

**Indian Head Planning Commission Meeting Minutes**  
**Indian Head Pavilion**  
**July 19, 2017**

Michael Pellegrino called the Planning Commission meeting to order at 7:10p.m. Members in attendance:

Michael Pellegrino, Chairman  
Warren Bowie  
Wayne Higdon  
Thomas Gordon  
Anita Sampson

Staff in attendance:  
Lucinda Stevens, Zoning Administrator  
Andrea Brady, Clerk

**Gayan's Body Shop: Sign Application** – Jeff Gayan said the intent of the new sign is to update and improve the road frontage. The sign will be on the existing pole and it is not a flashing sign. The sign will be lit using the existing electricity running to the current sign and it will have an electric eye that will light the sign from dusk till dawn. Chairman Pellegrino stated for the record that he would refrain from taking part in the discussion due to a potential conflict of interest from doing business with Mr. Gayan. Zoning Administrator, Lucinda Stevens recommended approval of the sign. Warren Bowie made a motion to approve the sign. Wayne Higdon seconds the motion. Motion carried. 3 ayes, 0 nays and Chairman Pellegrino abstained from voting. Thomas Gordon was not present at the time of the vote.

**Approval of Meeting Minutes for June 21, 2017**– Chairman Pellegrino requested a motion to adopt the minutes as presented. Warren Bowie made a motion to approve the minutes as presented. Wayne Higdon seconds the motion. Motion carried.

**Discussion of Comprehensive Plan Matrix** – The Commission tabled the discussion of the Land Use Chapter Matrix to allow staff more time for review and comment. The Commission will discuss the Land Use Chapter Matrix at the August 16<sup>th</sup> meeting and will submit their comments for the Environmental Element on September 13<sup>th</sup>. The Environmental Element will be discussed at the September 20<sup>th</sup> meeting.

The Commission discussed the TCMX memo received from Ms. Stevens. (See attached)

Mr. Bowie began the discussion by suggesting the Commission hold a joint meeting with the Town Council to discuss their vision for the Town moving forward. Mr. Pellegrino was in agreement with Mr. Bowie since the Comprehensive Plan is supposed to reflect the vision for the Town. The Commission agreed to move forward with requesting a joint meeting with the Council to discuss their vision for the Town. Town Clerk Brady will contact Council to find out if they are available to meet on August 16<sup>th</sup>.

During the discussion with Council about their vision, the Commission would also like to know what they want to see on 210, for example changing the zoning to TCMX.

The Commission is concerned about developments in the TCMX zone not including a commercial element. The Commission sees a need for enforcement and more strict language for the requirements within the TCMX zone. The feeling of the Commission and staff is that if the Zoning Ordinance is revised to have a stronger definition for TCMX and stronger language it will require the mixed use without an option.

Mr. Gordon mentioned that the Town should find a way to encourage businesses to come in to fill the commercial space through incentives. Town Clerk Brady directed the Commission to the Business Incentives section on the website which includes items such as the waiver of permit fees and tax credits.

Mr. Pellegrino suggested the Commission consider other options if the developer does not want to include commercial retail space, such as parkland, a library or assisted living.

The Commission also discussed if they change the TCMX zone and they haven't approved a preliminary plan for development, just a concept plan, would the developer have to go with the updated TCMX zone. Ms. Stevens said there is usually a grandfathering time period and she will work on coming up with language to address that.


The Commission asked where the Council stands with the Zoning Ordinance. Town Clerk Brady stated that the Council would like to move forward with adoption soon but they are still in discussions at this time.

The Commission discussed future possibilities of annexation for the Town. Mr. Bowie mentioned annexation of the Base.

The Commission held off on further discussion of the Comp Plan and the TCMX zone at this time.

Without further comment, Michael Pellegrino requested a motion to adjourn. Warren Bowie made a motion to adjourn. Anita Sampson seconds the motion. Motion carried. Michael Pellegrino adjourned the meeting at 8:00pm.

Submitted by:

  
Andrea Brady  
Town Clerk

8/16/17  
Date



1101 Opal Court, Ste. 312  
Hagerstown, MD 21740-5941  
T 301.791.1100  
F 301.791.5020

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## MEMORANDUM

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TO: Annie Brady  
Ryan Hicks  
Planning Commission (PC) Members

FROM: Lucinda Stevens, Zoning Administrator

RE: Encouraging commercial development in the TCMX zone

DATE: July 13, 2017

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Last month at their regularly scheduled monthly meeting the Planning Commission (PC) discussed an apparent trend that developers appear more likely to propose townhomes over commercial development in the TCMX zone. The PC would like to encourage commercial development –such as a grocery store– within the Town and specifically within TCMX. The following options are suggested for review and consideration. The solicitor should review any proposed changes.

- 1) The Zoning Map contains a General Commercial (GC) zone along Route 210 in the center of Town, but GC is not included in the Schedule of Zone Regulations (Schedule), copy attached. The PC can clarify design guidelines by adding GC to the Schedule.
- 2) In general, development in any zone can be encouraged by allowing for the following;
  - a) increased coverage;
  - b) reduced setbacks; and,
  - c) reduced open space requirements or “fee in lieu of” open space requirements.
- 3) The Schedule contains vague or negotiable regulations for TCMX. Regulation for lot area, dimensions, setbacks, Open Space Ratio and Landscape Ratio are specified as “Based on design of the development” and subject to PC approval through Administrative Procedures in Section 1100. Thus the developer can submit a plan for approval with little design guidance or imposed requirements. The remaining options would be examples of providing more specific design guidance.
- 4) In the Schedule, the TCMX line can be revised to require mixed use. For example, TCMX can require at least two (2) distinct uses be utilized.

For example (adapted from other Codes):

*Permitted uses for mixed use development. Subject to Development standards, building(s) may be altered, erected, or used and a tract or lot may be used for any combination of the*

following uses when authorized by conditional use, provided that at least two of the following categories of uses are utilized:

- i) Retail stores (including, but not limited to, grocery stores, personal service shops, restaurants and other similar establishments, banks, exercise and/or fitness facilities, studios for dance, art, music and photography but excluding convenience stores with gas);
- ii) Offices (including, but not limited to, business, professional, physicians, dentist, lawyer, veterinarians, insurance agents, stockbrokers and governmental agencies, adult and child day care);
- iii) Multifamily dwellings (as defined by the Zoning Ordinance); and/or
- iv) Educational uses.

Another example (adapted from other Codes):

The following development standards shall apply to mixed use development:

- i) Office use shall not exceed .65 of allowable FAR (Floor Area Ratio); multifamily use shall not exceed .50 of allowable FAR and retail may not exceed .15 of allowable FAR.

- 5) The definition of TCMX can be expanded and/ or revised to impose mixed uses within the same parcel. Currently the Town's Ordinance states the intent is to provide for a "wide variety of commercial development" (Section 902(a)).

An example is provided (adapted from other Codes):

The intent of the TCMX Mixed Use District is to provide for the combining of moderate-intensity offices, stores and shops, residential uses, and civic, public, and semipublic uses in a closely knit walking precinct at specific locations along Route 210 (Indian Head Highway) as designated by the Comprehensive Plan. It is the purpose of these regulations to encourage a diversification of uses in the TCMX District and to promote close interrelationships among different uses; high-quality, visually attractive, and environmentally responsible site design and buildings; efficient circulation systems; conservation of land and energy resources; reduced rates of auto trip generation; and increased opportunities for pedestrian circulation. In addition, the specific intent is to:

- a) Establish or reinforce moderate-intensity, mixed use areas, following the precedent of traditional villages, by keeping a variety of different, reasonably compatible uses together in a closely knit setting.
- b) Provide for convenient, local services for Town residents living in and near to these areas and opportunities for short-distance trips by automobile or alternate means, such as by bicycle or on foot.
- c) Encourage the use and reuse of historic structures and discourage their demolition.
- d) Allow for moderate-intensity commercial uses where more intensive commercial use would have adverse effects on adjacent and neighboring residential areas.
- e) Minimize auto trip generation through maximizing opportunities for pedestrian movement and patronage of multiple facilities in a development district that emphasizes the interrelationship of uses and structures.

- f) *Establish a framework for development that anticipates and encourages the necessary conditions for a high level of pedestrian circulation.*
- 6) TCMX can be modified, or an Overlay district created, which requires all first floor uses to be commercial but allows for apartments in upper floors.
- 7) An Overlay district can be created which allows for modified requirements for commercial uses.

Section 1209. Schedule of Zone Regulations

**SCHEDULE OF ZONE REGULATIONS**

Zoning Districts	Minimum Lot Area			Minimum Yard Requirements				Maximum Height		Lot Coverage Max. % (G)	Density/Int ensity Max FAR or du's/acre	Min. OSR %	Min. LSR %	Minimum Tract Size
	Area (sq.ft.)	Area/du	Width	Depth	Front	Side	Aggregate	Frontage	Rear					
<b>R-1</b>														
Single-family residential low density	15,000 (7)		75 (7)	100 (7)	30 (7)	10 (7)	25 (7)	50 (7)	25 (7)	35	2.5		30 (7)	
<b>R-2</b>														
Single-family residential medium density	8,000		75	100	25	10	25	40	25	35	2.5		30	
<b>RM</b>														
Single-family	8,000		75	100	25	10	20	18	30	40	3		30	
Duplex	6,000	6,000	40	100	25	10	20	18	30	40	3		30	
Townhouse	1,500	(5)			(3)	(4)				40	3		50	1 acres
Garden apartment										40	3		50	5 acres
<b>TCMX</b>														
Commercial	8,000		60	100	3	2	5	60	15	60	3			
Residential Uses	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	75			50 (1)	.5 acres

SEE PAGE 12.13 FOR DEFINITIONS AND EXPLANATION OF NOTES (1) - (7)

Townhouse, Garden Apartment and other multi-family developments are subject to the regulations contained in Section 1159.