BY-REQUEST COMPREHENSIVE REZONING

COMMERCIAL, INDUSTRIAL & EMPLOYMENT CAMPUS DISTRICTS

C2-07-2020-0022
C2-07-2020-0022: Overview

Legend

- C2-07-2020-0022
- Growth Area
- Priority Funding Areas
- Corporate Limits
- Property Data
- Major Roads
- Roads

Created by the Carroll County Department of Planning 3/20 (KC)
Carroll County Department of Planning
Comprehensive Zoning Assessment Report

1. Request

Request # C2-07-2020-0022   Applicant Name: J. Brooks Leahy on behalf of Bokeh IV, LLC

Property Address   75 Lamb Drive, Westminster, MD 21157

Current Zoning   AG   Requested Zoning   C-2

2. Description of Property

Site Address   75 Lamb Drive, Westminster, MD 21157

Commissioner District   03

Parcel   Lot 1B   Map   0055

Total Acreage of Parcel   10.2013   Area to be Rezoned:   10.2013

Current Zoning:   AG   Requested Zoning:   C-2

3. Land Use and Zoning Considerations

Existing Land Uses:
- Improved with a church/school building

Land Use Plan Designation:¹
- Agriculture

Zoning History Summary

This property has been zoned Agriculture since 1965. It was improved with a church in 2001, a principal permitted use in the Ag District. In 2012, the use was changed to a private school, also a principal permitted use. It is currently not in use. There are no zoning violations on this property.

¹ Per 2014 Carroll County Master Plan as amended 2019.
Existing Zoning and Land Use in Adjacent Area: (see of property and surrounding area)

<table>
<thead>
<tr>
<th></th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Agriculture</td>
<td>Agriculture, in use commercially</td>
</tr>
<tr>
<td>South</td>
<td>City of Westminster</td>
<td>Agriculture and Commercial (Knorr Brake)</td>
</tr>
<tr>
<td>East</td>
<td>Agriculture</td>
<td>Agriculture</td>
</tr>
<tr>
<td>West</td>
<td>Agriculture</td>
<td>Large lot residential subdivision, R-40,000 residential subdivision, Carroll County Airport</td>
</tr>
</tbody>
</table>

4. Consistency with Master and Functional Plans:

A. Applicable Master Plan Land Use (Such as MGA, Rural Village Designation Etc.)

This property is designated Agriculture in the 2014 CCMP as amended 2019. It is immediately outside the boundary of the City of Westminster. This request is not consistent with the Future Land Use designation.

B. Applicable Master Plan Goals and Objectives

This property is not consistent with the to the 2014 Carroll County Master Plan as amended 2019.

This request is contrary to goals 14 and 15 in the Carroll County Master Plan.

Goal 14 Facilitate a development pattern that remains consistent with the fabric of our communities, is in harmony with the surrounding built and natural environments, encourages community interaction and, in rural areas, preserves the County’s rural character.

Goal 15 Pursue policies that facilitate development in appropriate areas, including the Designated Growth Areas, thereby protecting and conserving agricultural and environmental resources, preserving open space, and providing public facilities and services efficiently and cost-effectively.
C. Water Service Area and Service lines in proximity (see map)

This property is in the No Planned Service category, adjacent to property in the City of Westminster in the Priority sewer service area, and in the vicinity of Existing water service.

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

This property is in the No Planned Service category, adjacent to property in the City of Westminster in the Priority sewer service area, and in the vicinity of Existing sewer service.

5. Environmental Constraints

There are no environmental constraints on this property.

6. Historic Resources Identified

None on site, but a number in the immediate vicinity (see attached worksheet and map)

7. Public Safety Assessment

In the Westminster District, Adequate for Fire and EMS.

8. Ag Preservation and Applicable Preservation Area

There is a MALPF easement to the south and east of this property.
9. Assessment Summary

This request is not consistent with the 2014 Carroll County Master Plan as amended 2019 or other applicable plans. Inconsistency with the master plan and the presumption of correctness of the master plan are the two main reasons for this unfavorable recommendation. In addition, it is contrary to Goals 14 and 15 of the CCMP, lies outside Westminster’s growth area boundary, is in the vicinity of MALPH easements, and is in close proximity to a number of historic properties.

Although the property is not currently in an Agricultural use, the uses previously located on this property, a church and a school, are permitted uses in the AG District, as are a number of similar commercial uses, such as recreational centers, day care centers and veterinary clinics. There are also a number of other commercial uses that are considered appropriate for the AG District and are allowed with conditional use approval. Changing this property from AG zoning to the C-2 zoning category would allow all the more intense commercial uses in Section 158.082 of the County Code on this property, which is surrounded by Ag-zoned land. This was not envisioned by the 2014 Plan or the 2019 Amendment.

10. Recommendations

Department of Planning Recommendation: **Unfavorable**

Planning Commission Recommendation: **Unfavorable**

11. Appendixes

See attachments for individual assessments.
Legend

County Future Land Use
- Residential-Low Density
- Resource Conservation
- Industrial-Light
- Transportation
- Agriculture
- Corporate Limits
- Property Data
- Growth Area

C2-07-2020-0022: Future Land Use

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

Request # C2-07-2020-0022 Applicant Name: J. Brooks Leahy on behalf of Bokeh IV, LLC

Property Address: 75 Lamb Drive, Westminster, MD 21157

Current Zoning: AG  Requested Zoning: C-2

Previous Zoning Change Requests (if applicable): _____________________________________

______________________________________________________________________________

BZA Requests (if applicable): Case # 5663

Zoning Violations (if applicable): IN-02-0251, ZI-13-0147

Comments:

Case # 5663 (2012), which was approved by the BZA, was the appeal of a variance approval by the Zoning Administrator for a reduced setback for the North Carroll Community School. The Zoning Violation complaints were regarding traffic and lighting and were investigated. No action was necessary.
Checklist of Environmental Issues

Request # C2-07-2020-0022 Applicant Name: J. Brooks Leahy on behalf of Bokeh IV, LLC

Property Address: 75 Lamb Drive, Westminster, MD 21157

Current Zoning: AG Requested Zoning: C-2

Watershed: Double Pipe Creek

Yes No
☐ ☒ 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): _____________________________

See accompanying map with this data.

If “yes” checked on any of the above, indicate extent of resource on the property below:


Historic Preservation Checklist

Request # C2-07-2020-0022 Applicant Name: J. Brooks Leahy on behalf of Bokeh IV, LLC

Property Address: 75 Lamb Drive, Westminster, MD 21157

Current Zoning: AG  Requested Zoning: C-2

Historic Inventory Number: N/A

Comments:
Fire and EMS Assessment

Request # C2-07-2020-0022 Applicant Name: J. Brooks Leahy on behalf of Bokeh IV, LLC

Property Address: 75 Lamb Drive, Westminster, MD 21157

Current Zoning: AG Requested Zoning: C-2

Districts:

Fire and EMS: Westminster Adequacy: Adequate

*Adequacy Rates for Fire and EMS:

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<th>Inadequate</th>
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<td>Less than 15%</td>
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<tr>
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<td>Equals or exceeds 4% over 24 months</td>
<td>Equals or exceeds 4% over 24 months</td>
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<td>Response Time</td>
<td>Exceeds 10 minutes</td>
<td>Between 8- 10 minutes</td>
<td>8 minutes or less</td>
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Notes:
Transportation Checklist

Request # C2-07-2020-0022 Applicant Name: J. Brooks Leahy on behalf of Bokeh IV, LLC

Property Address: 75 Lamb Drive, Westminster, MD 21157

Current Zoning: AG  Requested Zoning: C-2

Frontage Road: Littlestown Pike (MD 97)

Most Recent ADT of Frontage Road: 19,981

Functional Classification of Frontage Road: 3R

https://www.carrollcountymd.gov/media/1675/fclass-list.pdf

Capital Improvements of Adjacent Road(s): MD 97 reconstruction from Pleasant Valley Road to PA line (State Highway Needs Inventory)

Planned Major Streets on-site or in proximity ______None_____________________________

Sidewalk ☒ Yes ☐ No

Trails ☐ Yes ☒ No

Trail Blazer Route or Stop ☐ Yes ☒ No

Other Comments:
School Assessment

Request # C2-07-2020-0022 Applicant Name: J. Brooks Leahy on behalf of Bokeh IV, LLC

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Current Zoning: AG Requested Zoning: C-2

Districts:

Elementary: William Winchester  Current Utilization Rate: 98.7%  Adequacy: Adequate
Middle: East  Current Utilization Rate: 90.8%  Adequacy: Adequate
High: Winters Mill  Current Utilization Rate: 84.1%  Adequacy: Adequate

* Adequacy Rates for Projected Enrollment based on the 2019-2028 EFMP

https://www.carrollk12.org/admin/facilities/planning/Documents/EFMP%202019-2028%20Section%205.pdf

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<tbody>
<tr>
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<td>110-119% SRC</td>
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</tr>
<tr>
<td>Middle</td>
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<td>High</td>
<td>&gt;= 120% SRC</td>
<td>110-119% SRC</td>
<td>&lt;110% SRC</td>
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Notes: