

**Douglas S. Wright, Jr., chair, called the meeting to order at 7:00 p.m., on Wednesday, August 29, 2012, in the Conference Room, Fourth Floor, City Hall. Also present were commission members M. Brubaker, D. Gysberts, D. Miller, J. Stone, R. Thomas, and J. Wheeler. The following staff members were present: K. Maher, Planning Director; S. Bockmiller, Development Planner/Zoning Administrator; A. Rohrbaugh, Planner; and D. Calhoun, Secretary.**

**REGULAR MEETING**

**Roll Call**

All commission members were present.

**Approval of Minutes: August 8, 2012 - Workshop Meeting**

**MOTION:** (Wheeler/Miller) I'll move approval of the minutes.  
**DISCUSSION:** None.  
**ACTION:** APPROVED (Unanimous)

**McDonald's - 330 East Washington Street - Drive-Thru Order Lane Reconfiguration, Revised Site Plan, Case No. ZS-2005-09**

**Staff Presentation:** This case was continued from the last meeting. The proposal is to reconfigure the drive-thru lane by creating a double ordering lane. At the last meeting there were questions by the commission concerning traffic flow on the site. Mr. Bockmiller noted that the City Engineer was in attendance at the meeting to answer any traffic circulation questions, specifically around the order lanes. Staff recommended approval of the revised site plan.

**Applicant/Commission Discussion:** Since the area around the drive-thru lanes will be striped, Mr. Brubaker questioned how traffic flow will be controlled. He was concerned about collisions where vehicles will be merging from the drive-thru lanes and also where vehicles are entering the site from the west (Cannon Avenue entrance). Rodney Tissue, City Engineer, suggested a double yellow line that would serve as a visual cue on the Cannon Avenue side to alert drivers that they will be encountering two-way traffic. Carmen DiDiano, engineer for the project, noted that McDonald's traffic is inherently counter clockwise and the drive thru dictates everything. Existing signage will be maintained. He agreed with the City Engineer that the striped area will provide visual guidance to drivers on site. Traffic flow will be the same as it is now and it moves

slowly on site. Most drivers will defer to vehicles entering the site from the main road. There is a "No Entrance" sign facing traffic coming in from Cannon Avenue. There are no stop signs or stop bars for vehicles heading west.

Mr. Stone stated that he is familiar with the site and did not believe traffic flow will be an issue. Mr. Wright noted that the double yellow line and yellow arrows could help the flow of traffic. Other commission members agreed that the yellow striping would be a beneficial addition to the site plan. Mr. Tissue will look at other areas where additional pavement markings would be helpful.

**MOTION:** (Miller/Gysberts) I move to approve the revised site plan, contingent upon another review by the City Engineer for traffic and additional markings.

**DISCUSSION:** Mr. Brubaker noted that he would vote in favor of the site plan as long as McDonald's works with the City Engineer to hone traffic flow.

**ACTION:** APPROVED (Unanimous)

**405 Northern Avenue - City of Hagerstown/Morris Frock Post 42 American Legion, Final Plat Consolidating Lots, Case No. S-2012-03**

Staff Presentation: The proposed subdivision is for the following purposes: 1) consolidate Lots B, C, D, and E, as shown on the plat, as well as that portion of the unimproved right-of-way Woodland Way north of Country Club Road and south of Hamilton Run into Parcel A (American Legion); 2) consolidate a small portion of the right-of-way of Woodland Way north of Hamilton Run into an existing City-owned tract south of Northern Avenue and west of The Terrace; 3) record a construction and multi-use trail easement on the western portion of the American Legion property to facilitate the City's plans to construct walking trails which will connect with an existing trail system in Mills Park (part of this easement will be applied to a previously constructed trail that encroaches onto the Legion property); and 4) record a 20-foot wide walkway easement along the western edge of Alley 5-16, on portions of the to-be-abandoned Parcels B, C, D, and E. The Mayor and City Council and the American Legion have been negotiating this project for some time.

All review agencies have reviewed the plat and there are no outstanding comments. Staff recommended approval of the final plat. The reason this consolidation is being done through a final plat rather than a simplified plat is that if the American Legion would ever decide to put an addition on their building, they would be required to do a final plat first so this eliminates an extra step for the American Legion in the future.

Applicant/Commission Discussion: Mr. Wright asked if an easement for the existing walkway has been incorporated into this plat. Mr. Bockmiller stated that yes, this plat is meant to clean up the various parcels in the area and the existing walking trail currently is not covered by an easement. Mr. Tissue noted that the City will get easements for its trails in this area and access via walkways to Northern Avenue. In addition, the plat will clean up property line issues associated with the American Legion property. Most of the lots along the Woodland Way right-of-way are in the floodplain. Mr. Bockmiller added that the lots are zoned R1 (Residential) and normally setbacks are shown on a plat; however, staff felt it best to not include them since the use is nonconforming and is not a single-family dwelling use. Mr. Tissue informed the commission that the trail work is being funded through a grant through the Maryland State Highway Administration and will include interpretive signs for environmental education.

- MOTION:** (Stone/Wheeler) I'll move to approve this.  
**DISCUSSION:** None.  
**ACTION:** APPROVED (Unanimous)

**Mills Park - Northern Avenue - Walking Trail, Minor Site Plan, Case No. SA-2012-09**

Staff Presentation: This site plan is for the construction of a trail at Mills Park, which is zoned R1 (Residential). The plan calls for the construction of an eight-foot wide walking trail that connects an existing path in Mills Park and runs through a portion of property owned by the American Legion via a 20-foot wide access easement and ends at the sidewalk on the south side of Northern Avenue. The walking trail crosses Hamilton Run over a boardwalk and bridge approximately 80 feet in length. Because the trail crosses Hamilton Run, the City has applied to Maryland Department of Environment (MDE) for a waterway access permit. The permit is currently under review by the Department of Natural Resources (DNR), MDE, and the U. S. Army Corps of Engineers. Stormwater management and forest conservation do not apply to this project. All review agencies with the exception of the Fire Marshal (minor comments) have approved the site plan.

Staff recommended approval of the minor site plan, subject to any comments received during the waterway access permit review process, although no comments are expected. Mr. Tissue noted that construction is expected to begin in the spring and the bridge will most likely be built by City staff.

Commission Discussion: There was a question about whether the trail will be illuminated at night. Mr. Tissue stated that City parks are open to the public between 6:00 a.m. and 10:00 p.m., so illumination is not planned. The intent is to discourage night time use. Mr. Tissue informed the commission that usage at Mills Park has picked up since the trail has been installed.

**MOTION:** (Stone/Thomas) I'll move we approve this.  
**DISCUSSION:** None.  
**ACTION:** APPROVED (Unanimous)

**Multi-Use Sports and Event Center - Presentation by Economic Development Director**

Staff Presentation: Jill Estavillo, Economic Development Director for the City of Hagerstown, presented an informational slide show (copy in meeting file) on the progress to date. She stated that she has been giving this presentation to a number of community groups, and wanted the Planning Commission to have the benefit of the same information. Ms. Estavillo offered to give the presentation to any interested group. As background, Ms. Estavillo stated that currently the City has a proposed project, but several steps need to be completed before the proposal becomes a reality. A hyperlink to the presentation will be posted to the City's website.

Applicant/Commission Discussion: Mr. Gysberts had several questions about the process for selecting the proposed site and about the make up of the MUSEC committee. Mr. Wright told Mr. Gysberts that this meeting is informational only and there will be other forums for him to pose his questions. Ms. Wheeler questioned why no member of the Planning staff is on the committee. Ms. Maher stated that Planning staff has been consulted on a regular basis concerning the project.

**Invitation to Comment on County Zoning Text Amendments**

Ms. Maher told the commission that the Washington County Planning Commission has invited the Hagerstown Planning Commission's comments on two proposed County text amendments. Copies of the proposed amendments are in the meeting file. The first amendment would add various new uses to certain rural zoning districts (A/R, EC, P, RV, RB, and IM districts), including banquet/reception facilities, conference centers, farm breweries, commercial breweries, farm wineries, and commercial wineries.

Generally, the commission was concerned that breweries and wineries were being contemplated for areas not served by public sewer, however, declined to submit comments on these amendments.

The second set of amendments affect the County's definition of a "minor subdivision" by increasing the number of permitted lots from five to seven lots (memo in meeting file). At a previous meeting, the commission decided to wait to see what Washington County was going to do about increasing the number of permitted lots in a minor subdivision. Since the County is

**Planning Commission  
MINUTES - Regular Meeting**

**August 29, 2012  
City of Hagerstown, Maryland**

proceeding to amend its ordinance, the Hagerstown Planning Commission directed staff to schedule a public review meeting to amend the City's definition of a minor subdivision from five to seven lots. In order to meet the required advertising schedule, the public review meeting will be scheduled for the October 31 meeting.

Staff announced that the Land Management Code Revisions ordinance was introduced at the Mayor and Council meeting on Tuesday, August 28.

**Adjourn:** It was moved and seconded that the meeting adjourn at 8:30 p.m.

10/10/2012  
Date

DC Calhoun  
Debra C. Calhoun - Secretary