



City of Hagerstown, Maryland
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MINUTES - HAGERSTOWN PLANNING COMMISSION

Date: June 29, 2022
Time: 7:00 p.m.
Location: City Council Chambers, Second Floor, City Hall, 1 East Franklin Street
Attendance:

Name	In-Person	Remote	Absent
Douglas S. Wright, Chairperson			X
James W. Stone, Vice Chairperson	X		
Judy Wheeler			X
Ronald Thomas	X		
Christina Davis	X		
Tamara Martinez	X		
Shelley McIntire, Ex-Officio	X		
Staff:			
K. Maher, Director, PCAD	X		
S. Bockmiller, Development Review Planner and Zoning Administrator	X		
Vacant, Planner			
Vacant, Recording Secretary			

Preliminary Matters:

- Call to Order and Instructions from the Chair** - The Vice Chairperson called the meeting to order at 7:09 p.m. Attendance of members and staff are reflected in the chart above.
- Approval of Minutes** – June 8, 2022. Mr. Thomas noted that on page 2, at the bottom, a word is missing and should read “Mr. Thomas *made* a motion...” Since some members of the Commission had not had a chance to review the draft minutes, Ms. Davis moved to **table** review of the minutes of June 8, 2022 until the meeting of July 13. Ms. McIntire seconded the motion which **passed** by a vote of 5-0. Staff stated that the correction noted by Mr. Thomas would be included in the draft forwarded as part of the next meeting’s package.

Development Review:

- Western Heights Middle School Driveway** – 1350 Marshall Street – (ZS-2022-04) - Request for reconsideration of a condition of approval pertaining to a sidewalk along the proposed new driveway; Engineer: A. Myers, Frederick, Seibert and Associates.

Rob Rollins, representing the Board of Education thanked the Commission for the opportunity to address the condition regarding the sidewalk. He stated they reviewed the situation carefully, and the Board of Education staff believes installing a sidewalk along the proposed driveway is premature at this time due to safety reasons. The project is intended to force walkers on the south side of Marshall Street to walk to a crosswalk staffed by a crossing guard a little further to the east. The project also separates busses, cars and pedestrians. Putting a sidewalk in would encourage shortcuts, with children crossing Marshall Street without benefit of a crossing guard. He stated that the Board is not averse to putting a sidewalk in later after the project is complete and the Kilpatrick Woods subdivision is under construction and they have a chance to observe new pedestrian patterns. In the short term, it is his view that the sidewalk actually works against student safety. Fred Frederick with Frederick, Seibert and Associates explained the proposed changes associated with the plan on air photos.

Action: After discussion, Mr. Thomas made a motion to **remove the cited condition** from the approval of the site plan, on the understanding that the Board of Education will monitor the situation after construction and as Kilpatrick Woods develops. Ms. McIntire seconded the motion. There being no further discussion, the motion **passed** by a vote of 5-0.

2. **Hagerstown Field House** – 290 East Memorial Boulevard - (no file number assigned) - ESD Sketch Plan - Engineer: K. Moore, Frederick, Seibert & Associates.

The summary memorandum, which is in the meeting file, was presented by Mr. Bockmiller and the City Engineer's comments were entered into the record. The Applicant was represented by Keith Moore of Frederick, Seibert and Associates. Mr. Bockmiller explained the process by which the required parking for this use will be calculated since there is no comparable use in Section O (parking requirements) of the Zoning Ordinance. He stated that he believes that the parking shown is in the general ballpark of what the final parking requirement will be, but it is too early in the review process to determine what the exact number of required spaces will be.

Members of the Commission expressed concern over parking issues if the building were to be used for events other than what is planned (two soccer fields, four basketball courts and associated uses), such as trade shows, concerts, etc. Staff explained that if that is part of the plan, it would have to be described on the plan and the building would have to be built to Building Code requirements for assembly uses. Mr. Moore explained that this issue was discussed "in house" and there is no intention of using the building for anything other than the indoor field sports activities described. The building will be partitioned on the interior which would make use of the building for such things as concerts or trade shows difficult. He also stated that parking would be designed per Institute of Transportation Engineers standards. Staff was concerned with the landscaping of the parking area initially, but upon review of better illustrations and additional discussion with Mr. Moore, staff is less concerned and believes the design of the parking area can meet the letter of the landscaping requirements of Article 5, or substantially meet those requirements with minor waivers and offsetting alternative commitments. Mr. Moore stated that other than a sidewalk, the new parking lot will not go closer to Memorial Boulevard than the existing parking lot and existing street trees will be retained.

Action: After discussion, Ms. Davis made a motion to **approve** the ESD Sketch Plan, permitting it to move forward to the Development Plan stage. Ms. McIntire seconded the motion. There being no further discussion, the motion **passed** by a vote of 5-0.

3. **South End Investors** – 1107 Maryland Avenue - (S-2022-11) – Subdivision Plat for One Lot for Existing Bank Building - Engineer: E. Schreiber, Frederick, Seibert and Associates. The summary memorandum, which is in the meeting file, was presented by Mr. Bockmiller. The Applicant was represented by Fred Frederick of Frederick, Seibert and Associates. Staff noted that approval from the Health Department has been received since reports were forwarded to the Commission in advance of this meeting.

There was no discussion by the Board on this matter.

Action: Ms. McIntire made a motion to **approve** the plat, subject to compliance with remaining comments provided by Planning staff, the City Engineer and the Water Department. Ms. Davis seconded the motion. There being no further discussion, the motion **passed** by a vote of 5-0.

4. **5 Star Auto Spa** – East Side of Eastern Boulevard, South of Dual Highway – (no file number assigned) – ESD Sketch Plan – Engineer: Chris Waddell, JHA Companies.

The summary memorandum, which is in the meeting file, was presented by Mr. Bockmiller and the City Engineer's comments were entered into the record. The Applicant was represented by Chris Waddell of JHA Companies.

Mr. Bockmiller stated he received follow-up communication from Kevin Wagner with the Maryland Department of the Environment, who opined that a formal variance from the requirements of the Floodplain Management

Ordinance for the floodplain setback will not be required provided the applicant provides an adequate explanation of why compliance with the setback is impossible or damaging to development potential of the site in the site plan process. Staff recommended requiring the applicant to revise the sketch plan prior to the Commission approving it due to the issues with widening the street right of way, design of parking and absence of landscaping buffers along Eastern Boulevard and absence of sidewalks along portions of the development area. Staff also stated that given that most of the development area is currently paved, the applicant would likely qualify for a waiver to the requirements of the Forest Conservation Ordinance if a "Declaration of Intent" is filed with the site plan application. Regardless, planting trees in the floodplain that are not forested and where grades and soil conditions permit should be required. Street trees will be required as part of the landscaping plan regardless.

Mr. Waddell stated that the applicant would be okay with dedicating additional street right of way to regularize the right-of-way/property line along Eastern Boulevard, and would build sidewalks along the entirety of the development adjacent to Eastern Boulevard. He also stated they would redesign the circulation and parking to comply with the required buffer and landscaping requirements to the letter, or as close as possible. He requested that the Commission approve the plan, allowing them to move forward to site plan submission, on the understanding that the issues discussed have been made clear to them and would be addressed in the site plan submission. Staff had no objection. Mr. Waddell also provided artist renderings of what the exterior of the building would look like.

Action: After discussion, Mr. Thomas made a motion to **approve** the ESD Sketch Plan, subject to the issues of expanded street right of way, installation of sidewalks and redesign of the parking and circulation area to provide the requisite buffer and landscaping along Eastern Boulevard, permitting it to move forward to the site plan stage. Ms. Davis seconded the motion. There being no further discussion, the motion **passed** by a vote of 5-0.

Consultations and Workshops:

None.

Planning Commission Business:

Board of Zoning Appeals agenda for July 14, 2022 – Meeting was canceled since no applications were received. Therefore, the Commission had no appeals cases to review.

Adjournment:

There being no further business, Mr. Thomas moved to adjourn the meeting and Ms. Davis seconded the motion which passed by a vote of 5-0 and the meeting was adjourned at 8:20 p.m.



Stephen R. Bockmiller, AICP
Acting Recording Secretary

7/13/22