

MEETING SUMMARY
Carroll County Planning and Zoning Commission

April 9, 2019

Location: Carroll County Office Building

Members Present: Richard Soisson, Chair
Cynthia L. Cheatwood, Vice Chair
Alec Yeo
Eugene A. Canale
Daniel E. Hoff
Janice R. Kirkner, Alternate

Members Absent: Jeffrey A. Wothers
Ed Rothstein, Ex-officio

Present with the Commission were the following persons: Lynda Eisenberg, Mary Lane, Arco Sen and Laura Bavetta, Department of Planning; Clay Black, Kierstin Eggerl and David Becraft, Development Review.

CALL TO ORDER/WELCOME

Chair Soisson called the meeting to order at approximately 9:01 a.m.

ESTABLISHMENT OF QUORUM

Laura Bavetta took attendance and noted that six members of the Board were present and a quorum was in attendance.

PLEDGE OF ALLEGIANCE

REVIEW AND APPROVAL OF AGENDA

On motion of Mr. Yeo, seconded by Ms. Cheatwood and carried, the Agenda was approved.

REVIEW AND APPROVAL OF MINUTES

On motion of Mr. Yeo, seconded by Ms. Kirkner and carried, the Minutes from the March 19, 2019 meeting were approved.

COMMISSION MEMBER REPORTS

A. COMMISSION CHAIRMAN

Chair Soisson stated he approved three plans since the last meeting; Panos Estates, Childs Acres and Runway Estates.

B. EX-OFFICIO MEMBER

Commissioner Rothstein was not in attendance.

C. OTHER COMMISSION MEMBERS

There were no other reports.

ADMINISTRATIVE REPORT

A. ADMINISTRATIVE MATTERS

Secretary Eisenberg noted the Environmental Stewardship Report that was provided by the Environmental Advisory Council.

B. EXTENSIONS

Clay Black stated three extensions were granted since the last meeting; Frank's Way, Hummingbird Hill and Orchard View Estates 2.

C. BZA CASES

Arco Sen reported that there were three cases in March that were granted. Mr. Sen stated the department will be providing comments for five cases to be heard in April. Chair Soisson asked that Mr. Sen continue to brief the Commission on upcoming cases.

D. OTHER

There were no other reports.

CONCEPT SUBDIVISION PLAN

SUBJECT: P-18-0038, Walnut Ridge 8
LOCATION: South side of Old Westminster Pike at Woodside Drive, E.D. 7
OWNER: D&D Enterprises, 580 Obrecht Road, Sykesville, MD 21784
DEVELOPER: same as owner
ENGINEER: CLSI, 439 East Main Street, Westminster, MD 21157
ZONING: R-20,000
ACREAGE: 15.01 acres
WATERSHED: Liberty Reservoir
NO. OF LOTS: 6
FIRE DISTRICT: Westminster
MASTER PLAN: Medium Density Residential – 2009 City of Westminster Comprehensive Plan
PRIORITY
FUNDING AREA: Westminster
DESIGNATED
GROWTH AREA: Westminster

❖ Action Required:

The plan is before the Planning and Zoning Commission per Chapter 155 of the Code of Public Local Laws and Ordinances of Carroll County for consideration of a Concept Major Subdivision Plan. **No action is required.**

❖ Existing Conditions:

The subject property is undeveloped, zoned R-20,000, lies along Old Westminster Pike east

of Woodside Drive, and slopes downhill towards the Pike with approximately 100 vertical feet of elevation change. A tree line bisects the property. There are no streams or floodplains on site. The property lies outside of the City of Westminster's water and sewer service areas.

Walnut Ridge subdivision has been recorded in sections between 1965 and 2007 (see plats attached). Adjoining properties to the west and south are within Walnut Ridge, zoned R-20,000, and built with single-family residences. To the east, adjoining properties are zoned R-40,000 and built with single-family houses. Across Old Westminster Pike, residences sit on R-20,000 and R-40,000 lots.

❖ **Plan History:**

On July 24, 2013, the Planning and Zoning Commission approved a preliminary plan for five lots of subdivision developed by D & D Enterprises for Walnut Ridge (Section) 8. Three lots were to be accessed from Old Westminster Pike, one from Woodside Drive, and one from Boxwood Avenue. The final plan was approved on November 4, 2014 but the lots were not recorded and the preliminary plan approval expired on July 24, 2015.

On March 13, 2018, the Bureau of Development Review was contacted by CLSI with a request from D & D Enterprises to initiate the processing of a plan of subdivision, Walnut Ridge 8, on the same property.

❖ **Plan Review:**

On February 12, 2019 a concept subdivision plan for Walnut Ridge 8 was submitted to the Bureau of Development Review and distributed to technical review agencies.

The proposed subdivision plan was subject to citizen involvement during the March 25, 2019 Technical Review Committee meeting. Two citizens called Development Review to inquire about the plan proposal. One couple, joiners at 900 Boxwood Avenue, emailed their concerns in advance of the meeting (see attachment) and attended the meeting to vocalize concerns. The proposed dwelling on Lot 117 is situated in close proximity to the existing house at 900 Boxwood Avenue. The neighbors petitioned the developer to move the house away from the common property line. In response, the house is shifted approximately 10 feet further from 900 Boxwood Avenue on the plan submitted for Planning and Zoning Commission concept review.

The developer proposes to create six lots that vary in size from 1.47 to 5.50 acres. The lots will have private well and septic systems. One lot will access Woodside Drive, one lot will access Boxwood Avenue, and four lots will have access onto a use-in-common drive off of the cul-de-sac of Boxwood Avenue. The drive will require a name and a Declaration of Maintenance Obligations and access easement will be recorded.

Engineering Review has requested that the private driveway at Woodside Drive for Lot 121 be moved as far south as possible. Even in relocating the driveway, its intersection spacing to Old Westminster Pike will not meet Manual requirements and will necessitate a variance request be submitted for processing by the Department of Public Works.

The temporary cul-de-sac at the terminus of Boxwood Avenue will be converted to a permanent cul-de-sac. Right-of-way from the developer (Parcel A and Parcel B) will be dedicated to the County. Right-of-way from the adjoining property owner at 907 Boxwood Avenue is proposed (Parcel C) and will require granting by that property owner.

The subject property is in Westminster's Priority Funding Area and Designated Growth

Area.

In their review, the Department of Planning determined that the proposed plan is consistent with the land use designation. Recommendations from Planning to insure consistency with elements of the 2009 City of Westminster Comprehensive Plan were provided. Planning advised providing sidewalk and trees along the property frontage at Old Westminster Pike.

Concept Stormwater Management approval has been granted. Stormwater management (SWM) will be addressed with drywells on the lots. Parcel D, 0.79 acres, will be a stormwater infiltration facility to be conveyed to the County upon acceptance of the facility. A wide shoulder along the use-in-common drive, a storm drain inlet at the Boxwood Avenue cul-de-sac, and associated storm drain pipe to the facility are proposed. A new storm drain pipe to the immediate east of the intersection of Woodside Drive and Old Westminster Pike will convey water to an existing pipe running under Old Westminster Pike.

Forest Conservation will be addressed with the purchase of 2.99 acres in an off-site forest bank. The side yard of Lot 121 is required to be screened at Woodside Drive in accordance with Landscape Manual requirements. Landscaping requirements along Old Westminster Pike need to be addressed. Water Resources review has requested additional information. The plan is exempt from Floodplain codes.

The project is subject to the provisions of Concurrency Management, Chapter 156 of the Code, and will be tested prior to presentation of the plan to the Commission for approval of the Preliminary Plan. At the concept stage, schools, roads, and water and sewer services are deemed adequate. Whereas the previous twenty-nine months of emergency services data is not yet available from the Office of Public Safety, assessment of the standard is outstanding.

Discussion:

Clay Black presented the staff report.

Marty Hackett and Linda Alexander, CLSI and John Serma, owner, were present.

Mr. Hoff and Ms. Kirkner recused themselves from this presentation.

There was much discussion regarding sidewalks, historic trees and grade of the property.

Chair Soisson stated he would like the engineer to look at putting the sidewalk on the other side of the trees.

Mr. Hackett stated they would look into that.

Ms. Lynn Earp, citizen, would like the house on Lot 117 to be moved further away from her property line.

The Commission discussed the location of the house on Lot 117 and possibilities of moving it. It was noted that new sand mound regulations are prohibiting where the house can be located.

Mr. Hackett stated they would look into moving the house away from Ms. Earp's property line as much as possible.

Mr. Black suggested including a detailed drawing of Lot 117 at Preliminary that shows setback distances.

Decision:

No action is required.

CONCEPT SITE PLAN

SUBJECT: S-17-0009, One Forty Mini Storage Amended
LOCATION: 3240 Old Westminster Pike, E.D. 4
OWNER: MAB Family Partnership LP#1, 3240 Old Westminster Pike, Finksburg, MD 21048
DEVELOPER: same as owner
ENGINEER: HLS, Inc., 194 East Main Street, Westminster, MD 21157
ZONING: B-G, General Business
ACREAGE: 4.975 acres
WATERSHED: Liberty Reservoir
FIRE DISTRICT: Reese
MASTER PLAN: Commercial – 2013 Finksburg Corridor Plan
PRIORITY
FUNDING AREA: Finksburg
DESIGNATED
GROWTH AREA: Finksburg

❖ **Action Required:**

The plan is before the Planning and Zoning Commission per Chapter 155 of the Code of Public Local Laws and Ordinances of Carroll County for consideration of a concept site plan. **No action is required.** The Planning Commission may consider delegating approval of the final site plan to the Planning Commission Chair.

❖ **Existing Conditions:**

The 4.975-acre subject area is comprised of three parcels owned by MAB Family Partnership. All parcels are in the General Business zoning district. The parcels will be consolidated by deed prior to final approval of the site plan. Currently used as a mini storage facility and an RV storage yard, the property hosts seven storage buildings, an office building, associated parking, paved and gravel areas, a business sign at Old Westminster Pike and another along Baltimore Boulevard, perimeter fencing, and two residences. Access is solely from Old Westminster Pike for the business as well as the residences.

Two previous site development plans have been processed for the property. One Forty Mini Storage was approved in 1988 (see attached). Seibold RV Storage Yard was approved in 1994 (see attached).

The adjoining property to the west shares the subject property's General Business zoning and is developed. Adjoining to the east is a Conservation-zoned vacant lot. To the south, across Old Westminster Pike lie single-family residences on R-10,000-zoned lots and a community park in the Conservation zoning district.

The subject property is inside the Finksburg Corridor Area, Priority Funding Area, and Designated Growth Area. Private well and septic systems serve the subject property and all surrounding properties. Two underground fire protection tanks exist on site.

❖ **Plan Review:**

On June 18, 2018 a site plan for an expansion of the Mini Storage was submitted to the Bureau of Development Review and distributed to technical review agencies.

The proposed site plan was subject to citizen involvement during the July 23, 2018 Technical Review Committee meeting. There were no citizens who spoke at the meeting and no written comments have been forwarded to the Bureau of Development Review. One resident across Old Westminster Pike phoned to inquire about the project. She communicated her support.

The developer proposes to demolish the existing office building, one small storage building, and both dwellings. Well and septic systems for the residences will be abandoned in accordance with Health Department regulations. Existing access points from Old Westminster Pike for the residences will be removed.

Four new mini storage buildings are proposed; Building 1 is 4,200 SF with 400 SF of office space, Building 2 is 5,100 SF, Building 3 is 7,000SF, and Building 4 is 2,880 SF. A retaining wall will be located at the northwest corner of the site. The chain link fence will be extended to the new perimeter. No new signage is proposed. Lighting proposed is building-mounted.

Building elevations are depicted on sheets 8-11. The height of the buildings, materials, and colors will need to be annotated on the final plan set.

With regard to the parking requirements, 48 spaces are required and 51 spaces are depicted. Handicapped parking is provided at the office building. The existing underground storage tanks and automatic sprinkler systems meet the requirements of Fire Protection.

In their review, the Department of Planning determined the plan to be consistent with all applicable plan policies and recommendations.

On July 10, 2018, the Design and Architectural Review Committee, an advisory group, met to review the project. Comments and suggestions included:

1. In plan, there is a grade change along the building elevations. Depict this on the building elevations.
2. Landscaping along the entire property at Old Westminster Pike is suggested. As there are residences across the road.

Forest conservation was addressed previously with the plan for Seibold RV Storage Yard. Landscaping screening and parking lot landscaping will address the Manual requirements. The plan is exempt from Floodplain Management. A note has been placed on the plan for Water Resources Review indicating that hazardous and regulated substances are not permitted on the site. Grading Review granted concept approval. Well and septic systems proposed to be abandoned must be done so under Health Department supervision.

The Bureau of Resource Management has granted concept Stormwater Management approval. Stormwater management will be achieved with areas of porous paving and a storm drain pipe system conveying water to an existing on-site stormwater management facility.

The site plan will be tested and reviewed for adequacy of public facilities in accordance with

Chapter 155 of the Code of Public Laws and Ordinances of Carroll County Maryland.

Discussion:

Clay Black presented the staff report.

Doug Barmoy, Hanover Land Services and Rod Lockard, Contractor, were present.

Mr. Lockard stated the existing building have been updated and are staying.

Mr. Yeo asked if the outside RV and boat storage will be eliminated.

Mr. Black stated there is a note on the plan stating that outside storage is prohibited.

There was a brief discussion regarding the required parking spaces.

Barb Chris, citizen, questioned when the project will begin. Ms. Chris is concerned about the residents living in the houses that will be demolished.

Mr. Barmoy stated the project may begin in less than a year.

Mr. Lockard stated the demo is very regulated.

Decision:

On motion of Mr. Yeo, seconded by Ms. Kirkner and carried, the Commission voted to delegate approval of the Final Site Plan to the Chair.

CONCEPT SITE PLAN

SUBJECT: S-18-0014, Target Community & Educational Services, Inc., 2nd Amended
LOCATION: 111 Stoner Avenue, Westminster
OWNER: County Commissioners of Carroll County, 225 North Center Street,
Westminster, MD 21157
DEVELOPER: Target Community and Educational Services, Inc., 111 Stoner Avenue,
Westminster, MD 21157
ENGINEER: Hanover Land Services, 194 East Main Street, Westminster, MD 21157
ZONING: Residential-20,000 (R-20)
ACREAGE: 4.9240 acres (Lease site 4.0193acres)
WATERSHED: Double Pipe Creek
FIRE DISTRICT: Westminster
MASTER PLAN: Medium Density Residential – City of Westminster 2009 Comprehensive
Plan
PRIORITY
FUNDING AREA: Westminster
DESIGNATED
GROWTH AREA: Westminster

❖ **Action Required:**

The plan is before the Planning and Zoning Commission per Chapter 155 of the Code of Public Local Laws and Ordinances of Carroll County for consideration of a Concept Site Plan. No action is required. The Planning Commission may consider delegating approval of the Final Site Plan to the Planning Commission Chair.

❖ **Existing Conditions:**

The property is located south of the City of Westminster at the corner of Stoner Avenue and South Center Street, near the Carroll County Hospital. The property is owned by the County Commissioners of Carroll County and portions of the County property are leased to the Developer, Target Community and Educational Services, Inc. (hereafter called Target). The total area leased to Target is 4.0193 acres. The leased area is improved with multiple buildings and two separate uses; Target operates a non-profit organization for children and adults with disabilities from the two existing buildings on the eastern side of the property, and a restaurant called Gypsy's Tea House occupies the historic Winchester Country Inn buildings to the western side of the property. Target provides various on and off-site services for disabled people and their families, and this site houses administrative offices and classrooms.

Stoner Avenue and South Center Street, which border the property on two sides, follow the municipal border of the City of Westminster. Properties across Stoner Avenue to the north as well as those across South Center Street to the west are presently incorporated into the City of Westminster. The site itself is outside of the City of Westminster, but it is within its designated growth area as well as the priority funding area. It is also within the Westminster water and sewer area and presently utilizes existing connections.

The property directly to the north is a playground within the City limits that is zoned R-7,500 and is owned by the Mayor and Common Council of the City of Westminster. The property to the northeast, within the County's R-20 zoning district, is in use as a non-profit organization for people with disabilities called Change, Inc. To the southeast, in an R-20 zoned property which is outside of the City limits and owned by the County Commissioners of Carroll County, there is the Westminster Senior Center and a regional stormwater management pond, which is directly south of the site. To the west, across South Center Street, there are single family homes, townhouses and apartments in the Middlebrooke subdivision, which has an R-10 zoning designation in the City limits.

The site is at a slightly higher elevation than the adjacent public roads and is relatively flat, slopping gradually to the south as it approaches the adjacent stormwater management pond. There are four buildings located towards the middle of the property, with three separate parking areas to the north of the buildings. There are two signs along the roadside edges of the property identifying the two uses as well as signs on the sides of the driveway that identify the locations of each business. Both uses, as well as the adjacent property to the east containing Change, Inc., are accessed via a use-in-common entrance off of Stoner Avenue. There are large trees throughout the site and along the southern and eastern property lines. There are landscape features around the central parking lot and against the buildings. The eastern parking lot has paved sidewalks that connect to the Change, Inc. parking lot to the

east and the Westminster Senior Center parking lot to the southeast. Two sheds and two dumpsters are also located on the edges of the eastern parking lot. There is a 20' drainage and utility easement for the City that crosses the corner of the property at Stoner Avenue and South Center Street, a 26' wide drainage and utility easement running along and partially beneath the existing driveway, and a 20' wide drainage and utility easement along the eastern border of the property.

❖ **Plan Review:**

The two buildings that Target uses on the property are currently detached from each other and separated by an open grass yard. The doors to both buildings face different directions and there is no clear main entrance. The Developer proposes to connect the two existing buildings with a new addition to function as a main entrance and reception area. A new one-way drive in front of the addition, branching off from the existing entrance drive and connecting to the eastern parking lot, would add 5 parking spaces and provide drop-off access to the main entrance. A drive through canopy that extends over the new driveway is proposed to connect to the addition above the new entrance.

The plans show the proposed addition located in the space between the two buildings, connecting them where their existing entrances are. The canopy is attached to the front of the addition and projects to the north. The addition provides 940 square feet of indoor space as well as the drive through canopy.

The elevation drawings on Sheets 6 and 7 show the building to be 10'8" tall with a flat roof and vinyl siding to match the existing buildings. The 14'3" tall canopy is located on the northern side of the building and is approximately 35' long and 19' wide. The canopy is shown to be illuminated with three LED light fixtures mounted in the ceiling, and no other exterior lights are proposed.

Beneath the canopy and centrally located along the building's front, the main entrance is shown as a vestibule with a window on each of its side walls and commercial aluminum glass doors on each end. The front of the addition is curved outward along its length and has five 3'x4' windows on each side of the vestibule. Two additional windows of the same size are shown on the rear wall, and the doors that were previously the main entrances for each building are now shown to be accessed from within the new building. The indoor space is a reception area, with a reception desk and printing room at the back of the addition for staff and chairs along the front wall near the entrance for use as a waiting area.

The new driveway is proposed to branch off of the existing entrance paving and connect to the eastern parking lot. It is a one-way drive with a "One-Way" sign at its entrance, thermoplastic traffic arrows in two locations along the road surface, and a "Do Not Enter" sign facing the adjoining parking lot at the end. The paving is 20' wide at the entrance with 5 new angled parking spaces to the left. As it approaches the addition, it widens to 25' to allow through traffic to flow past vehicles parked in the loading area under the canopy. The paving then becomes 15' wide where it connects to the existing eastern parking lot. Four new shade trees are proposed along the new driveway's entrance and parking spaces.

Parking requirements are calculated for both uses on site, classifying Target as an office and Gypsy's Tea House as a restaurant. Per section 155.077, minimum parking requirements for

an office are 3.3 spaces per every 1,000 square feet of floor area, and a restaurant is required to provide 1space for every 3 persons, based on maximum capacity. The total size of Target's floor area is 9,167 square feet, which requires 31 parking spaces. The tabulation notes that the total occupancy for the restaurant is 101 people, which requires 34 spaces. The total number of required parking spaces for both uses combined is 65, and 70 spaces are provided, thereby satisfying the parking requirements.

New sidewalk is proposed between the one-way drive and the building to connect the parking lots and existing sidewalks to the new entrance. New sidewalk is also proposed to the south of the addition, replacing existing sidewalk as well as providing a new connection from the western parking lot to both halves of the building.

The Health Department approved the Concept Plan with existing public water and sewer use. Engineering Review, SHA, and the Roads Department have approved the plan with existing access. The site is not within the jurisdiction of the Bureau of Utilities. Site Compliance approved the concept plan as compliant with ADA requirements in October of 2018; however 5 new handicapped spaces that were recently added to the eastern parking lot will require additional review and approval. The previously shown handicapped parking spaces, which are still shown in the current plan, previously met the handicapped parking requirements for this site without the need for the additional spaces. Fire Protection approved the plan with the existing public water system and fire hydrants, and a sign stating the height of the ceiling will be posted on both sides of the proposed drive through canopy.

The Concept Plan is exempt from Floodplain Management and Forest Conservation. Landscaping will require screening around the dumpsters. The plan is acceptable to Water Resource Management, Grading review, Soil Conservation, and the Zoning Administration.

Concept Stormwater Management approval has been granted. Stormwater is being addressed by means of drainage to the regional stormwater pond on the adjacent County property, as well as three N-1 drywells for different portions of the roof and grading of the lawn adjacent to the new sidewalk south of the addition. Although the property is currently under ownership of Carroll County, a Stormwater Management Easement will be granted to the County.

The Department of Planning reviewed the plan for consistency with the 2014 Carrol County Master Plan, the 2009 City of Westminster Comprehensive Plan, and the Carroll County Water and Sewer Master Plan. In Planning's August 27, 2018 site development plan memorandum, it was noted that the proposed land use is consistent with the land use designation of Medium Density Residential with a "Public Land" overlay.

The proposed site plan was subject to Citizen's Involvement during the August 27, 2018 Technical Review Committee meeting. There were no citizens who spoke at the meeting and no written comments were forwarded to the Bureau of Development Review.

The final site plan will be tested and reviewed for adequacy of public facilities in accordance with Chapter 155 of the Code of Public Laws and Ordinances of Carroll County Maryland.

Discussion:

Kierstin Eggerl presented the staff report.

Doug Barmoy, Hanover Land Services and Dean Camlin, Architect, were present.

There was discussion regarding pick up/drop off procedures.

Tom Zapoli, Target, explained the driveway configuration and pick up/drop off procedures.

Decision:

No action is required. The Commission would like to see this Plan back at a future meeting.

RECESS

MASTER PLAN AMENDMENT

Secretary Eisenberg and Mary Lane reviewed proposed amendments to the Master Plan. Secretary Eisenberg stated there will be a 60-Day review period and a Public Hearing following the Commission's approval of the amendments. The Commission would then forward their recommendation up to the Board of County Commissioners for Adoption.

The Commission discussed solar text. Secretary Eisenberg stated they would include the project at South Carroll High School in the chapter.

Secretary Eisenberg and Ms. Lane reviewed the draft Land Use Map updates.

UPDATE OF COMPREHENSIVE REZONING PROCESS AND MAP

Secretary Eisenberg updated the Commission on the outcome of the public outreach meetings and outlined the steps moving forward in this process.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

On motion of Mr. Hoff, seconded by Ms. Kirkner and carried, the Commission adjourned at approximately 11:50 a.m.

Secretary

Approved