

**Planning Commission
MINUTES - Workshop Meeting**

**August 13, 2014
City of Hagerstown, Maryland**

Douglas S. Wright, Jr., chair, called the meeting to order at 4:00 p.m., on Wednesday, August 13, 2014, in the Conference Room, Fourth Floor, City Hall. Also present were commission members M. Brubaker, C. Coleman, D. Miller, **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. **(NOTE: Planning Commission revisions are indicated in red text.)**

Approval of Minutes – April 30, 2014.

MOTION: (Brubaker/Wheeler) So moved (for approval of the minutes).
DISCUSSION: None.
ACTION: APPROVED (ABSTAIN - Miller)

State’s Infill, Redevelopment, Revitalization Initiative Report.

(Memo in meeting file) The Governor and Lieutenant Governor directed the Maryland Sustainable Growth Commission to make recommendations for investment, polices, and programs to accelerate Maryland’s infill, redevelopment and revitalization efforts. The commission must report back by the end of this month and is requesting comments from planning commissions statewide. (Mr. Coleman arrived.) Recommendations have been broken down into eight categories. Ms. Maher stated that many of the recommendations are consistent with or supportive of Hagerstown’s plans, strategies, and actions that are currently under way or proposed for the future.

Staff had concerns about the following recommendations:

- **B2**, “*DHCD, local governments, and interested stakeholders should work together to ensure that communities share the responsibility and opportunity for integrating affordable housing into IRR activities.*” Staff contends that it would be beneficial for Hagerstown if some provision for waivers be available for communities that already have a disproportionate number of affordable housing units per capita than the surrounding unincorporated area and other communities in the state. In addition, the issue of proportionate share also should be considered when state agencies consider funding requests to locate social service and housing facilities in communities already containing high concentrations of poverty and unemployment and whether those facilities are intended to serve the existing population or will in fact draw new target populations † the community, thus putting additional strain on the community’s ability to thrive and be sustainable. Each community’s socio-economic situation should be considered individually and not applied across the board.
- **D3**, “*Local jurisdictions should require pre-application meetings with developers to provide certainty at the beginning of the infill and redevelopment process and agree upon requirements, such as stormwater management, infrastructure, forest conservation,*

public input, and density. At the pre-application meetings, identify necessary state reviews, inspection frequency, and required public input. Relevant state agencies should participate in the pre-application meetings and all agencies should identify opportunities to combine public input processes as appropriate. State agencies and local governments should make efforts to limit reviews of subsequent submittals to those issues identified by prior submittals, issues that arise due to material changes in the plan, or new information that has come to light. All rules should be readily accessible.” The City of Hagerstown has already implemented Plan Review Committee meetings with applicants and review agencies. If the state requires similar meetings at a pre-application stage, and then requires review agencies to restrict comments on subsequent plans to what was discussed at the pre-application state, staff was uncertain if this means that applicant needs to submit a full-scale plan at the pre-application meeting to allow such a review to occur. If state agencies are required to attend Plan Review Committee meetings, it may become difficult to schedule meetings with the immediacy and frequency that the City currently achieves.

Commission members were not comfortable with not allowing further comments after the pre-application stage. Mr. Wright pointed out that one measure the City uses is to restrict water and sewer hookups. If the infrastructure does not continue to be extended, development needs to occur where the infrastructure is already located. Mr. Brubaker commented that if the state is going to help Hagerstown and other cities, it should offset development/capital costs where rates are conducive to redevelopment.

Commission members asked staff to pass on the following recommendations on two additional sections:

- **D1**, *“The Subcabinet should coordinate an effort by state agencies to examine the potential for instituting a tiered approach to state fees to benefit those undertaking infill, redevelopment, and revitalization activities, in Targeted Growth and Revitalization Areas, particularly in Sustainable Communities. Local governments should be encouraged to do the same. The Subcabinet should also coordinate an effort by state agencies to examine the potential for adjusting fees to accommodate different market conditions in Targeted Growth and Revitalization Areas throughout the state.”* The recommendations should acknowledge the role played by the Growth Element in municipal comprehensive plans to limit sprawl and maximize IRR by limiting extensions of utilities outside municipal growth areas.
- **E1**, *“All Smart Growth Subcabinet agencies must make infill, redevelopment and revitalization a clear priority by strategically aligning state investments, budgets, regulatory authority, actions, and resources, including surplus real property, to support the strategies identified in local plans for infill, redevelopment, and revitalization, and to further incentivize local decision-making that supports targeted infill, redevelopment and revitalization priorities. Growth-related resources . . . should help foster a favorable market for infill, redevelopment and revitalization in Targeted Growth and Revitalization Areas, especially designated Sustainable Communities.”* It would be beneficial to local

communities if the state would make more resources available to help local governments deliver public infrastructure needed to make IRR projects competitive in the marketplace.

2013 Annual Report.

(Memo and 2013 Annual Report in meeting file) Mr. Rohrbaugh presented the 2013 Annual Report to the State of Maryland on planning activities. The report is a summary of development activities, progress on implementation of the Comprehensive Plan, building permit statistics, among other data. Commission members had the following comments on the report.

- Page 3. Mr. Wright commented on the section concerning “Public Infrastructure and Community Facility Projects,” in the bullet point concerning pavement preservation overlay program, it should be added that this represents 2% of all of the streets in Hagerstown. It is a miniscule amount. He felt it should be pointed out because the City is no longer getting an adequate amount of state funding. Mr. Brubaker added that the City lost \$1 million in funding.
- Page 7. There is a typo in Section D, the second to the last line, right above the last word in the section (*tin* should be *in*).
- Appendix C – Building Permits. A vertical line should be added in the bottom line of the first chart (“Total Number of Permits Issued”) between Column A and the column identified as “Reno.”

MOTION: (Miller/Wheeler) I move for approval.

DISCUSSION: Mr. Thomas asked that the motion be amended to include the corrections mentioned during the commission’s discussion. Mr. Miller and Ms. Wheeler agreed to the amendment.

ACTION: APPROVED (Unanimous)

Amendments to Medium-Range Growth Area Boundary (Comprehensive Plan Update).

(Memo and supporting documentation in meeting file) Staff presented three areas in the Medium-Range Growth Area (MRGA) for possible re-alignment. Reasons for the re-alignment include: 1) capture areas and development that the City utilities are obligated to serve through past agreements; 2) capture areas that are more likely to develop within the Comprehensive Plan’s 20-year lifespan; 3) capture areas that contain properties with pre-annexation agreements; 4) remove areas not likely to develop within the next 20 years. Staff stressed that the proposed re-alignment of the MRGA should not be viewed as an expansion since several of the areas proposed for inclusion are already served by City water, and, conversely, the area proposed for removal is not currently served by City water.

Expansion areas include:

- **Friendship Technology Park, Downsville Pike (south of I-70)** – The area is served or promised to be served by City water by a 1960s-era agreement with Potomac Edison. Staff recommended that Friendship Technology Park be included since it is already obligated and that this area should be labeled “Business-Employment,” which reflects the intent of Friendship Technology Park and to be consistent with the County’s ORI (Office-Research-Industry) district. Almost all of Area 160 (shown on the map titled “Future Land Use Amendments: Outside the City South”) is covered by the agreement; however, a few parcels on the north side of Rensch Road (south of the Board of Education facility) are not covered by the agreement. They have been included because they are being served by water and there are pre-annexation agreements associated with them. Area 161 was designated as “Institutional” because it is Board of Education property.
- **Sharpsburg Pike/Poffenberger Road Area** – This area, labeled Area 163, includes the proposed Wal-Mart site and existing development along Route 65 down to just past the Bull Dog Federal Credit Union site and a tract of undeveloped land between the Antietam Creek and the CSX rail line, which all have pre-annexation agreements. Area 162 consists of state-owned properties (Maryland State Police barracks, State Highway Administration shed and the Department of Motor Vehicles) and will be designated as “Institutional.” Areas 164 and 165 are two residential developments: all of Area 164 is served by City water; Area 165 is also served, but there is an existing pre-annexation agreement for the entire tract. Area 166, known as Claggetts Mill, also has a pre-annexation agreement. The Future Land Use designation is moderate-density residential based on a density lower than 3.5 units per acre. The land use designation for Area 163 is proposed to be changed to “Commercial General.”

The revisions swap out land fairly evenly in order to keep the MRGA under its original intent of being our 20-year growth area and not expanding it to the extent that it cannot be entirely served with City water for the projected 20-year period. Mr. Brubaker asked if there are any means left to pursue annexations in the expansion areas. He believed there was no way the properties to the west along Downsville Pike could be annexed. Staff noted that there is a possible opening via the Review & Herald property on West Oak Ridge Drive. Mr. Brubaker had the same concerns about the property in Area 163 East. Mr. Rohrbaugh noted that are at least two properties between that tract and the City limits, but noted that are challenges with the property at Area 163 East itself in that the line extends to Funkstown and has the possibility of creating an enclave. Ms. Maher stated that if the City wanted to annex that area, it should be prepared to offer inducements to the property owners that would be closed off in an enclave as a result of the annexation. Mr. Wright observed that because the City is already serving most of these properties with water, they should be included as future possible annexations. Ms. Maher added that in addition to the listed reasons, the City would also want to capture areas that are on the cusp of developing and could potentially be reachable.

As a tradeoff for the two expansions, staff is proposing that the area east of Greencastle Pike and south of Broadfording Road be retracted. Both of these areas are located on the northwest side of the city. In the current Comprehensive Plan, the area between Cearfoss Pike and Broadfording

Road is designated as Moderate Density Residential; the remaining area has been designated as Business Employment in the current Comprehensive Plan. The existing MRGA in this area would be reduced to not include the areas that are being used agriculturally and to include several properties along West Washington Street and Route 40. On the east side the line would be drawn to correspond with existing water service areas. Staff predicts that since there is very little infrastructure in these areas and given they are largely agricultural, these properties will not develop in the life span of the current Comprehensive Plan. Washington County is focusing its economic development resources on the Hopewell Valley area and City staff does not believe there will be a lot of development potential for the northwest corner. Mr. Rohrbaugh added that many of the properties at Broadfording Road and Route 63 are far removed from the I-81 corridor and not very accessible.

Mr. Coleman felt that what staff is proposing is a fair assessment. Mr. Wright asked about failed wells in the northwest area. Ms. Maher stated that the failed wells are further to the north. Mr. Rohrbaugh added that one or two lots on Broadfording Road and a development north of the traffic circle have pre-annexation agreements that would be outside the boundary if the retraction in this area is adopted.

The two expansions have been evaluated by the City's Economic Development Team, which has expressed its support.

Ms. Maher indicated that the next step, if the Planning Commission felt the proposal is acceptable, would be to talk with County Planning staff. Washington County staff has been sent a copy of this proposal informally. Mr. Brubaker asked staff to discuss with the County staff ways to bring the commercial tax base properties into the City as quickly as possible.

Mr. Rohrbaugh noted that he calculated the size of the MRGA and it is actually about 20 acres smaller than its current size. The size is not significantly impacted by these changes. The potential impact on City water services is a lot less with the proposed scenario because undeveloped area are being removed and areas already being served are being added.

Board of Zoning Appeals Agenda – August Hearing.

The commission had no comments to pass on to the Board of Zoning Appeals.

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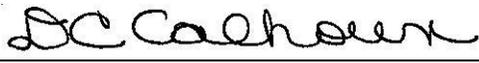
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Adjourn.

It was moved and seconded that the meeting adjourn (around 5:10 p.m.).

12/10/2014

Approved



Debra C. Calhoun - Secretary