



CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

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PLANNING COMMISSION SPECIAL MEETING MINUTES-DRAFT

Date: February 24, 2023

Time: 3:00 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 3:05 p.m.

Approval of Minutes -

None.

Development Review -

S-2023-02- Lyles Property, West Side of Emmert Road, south of Hebb Road and east of Beaver Creek Road – Approval of a simplified plat – (E. Schreiber – Frederick, Seibert & Associates).

This property is in the RH (Residential High Density) zone and consists of 31.604 acres located on the west side of Emmert Road, northeast side of Beaver Creek Road and just south of Hebb Road.

The property owner plans two different products on this site with plans to sell off land to separate developers of the two products. This simplified plat creates Lot 1 (13.23 acres) on the north side of the tract to be conveyed in the future to a third party for a proposed multi-family dwelling development. The remaining Lands (18.37 acres) on the south side of the tract to be conveyed to a developer for a planned townhouse development. With this plat, Lot 1 will have frontage on Emmert Road for the future multi-family development and the remaining lands will front Emmert and Beaver Creek Road.

Staff explained the glitch in the subdivision ordinance that requires this plat to be reviewed by the Planning Commission when it should have been staff approved.

David Trostle was present to answer any questions regarding the plat plans.

Motion- Having no questions, Ms. Davis made a motion to approve and Ms. Wheeler seconded the motion. The motion passed by a vote of 4-0-0.

ZS-2022-08 – City of Hagerstown, 290 East Memorial Boulevard – Site plan and forest conservation plan for the construction of an indoor athletic facility – (K. Moore – Frederick, Seibert & Associates).

The applicant seeks approval of a site plan for the construction of the proposed indoor turf sports facility to replace the former Municipal Stadium. The property is 9.38 acres in area and fronts Memorial Boulevard, Eastern Boulevard and Cannon Avenue. The building will be 95,583 square feet with a planned future addition of 16,878 square feet. The proposed 400 parking spaces meets minimum ordinance requirements for the building at full build-out.

Forest conservation compliance is being calculated based on only those areas that were previously not impervious when the stadium stood. This project is not including those areas that were previously impervious (mostly the parking lot) within Forest Conservation Plan which would be exempt. An area of 3.49 acres was determined to be in need of complying with the ordinance, and planting requirement is 0.52 acres. They propose to meet this requirement with the planting of 22 street trees.

The applicant showed landscaping plans that require a number of waivers, and they have checked the second box on Schedule A (“Complies but will be requesting certain waivers”). Given that this is the retrofitting of an existing parking lot and land within the Memorial Boulevard right of way will be used to meet on-site landscaping requirements, rather than craft a list of necessary waivers, staff recommended that the Commission review and approve it as an “alternate landscaping plan”.

Keith Moore addressed plans regarding flooding issues by way of run off into Antietam Creek as well as parking and storm water management plans.

Motion- Ms. Davis moved to approve the forest conservation plan. Ms. Wheeler seconded the motion. The motion passed with a vote of 4-0-0.

Motion- Ms. Davis moved to approve the alternate landscaping plan and site plan subject to engineer's comments. Ms. Wheeler seconded the motion. The motion passed with a vote of 4-0-0.

SA-2023-01– **City of Hagerstown, West side of Summit Avenue at Sycamore Street**, - Site Plan for a park(**Clara Barton Memorial**) - (R. Tissue - City Engineer - City of Hagerstown).

Background -

The City has submitted a site plan for a park to commemorate and honor Clara Barton. This memorial will be on a 0.39 acre parcel at the intersection of Virginia Avenue and Summit Avenue and connects to the existing Cultural Trail. The site plan will also delineate and define 7 on-street parking spaces. A landscaping plan has been submitted with the site plan application. The project is not subject to the requirements of the Forest Conservation because the involved area is less than 40,000 square feet.

The City Engineer spoke about plans for improvements such as sidewalks, brick plaza around the park, Clara Barton sculpture as well as other artwork, shade structures from the cultural trail, and site lighting.

Staff Recommendation -

This project was processed as a minor site plan, but was presented to the Planning Commission for approval as the project will be a significant and visible public improvement.

Motion- Ms. Davis moved to approve with no conditions and Ms. Wheeler seconded. The motion was passed by a vote of 4-0-0.

SA-2022-09- **Carlo Spinelli - 734 Potomac Avenue**, Minor Site Plan with waivers for an alternative landscaping plan for a pizza carryout business - (A Hager - Frederick, Seibert, and Associates). This plan is for the reuse of the long-unoccupied building on the east side of Potomac Avenue at the railroad crossing. The use will be a carry out restaurant with no seating (pick up and delivery only). Given the constrained nature of the site, the applicant sought approval of an alternate landscaping plan. This includes a 6-foot screening fence enclosing the rear yard and up to McComas street – in part to deter trespassing. Staff notes that no elevation of the fence is provided in the plan and should be added as a detail to the plans. The Commission can approve fencing up to the right of way with no outside landscaping as part of the alternate landscaping plan, but the Ordinance does prohibit chain link fences within 25 feet of the street and this cannot be waived by the Commission. The fence within 25 feet of the street will have to be a privacy fence or open ornamental fence, but chain link is prohibited. Also, per discussion with the City Engineer's office and a nearby property owner, they propose not installing sidewalk along McComas Street, and this will require a waiver. The City Engineer supports this request due to the issue of truck egress from the Foltz facility to the rear of this property.

A dumpster enclosure is proposed, traffic circulation will be one way with an entrance on McComas Street and exit on Potomac Avenue. Shrubs were proposed along McComas Street and along the sidewalk on Potomac Avenue. No trees or landscaped islands (other than the strips necessary to plant the shrubs) were proposed. Given the limitations of this site and the need to formalize the parking and traffic flow situations, staff supported this alternate landscaping plan.

Adam Hager explained what adjustments were to design in working with City Engineering to include removing asphalt, widening the turning radius at the intersection, and an alternate landscaping plan.

Motion- Ms. Davis moved to approve the alternative landscaping plan, Ms. Wheeler seconded. The motion passed by a vote of 4-0-0.

Motion- Ms. Davis moved to approve the minor site plan, Ms. Wheeler seconded. The motion passed with a vote of 4-0-0.

No File Number- Eddie Smith - 10 Hump Road - ESD Sketch Plan for a towing facility – (D. Horst – Frederick, Seibert & Associates).

Mr. Bockmiller presented the sketch plan describing the following :

1. The site is large enough where the development is subject to the Forest Conservation Ordinance.
2. There are specific fencing and landscaping standards for facilities that are used for the storage of vehicles. Recent examples in the City of using cloth zip-tied to chain link fencing have proven inadequate to screen the use from surrounding properties and adjacent streets. The project Engineer will need to pay specific attention to the fencing and landscaping of this facility to meet the current requirements of the Ordinance and staff will be considering this issue diligently when reviewing the site plan when it is submitted.
3. Given this is a vacant lot, all requirements of the Land Management Code for the development of this site should be met without waiver.
4. There is fencing and gravel on this site that was approved via a minor site plan in 2020, using the existing extensive perimeter vegetation to screen the use. These improvements shall be Shown on the site plan as proposed and brought up to current site plan expectations or removed from the site and condition in those areas returned to pre-construction conditions.
5. They will need to demonstrate that this property owner has permission to access the driveway on the adjacent property to the south through existing or newly obtained access easements.

Staff recommends approval of this plan however, staff asks that you comment to the applicant on the importance of ensuring that this use is effectively screened and buffered from all sides as these uses often become eyesores to the public and surrounding property owners.

Adam Hager provided information regarding landscaping, screening, storm water management as well as the requested waiver for the sidewalk.

Motion- Ms. Davis moved to approve the sketch plan subject to the condition there be screening added as mentioned in the memo. Ms. Wheeler seconded the motion and the motion passed with a vote of 4-0-0.

Workshops –

None.

New Business –

Ms. Maher announced she received Doug Wright's resignation and that March 8, 2023 is his last meeting as a member of 35 years, and 30 years as a chairman.

Old Business –

None.

Announcements –

None.

Adjourn –

With no further discussion, the meeting adjourned at 4:07 p.m.



Mary Revilla, Recording Secretary