BY-REQUEST COMPREHENSIVE REZONING

COMMERCIAL, INDUSTRIAL & EMPLOYMENT CAMPUS DISTRICTS

I2-04-2020-0013
Carroll County Department of Planning
Comprehensive Zoning Assessment Report

1. Request

Request #: I2-04-2020-0013 Applicant Name: K&P Resource Recovery, LLC

Property Address:
1. Reese Rd, Westminster, MD 21157 (Parcel 0534)
2. Reese Rd, Westminster, MD 21157 (Parcel 0075)
3. Baltimore Blvd, Westminster, MD 21157 (P/O Parcel 1601)

Current Zoning: “A” Agriculture Requested Zoning: “I-2” Heavy Industrial

2. Description of Property

<table>
<thead>
<tr>
<th>Property Address: Reese Rd, Westminster, MD 21157</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner District: 2</td>
</tr>
<tr>
<td>Parcel: 0534</td>
</tr>
<tr>
<td>Total Acreage of Parcel: 20.10 acres</td>
</tr>
<tr>
<td>Current Use (SDAT): Agriculture</td>
</tr>
<tr>
<td>Current Zoning: “A” Agriculture</td>
</tr>
<tr>
<td>Requested Zoning: “I-2” Heavy Industrial</td>
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<tr>
<td>Account ID: 07-04-075943</td>
</tr>
<tr>
<td>Map: 0047</td>
</tr>
<tr>
<td>Area to be Rezoned: 20.10 acres</td>
</tr>
<tr>
<td>Improved or Unimproved: Unimproved</td>
</tr>
</tbody>
</table>

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<tr>
<th>Property Address: Reese Rd, Westminster, MD 21157</th>
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<tbody>
<tr>
<td>Commissioner District: 2</td>
</tr>
<tr>
<td>Parcel: 0075</td>
</tr>
<tr>
<td>Total Acreage of Parcel: 30.988 acres</td>
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<tr>
<td>Current Use (SDAT): Agriculture</td>
</tr>
<tr>
<td>Current Zoning: “A” Agriculture</td>
</tr>
<tr>
<td>Requested Zoning: “I-2” Heavy Industrial</td>
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<tr>
<td>Account ID: 07-04-024664</td>
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<tr>
<td>Map: 47</td>
</tr>
<tr>
<td>Area to be Rezoned: 30.988 acres</td>
</tr>
<tr>
<td>Improved or Unimproved: Unimproved</td>
</tr>
</tbody>
</table>

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<tbody>
<tr>
<td>Commissioner District: 2</td>
</tr>
<tr>
<td>Parcel: 1601</td>
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<tr>
<td>Total Acreage of Parcel: 51.4033 acres</td>
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<tr>
<td>Current Use (SDAT): Agriculture</td>
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<td>Current Zoning: “A” Agriculture</td>
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<tr>
<td>Requested Zoning: “I-2” Heavy Industrial</td>
</tr>
<tr>
<td>Account ID: 07-04-075951</td>
</tr>
<tr>
<td>Map: 46</td>
</tr>
<tr>
<td>Area to be Rezoned: 28.82 acres</td>
</tr>
<tr>
<td>Improved or Unimproved: Unimproved</td>
</tr>
</tbody>
</table>
3. Land Use and Zoning Considerations

Existing Land Uses: No improvements on the property.

Land Use Plan Designation: Industrial Heavy, 2014 Carroll County Master Plan as amended 2019 (2014 CCMP)

Existing Zoning and Land Use in Adjacent Area (See map of the property and the surrounding area):

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td>2014 CCMP: Industrial Heavy, Agriculture</td>
</tr>
<tr>
<td>South</td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td>2014 CCMP: Commercial High, Agriculture</td>
</tr>
<tr>
<td>East</td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td>2014 CCMP: Agriculture</td>
</tr>
<tr>
<td>West</td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td>2014 CCMP: Industrial Heavy</td>
</tr>
</tbody>
</table>

Zoning History Summary

This property has been zoned Agriculture since 1965. There were two requests to rezone to the “I-R” Industrial-Restricted District in 2000 and 2001, which were withdrawn and denied. These requests were made prior to the future land use designation of Industrial High on the property.

1 2014 Carroll County Master Plan as amended 2019.
4. **Consistency with Master and Functional Plans:**

   A. Applicable Master Plan Land Use (MGA, Rural Village Designation, etc.)

   The requested “I-2” Heavy Industrial zoning is consistent with the future land use designation of Industrial Heavy in the 2014 CCMP. This property is outside of the Westminster municipal growth area. It is in proximity to the Carroll County Landfill.

   B. Applicable Master Plan Goals and Objectives

   This request is consistent with Goal 13 from the 2014 CCMP: “Promote a healthy economy and additional employment opportunities by: … focusing on development and redevelopment of existing vacant and underutilized commercial and industrial properties; providing land appropriately located and zoned for a variety of types and intensities of new economic development activities; and maintaining a desirable balance between economic development and residential development.”

   Also consistent with the following Implementation Strategy from the 2014 CCMP: “Zone adequate commercial, industrial, and employment campus lands to increase the non-residential tax base; along major roadway corridors encourage the assembly of small, separate adjoining parcels of developable and into single larger parcels…”

   C. Water Service Area and Service lines in proximity (see map)

   W-7 No Planned Water Service

   D. Sewer Service Area and Service lines in proximity (see map)

   S-7 No Planned Sewer Service

5. **Environmental Constraints**

   Liberty Reservoir stream flows through the property; almost one-half (45%) of the requested area is forested; greater than 25% steep slopes; North Branch Patapsco River 1 Tier II Catchment Area.

6. **Historic Resources Identified**

   No historic sites were identified on the property. Twenty-four historic sites were identified within a ½ mile radius.
7. Public Safety Assessment

EMS is adequate, there are no deficiencies at the time of this assessment. Fire is adequate for Late and Failed and is approaching inadequate for Response Time.

8. Ag Preservation and Applicable Preservation Area

Upper Patapsco Rural Legacy Area. There is a MALPF easement to the northeast of the property, separated by Reese Road.

9. Assessment Summary

The request for rezoning of this property to the I-2 Zoning District is consistent with the future land use designation of Industrial Heavy in the 2014 CCMP. As stated in Section 158.080 of the Carroll County Code, “It is intended that properties in this district be located with access to major thoroughfares…” MD140 is one of the most heavily travelled Principal Arterials in the County, providing access to the Baltimore Region. Development of this property for a specific heavy industrial use would be subject to review for access to MD140, considerable environmental constraints, and water and sewer infrastructure adequate to serve the use.

10. Recommendations

Department of Planning Recommendation: Favorable

Planning Commission Recommendation:

11. Appendixes

See attachments for individual assessments.
Legend

- **I2-04-2020-0013**
- Growth Area
- Major Roads
- Property Data
- Roads

**Existing Zoning**
- C-2
- I-1
- Agriculture
- R-40,000

Created by the Carroll County Department of Planning 3/20 (KC)
Zoning History

Request #: 12-04-2020-0013  Applicant Name: K&P Resource Recovery, LLC

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Current Zoning: “A” Agriculture  Requested Zoning: “I-2” Heavy Industrial

Previous Zoning Change Requests (if applicable): Rezoning Case #205

BZA Requests (if applicable): BZA Case #4835

Zoning Violations (if applicable): None

1965 Zoning – Agriculture


- Request: “A” Agriculture to “I-R” Restricted Industrial, 136.564 acres
- This case was pulled before it went before the PC and BCC.

2001 Phase II of the Commercial and Industrial Comprehensive Rezoning

- This site was considered for rezoning from “A” to “I-R” during Phase II of the Commercial and Industrial Comprehensive Rezoning in 2001. Staff Recommendation to PC was unfavorable and PC Recommendation to BCC was unfavorable.
- Constraints to the property include No Planned Water /Sewer Service, if the site were to develop of wells, water quality could be compromised given the site adjoins the landfill. The site lies within the Liberty Reservoir watershed, and contains stream, stream buffer and wetland.

Reese Ridge Major Subdivision

BZA Case #4835:

- An appeal of a letter from the Director of Planning, dated June 17, 2003, regarding the 12-month deferral on all residential development (Ordinance 03-11).
- Decision: the letter was not an approval or decision appealable to the BZA, motion to dismiss.
Environmental Issues

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Watershed: Liberty Reservoir

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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</table>
| ☐   | ☒  | Water Resources Protection Easement
| ☐   | ☒  | 100-Year Floodplain on the Property
| ☒   | ☐  | Streams
| ☒   | ☐  | Wetlands
| ☒   | ☐  | Steep Slopes (>25%)
| ☒   | ☐  | Forest Cover (<25% ☐ 25-50% ☒ 51-75% ☐ >75% ☐ of total parcel)
| ☒   | ☐  | Tier II Catchment Area (if yes, Name): North Branch Patapsco River 1

Comments:

Stream – a branch of the Liberty Reservoir enters Parcel 0534 from the NE corner and extends to the south.

Forest Cover – 45% (35.8 acres) of the requested area. Approximate breakdown:

- Parcel 0534 - 37% (7.5 acres)
- Parcel 0075 - 56% (17.4 acres)
- Parcel 1601 - 38% (10.9 acres)

Steep Slopes – central on Parcel 0534, and few steep slopes in the SE corner of Parcel 0075.

Notes: See accompanying map with this data. Percentages and numbers are approximate as staff used the latest data from PUB to calculate the area of environmental issues.
Historic Preservation

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Historic Inventory Number On-Site: None

Historic Feature within a ½ mile radius: Several

Comments:

Within a ½ mile radius there are several historic features:

- CARR-788, Himler-McKinney
- CARR-880 John H. Chew House
- CARR-965, Reese Survey
- CARR-966, Caple House
- CARR-967, Chew-Zebal House
- CARR-968, Chew Store & Post
- CARR-969, Graham Double
- CARR-970, Reese Inn
- CARR-971, Cox House
- CARR-972, Williams House
- CARR-973, Read-Taylor House
- CARR-974, Jake’s Place
- CARR-975, Caple House
- CARR-976, Green House
- CARR-977, Mathews-Turfle House
- CARR-978, Manzer Farm Complex
- CARR-1351, Evelyn Thompson Farm
- CARR-1354, Ed Drechsler Farm
- CARR-1355, Chew-Crowl Farm
- CARR-1357, Rinehart-Miller-Bush
- CARR-1358, Rinehart-Miller-Gecell
- CARR-1460, McGee Farm
- CARR-1567, Old Westminster Pike
- CARR-1568, Old Westminster Pike
Legend

- **I2-04-2020-0013**
- Major Roads
- Property Data
- Historic Site Points
- Roads
- Historic District

Created by the Carroll County Department of Planning 3/20 (KC)
Fire and EMS Assessment

Request #: 12-04-2020-0013  Applicant Name: K&P Resource Recovery, LLC

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Districts:

Fire: Reese (2/1/18-1/31/20)  EMS: Central/Reese (2/1/18-1/31/20)
Late and Failed: Adequate (14.13%)  Late and Failed: Adequate (0.24%)
Failed: Adequate (1.09%)  Failed: Adequate (0.12%)
RT: Approaching Inadequate (9 min. 05 sec.)  RT: Adequate (7 min. 21 sec.)

Adequacy Rates for Fire and EMS:

<table>
<thead>
<tr>
<th></th>
<th>Inadequate</th>
<th>Approaching Inadequate</th>
<th>Adequate</th>
</tr>
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<tbody>
<tr>
<td>Late and No Response</td>
<td>Equals or exceeds 15%</td>
<td>Equals or exceeds 15%</td>
<td>Less than 15%</td>
</tr>
<tr>
<td>Total No Response</td>
<td>Equals or exceeds 4% over 24 months</td>
<td>Equals or exceeds 4% over 24 months</td>
<td>Equals or exceeds 4% over 24 months</td>
</tr>
<tr>
<td>Response Time</td>
<td>Exceeds 10 minutes</td>
<td>Between 8-10 minutes</td>
<td>8 minutes or less</td>
</tr>
</tbody>
</table>
Legend

- I2-04-2020-0013
- Property Data
- Major Roads
- Carroll County Easement
- Roads
- Upper Patapsco Rural Legacy Area

Created by the Carroll County Department of Planning 3/20 (KC)
Transportation

Request #: I2-04-2020-0013  Applicant Name: K&P Resource Recovery, LLC

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Frontage Road:
- MD 140
- Reese Road

Most Recent ADT or AADT of Frontage Road:
- MD 140, from Reese Road to MD 97, AADT of 46,070
- Reese Road, west of Carrollton Road, ADT of 531 (2011 data); Reese Road, north of MD 140, ADT of 706 (2011 data)

LOS at the Nearest Intersection or Frontage Road:
- 8:00 AM to 9:00 AM
  - MD 140 West – Uncongested (LOS A, B, C)
  - MD 140 East – Uncongested (LOS A, B, C)
- 5:00 PM to 6:00 PM
  - MD 140 West – Uncongested (LOS A, B, C)
  - MD 140 East – Uncongested (LOS A, B, C)

Functional Classification of Frontage Road:
- MD 140 – Urban Principal Arterial Other (2U)
- Reese Road – Rural Local Roadway (6R)

Planned Capital Improvements of Adjacent Road(s):
- MD 140 Divide Highway Reconstruct (includes access controls), from west of MD 91 to Market Street
  - Sources: HNI, 2014 Carroll County Master Plan as amended 2019

Planned Major Streets on-site or in proximity: None
Development of this property for commercial purposes would be subject to access approval by SHA.