



CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

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PLANNING COMMISSION MEETING MINUTES

Date: Wednesday July 31, 2024
 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		
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 Instruction from the Chair –

The Chair called the meeting to order at 7:04 p.m.

Approval of Minutes –

Approval of Minutes of July 10, 2024, and July 12, 2024.

Motion – Ms. Wheeler moved to approve the minutes of July 10, 2024, with no changes. Mr. Schindler seconded. The motion passed by a vote of 4-0-1. Mr. Flaherty abstained.

Motion – Mr. Wheeler moved to approve the minutes of July 12, 2024, with no changes. Ms. Martinez seconded. The motion passed by a vote of 4-0-1. Ms. Davis abstained.

Consent Agenda –

Fence-2024-94 – WSP USA Environment & Infrastructure – 601 Mitchell Avenue – Fence.

The applicant seeks to replace the existing six-foot fence - which was constructed up to the right of way and property lines - with an 8-foot fence. This would preclude the installation of any buffering or landscaping outside of the fence. The Ordinance requires a 10-foot landscaped buffer outside of such fences in the commercial zoning districts.

The applicant seeks a waiver to reduce this requirement based on criteria c (alternative proven by the applicant to provide equal or better results) and d (more in the public interest than would occur if the modification were not granted). The fence is needed to the property line due to environmental issues and accessing all the areas in need of remediation.

Motion – Ms. Wheeler made a motion to approve the consent agenda. Mr. Flaherty seconded. The motion passed with a vote of 5-0-0.

Development Review –

C-2024-01 – Virginia Commons Phase II – Virginia Avenue – (A. Myers) FSA.

This plan is for a 372-unit, single-family detached dwelling subdivision in the RMOD Zoning District. The plan shows various amenities, including an extensive walking trail network, tot lot, and urban open space areas oriented to the fronts of homes. They incorporate pocket parks and some rear-loaded elements in accordance with the Comprehensive Plan's and Land Management Code's guidance toward more urban design in subdivisions. Access to the site will be via two connections to Phase 1 of the development, a boulevarded entrance from Virginia Avenue and an entrance point on Oak Ridge Drive.

Staff offers the following comments:

1. We applaud the developer for incorporating design elements consistent with the models observed in the Commission's research on creating more appealing and sustainable subdivision design.
2. The property to the east is zoned industrial. While there is a large building setback requirement on that property due to its being adjacent to residential zoning, staff advises the applicant in this case to pay close attention to the design and landscaping of this project as it relates to the adjoining industrially zoned land.
3. Staff is concerned with the use of the open space area for stormwater management where the fronts of houses on lots 317-324 and 185-189 front. The use of this relatively narrow area for a five-foot deep stormwater management area appears to be inconsistent with the design and use intent of the Ordinance, unless they can clearly demonstrate that it will be significantly landscaped and provided with amenities which will make the area very attractive, and part of the formal open space design as required by the Ordinance. Otherwise, the capacity in this area should be moved elsewhere and the open space flattened out for use and maximum aesthetic appeal.
4. There is a plat currently pending to add pieces of the southern edge of the site to adjacent property owners along Oak Ridge Drive. This plan should be amended to reflect this.
5. To the degree driveway accesses do not conflict, staff suggests that the applicant should explore the use of small roundabouts within the development, rather than stop sign-controlled intersections. The Commission may want to discuss this with the applicant. They can be designed within the 60-foot rights of way shown on this plan. There are text amendments currently pending in the 2024 Land Management Code package that encourages and prioritizes their use, however, to be clear, this is not required now, and will only be identified as a preferred approach if adopted, with the Commission still being able to approve a design using stop signs upon request by the applicant.

County Planning had some concerns with street names. Staff will not put final signatures on the sketch plan until we receive word from the County that this is resolved.

Trevor Frederick, Vice President of Frederick, Seibert, and Associates, explained the plans for landscaping, storm water management, and alternate traffic calming "speed humps" taking place of roundabouts.

Ms. Davis asked staff if there was an example of a development in the city that had traffic calming more conducive to what the Fire Marshal would like than a roundabout. Mr. Bockmiller confirmed there was one on Summit Avenue.

Motion – Ms. Wheeler made a motion to approve the sketch plan subject to obtaining approval from the Health Department any forthcoming conditions from the Light Department and direction regarding the five points cited by Planning. Mr. Flaherty seconded. The motion passed with a vote of 5-0-0.

ZS- 2024-01 - Eckstine – 1260 Maryland Avenue – (T. Frederick) FSA.

This site plan is for fill and mass grading of an area for future development. No building is proposed. The disturbed area is 39,280 square feet. Access to the site will not change.

Given that this plan is barely under the 40,000 square foot threshold for the Forest Conservation Ordinance to apply, and the level of disturbance does not extend all the way to property lines, but any site plan in the future very likely would include disturbance all the way to the property lines, and the fact that the area impacted is mostly wooded, staff required the applicant to address forest conservation at this time. Otherwise, the cumulative effect of this site plan and one for the development of the site would have activated forest conservation ordinance compliance, but after the trees are removed without review. The applicant has complied with this requirement and shows 0.42 acres of street tree canopy (provided by 7 street trees) meeting the Ordinance's requirement for 0.41 acres of planting.

The applicant also seeks a waiver to the require meant for providing public sidewalks along Maryland Avenue. There are no other sidewalks along Maryland Avenue in this area. The nearest sidewalk is adjacent to the South Hagerstown High School stadium. They cite criteria b (avoids unreasonable requirement). Staff offers no recommendation on this request.

Typically, staff's position is that over time, redevelopment in the area and public investment will knit together the needed sidewalk and it should be provided. However, in this case, there is nothing in the area with little expectation for redevelopments to occur in the immediate vicinity.

Ms. Martinez was wondering where the exact location of the property is to be cleared. Mr. Frederick showed the location on the drawing.

Motion – Ms. Wheeler made a motion to approve the sidewalk waiver per criteria b. with the requirement that this approval is only for the grading plan. Ms. Martinez seconded. The motion passed with a vote of 4-1-0. Mr. Schindler voted against it.

Motion - Ms. Wheeler made a motion to approve the site plan and forest conservation plan. Mr. Flaherty seconded. The motion passed with a vote of 5-0-0.

Workshops –

None.

New Business –

Review of Board of Zoning Appeals Agenda.

On August 13, the Mayor and City Council will hold a workshop discussing the status of the Historic District Commission.

Old Business –

Health Department Update – For city developments, the Health Department has resolved some issues with the water and sewer allocation. Instead of the initial requirement of having W1 and S1 classification, properties will need to have W3 and S3 classification in the county Water and Sewer Plan to be served.

Announcements –

None.

Adjourn –

Ms Wheeler moved to adjourn, and Ms. Martinez seconded. The meeting was adjourned at 8:00 p.m.



Mary Revilla, Recording Secretary