



# CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

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## PLANNING COMMISSION MEETING MINUTES

Date: Wednesday July 26, 2023  
 Time: 7:00 p.m.  
 Location: Room 407, City Hall, 1 East Franklin Street  
 Attendance:

Name	In-Person	Remote	Absent
Christina Davis, Chairperson	X		
James W. Stone, Vice Chairperson	X		
Judy Wheeler	X		
Ronald Thomas	X		
Tamara Martinez	X		
Sean Flaherty			X
Matthew Schindler, Ex-Officio	X		
<b>Staff</b>			
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 –

The Chair called the meeting to order at 7:12 p.m.

### Call to Order and Instruction from the Chair –

#### Public Review Meeting –

**ZT-2023-02** – Eleven amendment proposals to the Land Management Code regarding various subjects.

Mr. Bockmiller explained, Attached is the revised packet of text amendments per your direction provided at the meeting of June 28. Only two of the eleven provisions had corrections ordered.

Proposal 8 – update to include ATM machines on the prohibition of vending machines on non-commercially zoned properties. Entirely new wording is added to this proposal to address this issue.

Proposal 13 – update to permit a logo or seal instead of the name of a business or institution permitted in up to 40% of an exempt freestanding banner.

I did make some updates to a few of the justification sections on various proposals. But, I do not enumerate them here as they are instructional and not actual proposals.

#### Next Steps

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At a subsequent work session, consider any public testimony from the public review meeting and any concerns of the Commission and forward a recommendation to the Mayor and Council in August. The record will be left open for 10 days.

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Joseph Jefferson, a local resident of Hagerstown submitted comments regarding recreational structures, play sets and other items stored in the front and back yards. His testimony will go on record.

Staff recommends adding to amendment proposal number 2023-06 page 5 item B the sentence that states " This provision does not apply to units added after the original construction of the building.

*Mr. Stone made a motion to keep the record open for ten days, Mr. Thomas seconded. The motion passed with a vote of 6-0-0.*

*Public review meeting closed.*

ZM-2021-01 – 4 Cypress Street – Everett Ecklund - Amendment of a previously adopted Local Conversion District Overlay to change uses and permit an addition on the front of the building.

Public Review meeting opened at 7:40 P.M.

This is the Public Review Meeting to amend the Local Conversion District at 4 Cypress Street filed by Ecklund Family LLC.

Attached is the application for the requested amendment with plans for the renovations and site improvements, as well as the approved ordinance for the 2022 local conversion district, ZM-2021-01.

**Prior Approval**

The Local Conversion District was approved on May 24, 2022, and became effective on June 24, 2022. The property was an existing mixed-use building located on the corner of Cypress Street and Potomac Avenue. It was occupied by one dwelling unit and one office space. The applicant received approval to add a parking lot, to retain one dwelling unit, and to expand the permitted commercial uses for that office space to include the following uses:

- professional offices.
- administrative support offices.
- business and professional offices.
- ambulatory health care services; and
- scientific and technical services.

**Requested Amendment**

The applicant requests the following changes to the approved Local Conversion District:

To replace the 2<sup>nd</sup> floor dwelling unit with administrative support offices and storage, so the building would be 100% commercial and place a small addition on the front of the building 14 feet

from the Cypress Street right-of-way for the purpose of enclosing the exterior staircase and adding a hallway and patient restroom..

All of the requirements for a Local Conversion District would still be met with this proposed change, as the building was built for mixed-use on non-residential uses prior to March 7, 1977, and is oriented to the street, the property is below 20,000 square feet in area, no outdoor storage or vending machines are proposed, and enhancements are proposed to the building and the site. The addition of a parking lot improves the situation for the neighborhood, since it removes or lessens competition for on-street parking.

With the May 23, 2023, amendments to the Land Management Code, the proposed addition on the front of the building is now permissible in a Local Conversion District. Previously, any addition needed to be placed in a location least visible from the street.

Dr. Everett Ecklund, of Ecklund Family LLC, spoke of all the intended improvements to the building that are planned as well as all the goals and achievements in providing dental services for the City of Hagerstown residents to achieve good oral hygiene.

Jim Little, of 8 Cypress Street Had a question regarding the actual address of the Dental Office as well as complained the landscaping is not being kept up currently and needs to be addressed.

Brenda Little also stated the parking in the back needs to be addressed due to currently while the Dental Center is not open the parking is out of control and the renters are having problems because of it.

Mr. Stone made a motion to keep the record open for 10 days, Mr. Thomas seconded. The motion passed with a vote of 6-0-0.

#### Approval of Minutes –

Approval of minutes from meetings of July 12, 2023.

Mr. Thomas Made a motion to table the minutes of July 12, 2023, until the next meeting Mr. Schindler seconded. The motion passed by a vote of 6-0-0.

#### Plan Review –

ZS-2022-16 and S-2022-19 – Sheetz at Longmeadow Shopping Center, 1501 Potomac Avenue – Site plan, subdivision plat, and waiver.

This project will result in the demolition of the former Sears department store building, to be replaced with a Sheetz convenience store and gas station. A new right-in-only would be added to the Potomac Avenue frontage. Otherwise, access will be via the existing various points of access to the shopping center.

Please note that given this property is currently almost entirely paved, they request approval of their Declaration of Intent, as an exemption to the forest conservation ordinance, and staff supports this request. It is standard practice to approve them under the same or similar conditions.

Page 5 of the site plan shows cross sections showing the site in relationship to the residential area across Northern Avenue from this site. The building and canopy will be lower than the roadbed of Northern Avenue, and there will be retaining walls and steep landscaped areas between the building and canopy

and the street. Therefore, there should be no issue of light spill over on this site, and a photometric plan is provided. This is different than the Sheetz on Eastern Boulevard, where they were required to not back-light the rear of the canopy, since there was no advertising benefit to it as the only thing behind the site was residential. Here, there is an existing, intervening four-lane road, so there is no expectation of the area between the use and the residential area to the south to mask its commercial appearance.

The applicant seeks a waiver for the provisions provided in the attached application and its appended justifications. Staff recommends approval.

A plat is also provided for your approval, which would sever this lot from the rest of the shopping center in order for Sheetz to own their site.

These plans were reviewed by the PRC on December 22, 2023. The following agencies have provided approvals: Fire Marshal, Electric, Water and Wastewater and Potomac Edison. Planning and the City Engineer anticipate having approvals or conditional approvals in place in time for your meeting.

Staff recommends approval of the waiver, and approval of the plat and site plan, subject to any conditions forthcoming from Planning and from the City Engineer.

Jackson Gardner of Sheetz corporation, provided details of landscaping, entrance way, lighting, and overall improvement plans for the site.

Mr. Stone moved to approve the waiver based on criteria B, C, AND E. The motion passed with a vote of 6-0-0.

Ms. Wheeler moved to approve the site plan as proposed. Mr. Thomas seconded. The motion passed with a vote of 6-0-0.

Mr. Schindler moved to approve the Subdivision Plat; Ms. Martinez seconded. The motion passed unanimously with a vote of 6-0-0.

#### Workshops –

None.

#### New Business –

None.

#### Old Business –

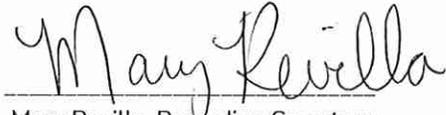
None.

#### Announcements –

Jim Bender has accepted the position as City Engineer.

Adjourn –

Mr. Stone moved to adjourn, and Mr. Schindler seconded. The meeting adjourned at 8:20 p.m.

  
Mary Revilla, Recording Secretary