

MINUTES

URBAN GROWTH AREA ADVISORY COMMITTEE November 20, 2008

The Urban Growth Area Advisory Committee held a meeting on Thursday, November 20, 2008 at 9:00 a.m. at the Washington County Administrative Annex, 80 West Baltimore Street, Conference Room 1, Hagerstown.

CALL TO ORDER

Chairman Phoebus called the meeting to order at 9:00 a.m.

The following members of the Advisory Committee and Washington County Planning Staff were present:

- Richard Phoebus
- Mike Armel
- Nancy Allen
- Hank Livelsberger
- Jerry Ditto
- John Shank
- Harry Reynolds
- Linda Irvin-Craig
- Donovan Corum
- Jeff Cline
- Dennis Miller
- Steve Goodrich
- Mike Thompson
- Debra Eckard
- Jennifer Kinzer
- Meghan Hammond

MINUTES

Ms. Eckard reviewed the changes of the October 30, 2008 minutes as discussed during the previous meeting. Mr. Armel made an inquiry regarding Ms. Irvin-Craig's quote "The County needs to take responsibility for assuming multi-family development" on the last page, 6th paragraph. Ms. Irvin-Craig explained that proposals for more dense development have been turned down by the County and there are not many areas zoned for these types of developments in the UGA outside of the City of Hagerstown. She agreed to change the language from "assuming multi-family development" to "promoting and encouraging multi-family development".

Ms. Irvin-Craig stated there is a greater need for senior housing and for people trying to "downsize". Mr. Cline stated that the Governor O'Malley is pushing for smaller homes and smaller lots due to energy conservation, affordability, etc.

Mr. Reynolds made a motion to approve the minutes of October 30, 2008 as amended. Seconded by Mr. Armel. Unanimously approved.

OLD BUSINESS

Mr. Ditto began a discussion regarding his concerns from the previous meeting that the minutes are not reflecting specific points of discussion on specific sites. He specifically referenced discussions about the Hagerstown Community College, Mt. Aetna Farms and Martin's Elevator sites. Mr. Ditto stated that Ms. Livelsberger has volunteered to review the meeting tapes and prepare a point-by-point outline. Mr. Phoebus expressed his opinion that a more detailed report of "WHY" the Committee is making certain recommendations will be needed. Mr. Goodrich reiterated that the minutes are a general summary of the meetings. He noted that to this point in time, the minutes have not been prepared as a resource with all of the details that certain members of the committee believe are necessary for preparing the report. Mr. Goodrich asked Ms. Livelsberger if she is going to prepare a separate record of the detailed discussions or does Staff need to change the way the minutes are being prepared. Ms. Livelsberger reminded members that she has volunteered to prepare a point-by-point outline to be used when preparing the Committee's recommendations for zoning in the UGA. The Committee does not want Staff to change the way the minutes are prepared.

Mr. Goodrich began with an overview of the Committee's recommendations to date using a map of the Urban Growth Area. He explained that specific sites have been given a number which corresponds to the minutes for ease in identifying those sites. The Committee has made the following zoning recommendations to date:

- Hagerstown Community College: "ED" – Education zoning classification
- Mt. Aetna Farms: "ORT" – Office, Research, Technology zoning classification
- Site 1 (MD Route 58 and Maugansville Road): "RT" - Residential Transitional zoning classification
- Site 2 (E of MD Route 63 and Broadfording Road): "PI" – Planned Industrial zoning classification
- Site 3 (across from Site 2 at McDade Road): "RT" – Residential Transitional zoning classification
- Site 4 (NE quadrant of Huyett's Crossroads): "IR" – Industrial Restricted zoning classification
- Site 5 (E of Walnut Point Road, S of Route 40): "RT"-Residential Transitional zoning classification
- Sites 6 (Martin's Elevator), 7 and 8: "RU" Residential Urban zoning classification on approximately 16 acres at the corner of Shawley Drive and Maugansville Road; all properties owned by Martin's Elevator or members of the Martin family – "IG" – Industrial General (includes property on both sides of the railroad owned by Martin's Elevator; remaining area (a portion of which is currently owned by HUB Labels) – "ORT" – Office, Research and Technology.
- Site 9 (both sides of Salem Avenue, currently zoned "HI"): "BG" – Business General zoning classification
- Site 10 (E of Site 9 along Point Salem Road): "RT" – Residential Transitional
- Site 11 (W of Target and Kohl's and E of I-81): "BG" – Business General
- Site 12 (S side of Virginia Avenue): "ORT" – Office, Research, and Technology
- Site 13 (N side of Virginia Avenue): "RT" – Residential Transitional

Mr. Goodrich noted that the Valley Mall is proposed to be zoned "Planned Business" (PB) and Target and Kohl's is proposed to be zoned "Business General" (BG). The zoning boundaries do not appear to follow property lines or roads. These boundaries are based on parcel configurations and road alignments prior to the current development taking place. Mr. Goodrich believes that Staff's final recommendation will be to move the boundary between the Mall and Target/Kohl's to Cole Road.

Mr. Phoebus stated that he has received a telephone call from the Humane Society regarding a 7-acre parcel they have recently purchased, which is zoned A (Agriculture). The Committee recently recommended "IG" zoning on this property. Mr. Goodrich stated that Staff had a meeting with the Humane Society. He noted that the proposed "IG" zoning designation does not allow the current use; however, it would be considered a non-conforming use and they would be allowed to continue to operate. In discussions with Staff, Mr. Goodrich noted that they have requested that the Humane Society develop a plan to determine how the new parcel will be used in order to determine the appropriate zoning designation for the site. Mr. Phoebus noted that occasionally the Humane Society rescues larger animals (i.e. cows, horses, etc.) which are not animals housed in kennels; and, if the property is not zoned Agriculture this would create a problem. Mr. Goodrich stated there is not a "good" zoning category that

can be used on the property that allows the current use. He noted that the current use is a special exception in the Agriculture zoning district. After discussions, the Committee felt that they should not make a recommendation for specific zoning of this property without further information on the Humane Society's plans for the recently purchased property.

Ms. Irvin-Craig began a discussion regarding property located along Hopewell Road. She noted on the map there was a larger parcel of property that was originally proposed for the RM (Residential Multi-family) zoning, but was changed to RT. Mr. Goodrich stated that the proposed zoning was changed to RT due to the existing single-family homes and limitations due to wet soils (floodplain). Staff believes that a less dense development in an area where there are environmental limitations would be more appropriate. Mr. Phoebus suggested that the Committee review the areas proposed for RM zoning. If the Committee does not believe there are enough areas proposed, they should make a recommendation that the County consider more areas to be zoned for multi-family development. Mr. Goodrich stated that most of the RM zoning within the UGA is already developed and there is not a lot of vacant RM zoning in the UGA. He reminded the Committee that developers can make a zoning request for a PUD (Planned Unit Development) on residential zoned properties, which allows them to develop the property at a higher density. Mr. Ditto expressed his opinion that senior housing could be located in areas around the Rural Villages or municipalities.

- **Consensus:** The Committee recommends that more multi-family zoning should be considered in the UGA.

The Committee briefly discussed areas where potential multi-family zoning would be appropriate. Mr. Goodrich suggested that the Committee discuss what is necessary to support multi-family zoning, such as water and sewer, transportation systems, locations next to commercial development, etc. Mr. Phoebus asked Ms. Irvin-Craig to prepare general guidelines before the next meeting to help in determining locations that would support RM zoning. Mr. Goodrich will prepare a map showing all the areas currently developed and property that is still available for multi-family development.

Mr. Reynolds began a discussion regarding the area, as shown on the map, directly behind the parcels discussed on Hopewell Road, which is currently zoned HI-1 and is proposed for ORT zoning. The ORT zoning is proposed for a long stretch of property along Interstate 81. Mr. Reynolds made an inquiry regarding Staff's reasoning for proposing the ORT zoning. Mr. Goodrich noted that the HI-1 zoning district is changing to HC (Highway Commercial) zoning, which will promote uses necessary for highway travelers such as food, gas stations, truck stops, etc. He said access for any use at this location would be difficult and there has been an attempt to avoid residential development along the interstate when possible. ORT seemed to be appropriate in light of these limitations and would present a positive image to the travelling public. Mr. Goodrich also noted that the Comp Plan recommends Industrial Flex zoning in this area. Staff believes that the business and employment centers would be comparable and would help to protect the interstate frontage by having enhanced architectural development.

Mr. Armel began a discussion regarding the area west of Williamsport near Kemps Mill Road that is currently proposed for RT zoning. Mr. Goodrich noted Staff does not have a recommendation for zoning in the area currently zoned A (Agriculture) below the IM (Industrial Mineral) zoned property (Site 14). The properties currently zoned IG (Industrial General) are the Williamsport Tannery and Cushwa Brick. Mr. Ditto asked if this would be an appropriate location for RM zoning. Mr. Thompson stated the Williamsport Tannery property may not be disturbed due to contaminants in the soil. Mr. Goodrich noted there are a lot of environmental limitations in this area, such as floodplains. Mr. Armel suggested BG zoning for this area, which includes goods and services. The Committee briefly looked at the map to review all areas proposed for BG and BL zoning.

Mr. Ditto stated that he has documentation regarding a proposed road that would connect the Airport area to White Hall Road (Eastern Bypass). He noted that there has been "a movement to ask for Federal funding for a study of a 14-mile limited access road that would basically connect I-70 and the Airport area at I-81". Ms. Irvin-Craig stated that the Eastern Bypass has been discussed at various times throughout the last 20 years. She further commented that by building the road you change the neighborhood, which

contributes to many rezoning requests through prime agricultural land in Washington County. She stated that the County Commissioners have historically avoided the proposal for that reason. Mr. Thompson noted that the project is not listed in any CIP or in the County's Comp Plan. Mr. Goodrich stated that if the project becomes a reality, the County will need to make a decision regarding planning and zoning in that area. The County can be pro-active by adjusting the zoning and updating the Comp Plan to allow or disallow development along the proposed road.

- **Consensus:** The Committee generally concurs with Staff's recommendations for BG (Business General) zoning in the areas depicted on the map.

Discussions resumed on Site 14. Mr. Armel suggested that in the absence of additional information, such as the owner of other parcels, the area should be zoned RT with the exception of the area located between the IM and the IG zoning districts. Mr. Ditto expressed his opinion that "the area on the other side of the creek should be a high density residential area even though it is close to the Tannery." Members reiterated that this is a floodplain area that will not allow development. After all of their discussions, the Committee did not make a recommendation for zoning on Site 14.

Mr. Armel began a discussion regarding the area currently zoned Agriculture located south of Sterling Road and north of Kendle Road (Site 15) and proposed for RT (Residential Transitional) and PI (Planned Industrial) zoning. Mr. Goodrich stated that Staff originally proposed the PI zoning because the Comp Plan assigns the Industrial Flex land use category and because there is a railroad line than runs through the property. However, after further review Staff believes that due to the proposed residential development of the adjoining property (Britner/Ebersole), a residential zoning might be more appropriate. Mr. Shank recommended that the Site 15 should be zoned RT due to the fact there would be an access problem from Kendle Road for industrial type traffic (trucks, etc.). Mr. Armel suggested ORT zoning for the property; however, several members expressed their opinions that there is enough ORT zoning already proposed and the site is not close enough to the interstates. Members discussed access to the property via Prosperity Lane located at the Save-A-Lot food distribution warehouse; however, after further discussion, members do not believe there is enough room to expand this road. There is also some question if Prosperity Lane is a public or privately owned road. After further investigation, it was discovered that a second Prosperity Lane exists that accesses the Britner property and was shown on an aerial photograph. Further review revealed that the food distribution warehouse's address is Prosperity Lane; therefore, Staff believes the second Prosperity Lane was incorrectly named. Mr. Armel asked Staff to clarify if Prosperity Lane at the food distribution warehouse is a public or private road. The Committee will wait for this additional information before making a zoning recommendation for this site.

NEXT MEETING

The next meeting of the UGA Advisory Committee is scheduled for Thursday, December 4, 2008 at 9:00 a.m. in Conference Room 1 of the Washington County Administrative Annex, 80 West Baltimore Street, Hagerstown.

ADJOURNMENT

Chairman Phoebus adjourned the meeting at 11:00 a.m.

Respectfully submitted,

Richard Phoebus, Chairman