



# CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

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## PLANNING COMMISSION MEETING MINUTES

Date: Wednesday February 12, 2025

Time: 4:00 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
Fred Nugent	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 and Instruction from the Chair –

The Chair called the meeting to order at 4:03 p.m.

### Introduction of the new Commission Member –

The Chair introduced the newly appointed member, Fred Nugent.

### Regular Meeting –

ZM-2024-04 – Doub Farm – PUD-R Overlay – Fox & Associates. – Follow up discussion to public review meeting held on January 29, 2025.

The Planning Commission conducted its public review meeting on January 29 and left the record open for 10 days for follow-up comments to be submitted by interested parties. One email has been received, which asked questions of staff than provides additional comments. Approximately 21 people provided comments (other than the applicant's representatives). Relative points are summarized below:

1. Residential development will adversely affect school capacity.
2. The proposal shown does not follow the ordinance requirement of a PUD-R stating that the overlay should be "predominantly non-residential and mixed use in character and land use."

3. The appropriateness of Landis Road supporting 400 homes and 25,000 square feet of commercial in Phase 1.
4. Water and wastewater utilities will be impacted.
5. The lack of an environmental impact statement.
6. A buffer be provided for the adjacent condominium development and the house of worship.
7. The access to the commercial property at the end of Day Road will be affected.
8. The concern that existing wells and septic systems may be damaged during development.
9. Concern for the development becoming primarily rental units.
10. The absence of sidewalks in the area.
11. A citizen suggested a roundabout be installed at the entry onto Landis Road as a means of traffic calming.
12. Single-family homes along Landis Road will be much smaller than the ones on the north side of the road.
13. Concern that tractor trailers will cause traffic on Landis Road to access the commercial/industrial section of the development.
14. Potential alternatives to this development
15. Some residents in the adjacent condominium development expressed concern that they did not receive notice of the public review meeting.

Based on the testimony provided and the record created, if the Planning Commission decides to recommend approval of this proposal to the Mayor and City Council staff recommends the following revised conditions be attached:

1. Proposed amendments to the annexation agreement must be approved by the Mayor and City Council before an ordinance for the PUD-R overlay can be introduced. If the amendments are not approved, the zoning exhibit/land use plan in this case would have to be adjusted.
2. The owners of the properties through which the planned right of way of the connector road to Dual Highway passes shall petition the City for annexation of those properties in their entirety. An agreement regarding dedication of future right of way of the proposed connector road shall be entered into with the City. The annexations shall be initiated before the first development plan or site plan is submitted for development within this tract. The agreement regarding future right of way shall be completed prior to approval of a development plan or site plan.
3. Commitments and guarantees, in the form of bonds, letters of credit or other form acceptable to the City, be in place to ensure that the connector road from Dual Highway be completed within a reasonable time after build-out of Phase 1, as determined by the City Engineer.
4. No portion of Phase 2 planned for the southern portion of the property shall be granted use and occupancy unless and until the road connection from Dual Highway into the southern portion of the site is open and connected to these uses. They shall not be occupied when the only means of accessing them is via Landis Road.
5. No townhouse facing the central green lot shall have a front yard driveway or garage entry on its front façade, and at least 25% of these units shall have a masonry veneer on their front facades.
6. Access to a public road shall be maintained in any future road realignment plans affecting the properties on the south end of Day Road.
7. The zoning exhibit/land use plan be updated and amended to include the following items identified as missing or in need of completion by staff in the staff report for this project before it is forwarded to the Mayor and City Council for public hearing:
  - a. Notes will be added to the zoning exhibit addressing accessory uses and structures. Home work stations and home day-care operations, and bulk regulations regarding fencing.

- b. Representative generalized elevations of the townhouse units without front garages, and to the apartment buildings, mixed use and commercial buildings be added to the zoning exhibit as required by the ordinance.
- c. Notation that parking provided in the development will be provided in accordance with townhouse units, one driveway space will be provided on-lot, with the second required space being provided in peripheral parking lots.
- d. Note will be added to address compliance with the industrial performance standards in the Zoning Ordinance.

Taking into consideration the public comment, the Commission was most concerned that this development does not meet the requirements of a PUD-R overlay as it is predominantly a residential development rather than a non-residential/mixed use layout. Additional concerns regarding the development of Phase 2 and a new road were brought to the attention.

Motion – Mr. Stone moved to recommend to the Mayor and City Council that the PUD-R overlay for the Doub Farm not be approved citing the following reasons:

1. It does not meet the definition of a PUD-R overlay
2. There is no guarantee that Phase 2, the commercial portion of the development, will be built, and therefore will not be in compliance of the overlay requirements.
3. There is no assurance that the road will be constructed without a bond or letter of credit.

Mr. Nugent seconded. The motion passed with a vote of 5-0-0.

#### Approval of Minutes –

None.

#### Consent Agenda –

None.

#### Development Review –

**SA-2024-03 – 825 Commonwealth Avenue – Site Plan (T. Frederick) Frederick, Seibert, & Associates.**

This site plan comes to you through an enforcement issue. This long-vacant warehouse building was recently reoccupied by a road construction supply business (see maccaferri.com), dealing in such products as geogrid, gabions, etc. Upon occupying the site, the new occupant began storing construction materials in the lawn areas of the property, removed trees and graveled access drives to access storage areas, unaware that this work required a site plan and compliance with design standards.

The attached site plan shows the following:

1. Existing graveled storage area in the southeast corner of the site returned back to grass.
2. Storage area for construction materials 20 feet wide along the east side of the paved area, lined with sign posts to ensure storage doesn't "creep" beyond approved locations.
3. Gravel drive along the front of the building and down the side alley, which will be lined on both sides by storage area.

4. Fifty-six Leyland Cypress trees would be installed along Commonwealth Avenue and about 150 feet of the adjacent alley to screen the storage from view from the street and nearby properties. Some of the trees will be located inside of the existing chain link fence (along the alley) while the trees will be outside of the fence along Commonwealth.
5. Landscaping will be installed near the building entrance and between the building and the newly-identified employee and customer parking on the east side of the building.
6. A 180 square foot shed located along the east side of the building.

The area that will contain construction inventory is shown as a checkered pattern on the plan. The new gravel access drive is shown in a random stone pattern.

Please see the attached waiver request for areas where the proposed condition does not meet current design standards. Staff have no objection to the approval of the waiver application.

The following agencies have provided approvals:

Potomac Edison

Fire Marshal

Planning

With very little discussion, the Commission was in favor of this project plan moving forward.

Motion – Mr. Nugent moved to approve the waiver per criteria A, subject to comments from water, waste water, and light department. Ms. Martinez seconded. The motion passed with a vote of 5-0-0.

Motion – Ms. Martinez moved to approve the site plan subject to comments from the engineer and utilities department. Mr. Nugent seconded. The motion passed with a vote of 5-0-0.

#### **ESD Sketch Plan – Dollar General – Burhans Boulevard – (A. Hager) Frederick, Seibert, & Associates.**

The attached ESD sketch plan is for a proposed 10,640 square foot retail store, with access onto both Burhans Boulevard and Church Street.

Planning staff observes the following items:

- Presumably, the remainder of the parcel to the south is intended for future development. The City Engineer suggests that a single shared point of access for both developments be used on Burhans Boulevard. Planning supports this. Burhans Boulevard is an arterial street.
- The Subdivision and Land Development Ordinance (Article 5, Land Management Code) requires 10 foot landscaping buffers between parking areas and adjacent street rights of way and property lines. The landscaped area across the front of the property varies from 7 to 20 feet between the sidewalk and parking areas. The Commission will need to determine whether a waiver is required. In the past, when an area averages out to meet the requirement (exceeds in some areas with minor deficiency in others), the process has been accommodating in not requiring a formal waiver request.
- Trash dumpster location is now shown. Wherever it is located, a trash enclosure will be required.
- Certain landscaped islands are not provided and are shown as striped paved area and large areas of the perimeter of the building do not show the requisite 6 feet of landscaping around the base. In order to not to the requisite landscaping island, a waiver application will be required.

- While landscaping is not shown on this plan, nor is it required at this stage, it would appear that the plan for this development would be well below City's expectations for new development.

Some questions regarding a walkway to the Dollar General, Lighting, and a Dollar General Market were asked. Adam Hager of Frederick, Seibert, and Associates was present to answer questions.

Motion - Mr. Stone made a motion to approve the sketch plan subject to Planning and the Engineer's comments. Mr. Thomas seconded. The motion passed with a vote of 5-0-0.

Workshops –

None.

New Business –

None.

Old Business –

ZT-2024-04 – Text Amendment discussion for POM to be more flexible on commercial.

No public comments were received within the ten days the record was open.

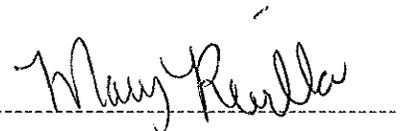
Motion – Mr. Stone made a motion to recommend to Mayor and Council to make the changes to POM. Ms. Martinez seconded. The motion passed with a vote of 4-0-1. Mr. Nugent abstained.

Announcements –

None.

Adjourn –

Mr. Thomas moved to adjourn, and Ms. Martinez seconded. The meeting was adjourned at 5:07 p.m.



Mary Revilla, Recording Secretary

approved 3-26-25