



CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

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PLANNING COMMISSION MEETING MINUTES

Date: February 8, 2023

Time: 7:00 p.m.

Location: City Council Chambers, Room 407, 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		
Shelly McIntire, Ex-Officio	X		
Staff			
K. Maher, Director, PCAD	X		
S. Bockmiller, Development Review Planner and Zoning Administrator	X		
J. Wu, Planner	X		
M. Revilla, Recording Secretary	X		

Call to Order and Instructions from the Chair -

The Chair called the meeting to order at 7:07 p.m.

Approval of Minutes -

None.

Development Review -

S-2021-10 – Kilpatrick Wood Section 1 – South side of Marshall Street – Reapprove subdivision plat - (G. Poffenberger-Fox & Associates)

Mr. Bockmiller informed the Commission that this is a plat that was not recorded within 180 days of Planning Commission approval as required by Article 5 of the Land Management Code. There were some supporting documents that didn't get reviewed. Other than adding one minor note, the plat is as it was reviewed by the Commission in mid-2022. Nothing has changed in the City's Ordinances that impacts the plat. Staff recommended approval.

Motion- After some discussion, Ms. Davis moved to approve the re-approval of the plat. Ms. McIntire seconded. The vote passed unanimously with a vote of 7-0-0.

S- 2023-01 - O' Sick Family Joint Trust and Penny Mart – 245 North Potomac Street – Final plat – G. Nagel-Fox & Associates) - To implement conditions of approved Local Conversion overlay district.

This plat is for the combination of two properties as required by the conditions of the approval of a Local Conversion Overlay District approved by the Mayor and City Council regarding this property. The parking and the building were on separate properties and are being combined to ensure that the parking remains available for and on the same property as the building. Staff recommended approval, subject to conditions, (correcting one minor typographical error) provided by Planning. And the Light Department, (the pole numbers be added to identify specific utility poles).

Motion – Ms. Wheeler moved to approve subject to the conditions of the Planning and Light Departments. Ms. Davis seconded. The vote passed unanimously with a vote of 7-0-0.

SA 2022-05 – Penny Mart – 245 North Potomac Street, Minor site plan – G. Nagel-Fox & Associates) - To implement approved local Conversion overlay district.

This property received approval for a local conversion overlay from the Mayor and City Council. The storefront, formerly occupied by Wertman Photography will be occupied by a convenience store.

One of the requirements of this process is for a site plan, even when site conditions will change little is to make improvements to the property to enhance the streetscape.

The proposed improvements include replacing the front door with a double door consistent with the display windows, new signage, and proposing some landscaping treatment to area in front of the storefront. This last item was required in order to soften the mass of paving that occupies all space between the storefront. The applicant proposed to remove an area of concrete under each of the two front commercial windows and install planting beds.

The applicant requests approval of an alternate landscape plan, since existing conditions prohibit compliance with essentially all of the requirements of the Ordinance on that issue. Staff supports this request as logical. Also Article 5, Section l.1.b states "The minor site plan shall meet all those requirements made of site plans submitted under Subsections l.1.c and l.3 below for Planning Commission review, unless specific plan requirements are waived by Zoning Administrator, given the simplicity of the proposal or plan. The Zoning Administrator or applicant may require Planning Commission site plan review and approval as provided for in this chapter." Given that the only real changes to the site plan are the planting beds and restriping and signage of the parking lot. The Zoning Administrator waived all content requirements except for the materials found in this submission.

The Historic District Commission has reviewed and approved the plans for the signage and door replacement. Review of the planting bed proposal is placed on that Commission's agenda for February 9. Given the simplicity of the request, Staff intends to have this request placed on "consent agenda".

Staff recommends approval, subject to the following conditions:

1. The fluorescent tube lighting recently installed under the eaves over the storefront without review and approval by the Historic District Commission be removed before occupancy is permitted.
2. Securing approval of the site plan by the Historic District Commission (scheduled for February 9).
3. Compliance with the condition cited by the Chief Code Official to address the handicapped parking signs.
4. Compliance with any conditions forthcoming from the remaining agencies prior to the meeting.

Staff also recommends that a motion to approve include a statement that if the applicant decides to add low-level ornamental fencing that is compliant with the Zoning Ordinance and approved by the Historic District Commission in order to define the edges of the proposed planting beds under the storefront windows, amendment or revision of this site plan will not be necessary.

Motion- Mr. Stone moved to approve subject to conditions 1-3 and also permitting staff approval of low level fencing, and Ms. Davis seconded. The vote passed unanimously by 7-0-0.

Workshops –

S 2022-20 – Alter Lots at 1115 and 1119 - Pennsylvania Avenue, regarding driveway access.
(Gordon. -Fox & Associates)

Planning has received this minor plat for processing. It is for the reconfiguration of the interior lot lines between two existing lots. The intention is to build a two-family dwelling on each lot. There will be four dwelling units total across two lots. As currently configured one lot is not large enough to permit a two-family dwelling. Therefore, the plat will result in a potential increase in units by one. The plan is to have side-by-side duplex units with a single car garage. Garages cannot be counted toward required parking. The plan shows four separate single-width driveways with a turnaround for each. Given that these lots face an arterial street (Pennsylvania Avenue), the City Engineer's standards require a turn around on the property so vehicles don't back into such a busy street. The single width arrangement does not provide two spaces that can use the turnarounds for exiting the properties. Amending the driveway plan will result in even more paving in the front yards of these homes. Staff will defer approving the plat with that design to the Commission.

Gordon Poffenberger explained that the plan proposed moving the property lines in order to accommodate both zoning regulations as well as to provide ample parking. The rear yard is desired to be space for kids to play. He provided an alternate plan to involve setting back the houses a bit in order to achieve the required outcome. The Commission stated the alternate plan was acceptable.

New Business –

Proposed text amendment regarding Local Conversion overlay districts -

Dr. Ecklund is seeking to extend his building at the front of the property. Current language in the Land Management Code specifies that additions shall be located in the spaces least visible to the general public. However, there are no viable options to extend on other sides except for the front. Therefore, Dr. Ecklund is requesting to amend Article 4, Section J.3.i (1) to be able to construct an addition on his property that complies with the current Zoning Overlay District. The Commission had no objections to this amendment to the Land Management Code. The next step is the public review meeting scheduled for March 29, 2023 at 7:00 p.m.

Special Meeting-

Mr. Bockmiller advised he would like to request a special meeting to discuss the Fieldhouse and possibly other cases prior to the March 8th PC meeting.

Old Business –

None.

Announcements –

2022 Annual Land Management Code Amendment Package

Hank Brown of Blackthorn Capital Partners requested the wording on the proposed provision about dwelling types in the N-MU district not apply to properties under 5 acres in areas as it will make them hard to develop. The Land Management Code requires that additions on Local Conversion Overlay properties be on the least visible side of the existing building. The Commission directed staff to advise the Mayor and Council that it endorses this adjustment.

Adjourn –

With no further discussion, the meeting adjourned at 8:02 p.m.

A handwritten signature in cursive script that reads "Mary Revilla". The signature is written in black ink and is positioned above a horizontal dashed line.

Mary Revilla, Recording Secretary