, Section 2B-8 – Fallen Timbers Circle (S-2021-09)

Mr. Bockmiller presented the staff report which is in the meeting packet. Approvals have been granted by Potomac Edison, Water, Wastewater, Fire Marshal and City Engineer. Planning provided conditional approval, subject to addressing a few minor comments. The Washington County Public Schools has submitted a report on school capacity and the effects of this plat on public schools, however the City does not have an Adequate Public Facilities Ordinance for schools. Staff recommended approval, subject to resolving Planning’s comments.

Motion: Ms. McIntire made a motion to approve the final plat. Ms. Davis seconded, and the motion passed.

Planning Commission Business

2022 Schedule: Ms. Davis made a motion to approve the 2022 meeting schedule. Mr. Thomas seconded, and the motion passed.

Other Business

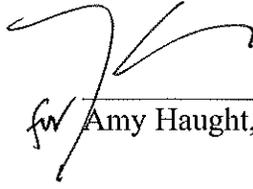
Follow-up on Public Review Meetings – staff asked if the Commission would be willing to hold a special meeting on December 20 via Zoom to shorten the time consumed by the amendment process. The Commission agreed to a Zoom meeting at 4:00 p.m. on December 20.

IV. Adjournment: 8:45 pm

**Planning Commission
MINUTES - Regular Meeting**

**December 8, 2021
City of Hagerstown, Maryland**

1/12/2022
Date _____



for Amy Haught, Administrative Coordinator