

**Planning Commission
MINUTES – Regular Meeting**

**August 27, 2014
City of Hagerstown, Maryland**

Douglas S. Wright, Jr., chair, called the meeting to order at 7:00 p.m., on Wednesday, August 27, 2014, in the Conference Room, Fourth Floor, City Hall. Also present were commission members M. Brubaker, 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. **(NOTE: Planning Commission revisions are indicated in red text.)**

REGULAR MEETING

Roll Call.

All commission members were present with the exception of C. Coleman.

Approval of Minutes – May 14, 2014 – Workshop Meeting.

Mr. Brubaker asked if staff has received a response from the County on the Planning Commission’s recommendation for redevelopment of the Sharrett site on the Dual Highway. Ms. Maher stated that County Planning staff thanked the Hagerstown Planning Commission for its letter and forwarded it on.

MOTION: (Thomas/Miller) Move that we accept the minutes as submitted.

DISCUSSION: None.

ACTION: APPROVED (ABSTAIN – Stone, Wheeler)

Comprehensive Plan Update – Proposed Future Land Use Amendments.

Mr. Wright indicated that he would not be participating in the discussion of the Potomac Avenue/Maple Street Area. Mr. Stone assumed the chair for the first part of these discussions.

(Staff report and all supporting maps are in meeting file.) As part of the ongoing Comprehensive Plan future land use review, staff discussed proposals for additional future land use changes within the City limits. This matter is a continuation of a future land use plan review where staff is proposing changes to either make the future land use and existing zoning consistent per the state’s 2009 Smart and Sustainable Growth Act; to change land use designations to better align them with the changes in economic condition since the 2008 Plan was adopted; or to apply future land use designations that more accurately reflect the physical characteristics of an area. Staff hopes this update will be ready for formal action by the commission in the coming months.

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Five areas were discussed. Staff requested the Planning Commission’s guidance on whether the following areas should be rolled into the Future Land Use Amendments and receive new designations:

Potomac Avenue/Maple Street Area:

Current zoning in this area is CG (Commercial General) and RMED (Residential-Medium Density). The current future land use designation is Commercial General. Staff does not believe CG is well suited in this area due to the mixture of residential and commercial uses. CG zoning allows for intensive commercial activity such as Sheetz. The proposal is to change the Future Land Use designation to Mixed Use (Neighborhood-Mixed Use zoning) and Medium Density Residential.

RO (Residential Office) zoning is proposed for the Smith Elliott Kerns office. RO is a continuation of the former R4 zoning designation. Staff does not believe the mixed-use zoning is appropriate in this area. Mr. Stone did not agree with staff’s approach and contended that the changes are directly related to the Sheetz store on Potomac Avenue. A more restrictive zoning such as what is proposed for this area will kill commercial development in this area. Staff disagreed with Mr. Stone’s assessment. All uses shown in yellow and brown are nonconforming. Mr. Stone felt that a number of commercial uses in this area would be made less valuable with the changes proposed by staff. There are many uses that could be made of the Smith Elliott Kerns building and he did not believe the property should be ~~disvalued~~ **devalued**.

Mr. Rohrbaugh pointed out that the building stock in this area is overwhelmingly oriented to the sidewalk and is not a traditional CG area. Mr. Bockmiller added that a majority of the lots in this area are very narrow. Any redevelopment would be subject to major zoning setback variance requests. These lots are not conducive to redevelopment under current zoning for CG uses.

Mr. Brubaker asked what types of uses would be permitted in a mixed-use district. Mr. Bockmiller provided a verbal list of permitted and special exception uses in the mixed-use district. The list included a variety of commercial and residential uses. In addition, this zoning district has only one setback requirement (a five-foot rear setback). Mr. Stone requested that staff provide a list of existing businesses that might be adversely affected by becoming nonconforming uses. Ms. Maher added that staff would be notifying property owners by letter of the proposed changes even though notification is not required. Mr. Brubaker observed that the zoning would be applied after any changes are made to the Comprehensive Plan. Ms. Maher added that the Comprehensive Plan is now the driver, as state law has tightened up the relationship between the Comprehensive Plan and rezonings. Commission members were interested to know what businesses in this area would be affected by the change proposed by staff.

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Mr. Wright reassumed the chair.

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East Baltimore Street:

Similar to the Potomac/Maple area, the East Baltimore Street area has CG designation as well as the physical CG zoning on the ground. This area is characterized by structures built up to the sidewalk with no setbacks. The very western edge of the blue area currently has a Medium-Density Residential designation; staff is proposing to put it into the Neighborhood Mixed Use district. This designation would better reflect the situation on the ground. Mr. Bockmiller noted that many of the properties would be hard to redevelop under the current bulk requirements.

Mr. Stone requested that staff prepare a list of existing uses similar to what was requested for the Potomac/Maple area. Ms. Wheeler asked if a list of vacant structures could be prepared also. Mr. Rohrbaugh said he could provide that information for both areas.

North Side Hebb Road (Harrison Lands)
Southside Hebb Road (Lewis, Lyles Lands) and Emmert Road

The north side of Hebb Road involves several properties including one that is outside the City limits. The properties are currently designated as High Density Residential with a pocket of Business Employment. The land is undeveloped with the exception of a few farmsteads or large-lot residential developments. The current zoning of the High Density Residential is RH (High Density Residential). The northern part of Hebb Road is owned by one family and staff is proposing to change the future land use from High Density Residential to Business Employment.

On the south side of Hebb Road, there is an area designated as High Density Residential on the future land use map which includes the Lewis property. The larger tract is owned by Lyles, and staff is proposing to change it to Medium Density Residential which staff believes is more consistent with Washington County's zoning of RS. The limited road situation does not lend itself to High Density Residential. Mr. Brubaker requested that the map exhibit be amended to indicate the location of the Corporate Boundary.

Mr. Stone suggested changing the entire area to Business Employment. If you keep going with it, it could create a ripple effect. Mr. Miller requested information on the alignment of R. Paul Smith Boulevard in this area. Mr. Wright observed that there is an abundance of lands designated as Business Employment already. Mr. Rohrbaugh said the idea behind the staff's proposal is that the Medium Density Residential will provide a better transition to the lower density residential development on Beaver Creek Road. Mr. Wright pointed out that that land is already developed, and the Dual Highway will not be able to handle any increase in traffic. Mr. Miller noted that the Doub Farm will be out from under its moratorium; however, staff indicated that it has not been getting many inquiries about the property.

It was the consensus of the commission that it was agreeable with the staff recommendation.

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Lee/Sycamore Street:

The mobile home park on Park Circle and the former Georgia Boy Café is proposed for Mixed Use since that district does not have setback requirements. The properties are developed by a restaurant and a strip of shops. The triangle area would also be good for Neighborhood-Mixed Use due to the lack of setbacks.

On South Potomac Street, Mr. Wright pointed out that the former Cassidy Trucking site is being actively used by Columbia Gas for pipe storage. Mr. Rohrbaugh stated that the entire Lee/Sycamore area was designated as a special planning area in 2008 and needs further study. Mr. Stone asked if a plan has been prepared by a consultant for this area. Mr. Rohrbaugh said part of the area (West Baltimore Street section) was studied by Urban Partners. Mr. Stone felt that if the proposed connector trail is constructed with quality housing it might help the commission decide how this area should be designated. He suggested waiting. Mr. Rohrbaugh stated that at the very least the Memorial Park section should be changed to Parks/Recreation. Staff asked if there are any other areas that the commission would feel confident enough to make a recommendation. Mr. Brubaker stated that if this is brought back, the commission should have the Urban Partners plan for comparison purposes. Mr. Rohrbaugh indicated that the west side of South Potomac Street is an area targeted for home ownership. Ms. Maher offered to ask the City Engineer about having the designer of the trail come to a commission meeting.

As far as direction for staff, Mr. Wright suggested that the focus in this area be the north side of West Lee Street because of the proposed trail. South of Sycamore Street there are many environmental issues plus Columbia Gas and the possibility of underground pipes on the property. This is still an employment area; there are still jobs in this area. Mr. Wright did not believe it was smart to make it tougher for jobs to be here (specifically the former trolley barn, Ellsworth Electric, Beaver Mechanical, Aluminum Fabricators).

The commission will look at this area again after the trail design is finished. Mr. Rohrbaugh could also show the targeted home ownership areas, which is part of the Urban Partners plan.

Adjourn.

It was moved and seconded that the meeting adjourn at 8:15 p.m.

12/10/2014

Approved



Debra C. Calhoun - Secretary