

MEETING SUMMARY
Carroll County Planning and Zoning Commission

October 18, 2016

Location: Carroll County Office Building

Members Present: Matthew S. Helminiak, Chair
Richard J. Soisson, Vice Chair
Cynthia L. Cheatwood
Eugene Canale
Jeffrey A. Wothers
Alec Yeo
C. Richard Weaver

Members Absent: Daniel E. Hoff

Present with the Commission were the following persons: Philip R. Hager, Mary Lane, Andrea Gerhard, Department of Planning; Clay Black, Laura Matyas, John Breeding, and Price Wagoner, Development Review; and Gail Kessler, County Attorney's Office.

CALL TO ORDER/WELCOME

Chairman Helminiak called the meeting to order at approximately 9:15a.m.

ESTABLISHMENT OF QUORUM

Secretary Hager took attendance. Six members of the Board were present and there was a quorum.

PLEDGE OF ALLEGIANCE

OPENING REMARKS

Secretary Hager greeted everyone and reminded everyone to silence their electronic devices. There were no changes made to the Agenda and staff recommended approval of the Agenda as printed and distributed.

REVIEW AND APPROVAL OF AGENDA

The agenda was approved via a motion by Mr. Yeo, seconded by Mr. Wothers, and carried.

PUBLIC COMMENTS

There were no public comments.

COMMISSION MEMBER REPORTS

A. COMMISSION CHAIRMAN

Chairman Helminiak stated he had nothing to report.

B. EX-OFFICIO MEMBER

Commissioner Weaver had nothing to report.

C. OTHER COMMISSION MEMBERS

There were no other reports.

ADMINISTRATIVE REPORT

A. ADMINISTRATIVE MATTERS

Secretary Hager announced he will be presenting a session about Medical Cannabis at the next Maryland Planners Association Conference in Frederick.

B. EXTENSIONS

Clay Black reported that several extensions have been granted. Rosie acres Section 3 has been extended, this is the 5th extension. Rustic Rising has been extended, this is the 5th extension. Medford Quarry project was extended because the property was sold. Christopher Place has been extended, this is the 5th extension. Syda Choice has been extended, this is the 5th extension. Liberty Road Crossing has been extended, this is the 6th extension.

Mr. Yeo asked if Rustic Acres had been included in the calculations for the review of the Freedom Plan Area.

Mr. Black stated it had been included in the water and sewer calculations.

C. BZA CASES

Secretary Hager briefed the Board on four cases. BZA Case No. 5971, Mayberry Game Protective Association Inc., conditional Use and a Variance for the expansion of an existing non-conforming use, the BZA granted approval. BZA Case No. 5949, Four Thistles, trading as Birchview Vineyard, staff has found this to be consistent with the land use as designated. BZA Case No. 5980, a Conditional Use for a Country Inn and catering staff has found this to be consistent with the land use as designated. BZA Case No. 5981, conditional use and variance for a furniture store and a garden shop, staff has found this to be not consistent with the land use designation.

D. OTHER

Secretary Hager indicated he had nothing further to report at this time.

WESTMINSTER ANNEXATION NO. 68 – FEESER PROPERTY

Andrea Gerhard, Department of Planning, reported that the property is located within the City's Municipal Growth Area, and that the City intends to put this property into their business zoning category. Ms. Gerhard indicated that the property is 1.135 acres. The City has not yet scheduled the public hearing for this. She reviewed comments received from the Department of Land & Resource Management, Bureau of Engineering, State Highway Administration and the Maryland Department of Planning. Ms. Gerhard asked that the Commission forward the annexation to the Board of County Commissioners with a positive recommendation.

The Commission, on motion of Mr. Soisson, seconded by Mr. Yeo, and carried, directed staff to forward the annexation to the Board of County Commissioners with a favorable recommendation.

BUILDABLE LAND INVENTORY

Sandy Baker, Division of GIS and Mike Roberts, GIS Analyst, presented a brief history and explanation of the County's Buildable Land Inventory. The original BLI report was done in June 2005. It is an inventory of Land that is still buildable or able to be developed in both Residential and Commercial Industrial zones. Ms. Baker stated that it is a planning tool and is not meant to be exact. The Inventory was updated and there was a new report issued in January 2012.

Mr. Soisson asked for clarification on residential multipliers.

Mr. Canale asked what percentage of the total inventory is residential, industrial and commercial.

Commissioner Weaver asked for a range of how many houses could be built with the present inventory.

Mr. Roberts reported that in the Medium range, based on zoning county wide, there are about 27,500 homes that can be built.

Commissioner Weaver asked if this includes what is being worked on with the Freedom Plan.

Lynda Eisenberg presented residential numbers for the Freedom Plan.

Chair Helminiak asked if there is a legal requirement as to how often the BLI Report needs to be updated.

Ms. Eisenberg clarified that these numbers are just to provide an estimate for what the potential could be.

Mr. Yeo asked how to use the BLI report to help make decisions about the Freedom Plan.

Secretary Hager and Ms. Eisenberg explained that there are many variables that come into play such as wetland protection and market conditions that will have an impact on the numbers.

Clark Shaffer, citizen, asked for clarification on some numbers on the map regarding Land Use designations.

RECESS

CONCEPT SITE PLAN REVIEW

- A. S-16-0018, Liberty Road Crossing, Planned Business Center, Amended**
- LOCATION:** South side of Liberty Road (MD Route 26), West of Ridge Road (MD Route 27) 9th E.D.
- OWNER:** 2515 Liberty LLC, P.O. Box 345, Westminster MD, 21158
(Members-Donald Souder, Kevin Bell, Heidi Major & Dave Baxter)
- DEVELOPER:** Same as Owner
- ENGINEER:** Hanover Land Services Inc., 585 McAllister Street, Hanover PA, 17331

ZONING: B-G (General Business)
ACREAGE: 6.38 acres
WATERSHED: South Branch Patapsco & Lower Monocacy River
MASTER PLAN: Village Commercial/Industrial
PRIORITY FUNDING AREA: Outside
DESIGNATED GROWTH AREA: None
FIRE DISTRICT: Winfield

❖ **Action Required:**

This plan is before the Planning and Zoning Commission for concept review of a Site Plan. No action is requested.

❖ **Existing Conditions:**

The property is located on the south side of Liberty Road (MD Route 26) east of Ridge Road (MD Route 27) and is currently improved with several abandoned structures that will be razed. The properties to the west are zoned B-G (General Business), the properties to the north are zoned R-40,000 and Conservation, and the properties to the east and south are zoned Agricultural. Adjoining properties consist of business and residential uses. All properties in this area are served by private well and septic systems. There is no existing well or septic on the property.

❖ **Background:**

The Planning and Zoning Commission granted approval of Liberty Road Crossing (S-05-038 attached) in April of 2010, for a Planned Business Center, a principal permitted use in the B-G zoning district. The developer proposed to build a retail center, pharmacy, bank, and coffee shop. The developer did not have a tenant for the coffee shop so the building could have been used as retail or as a restaurant. The bank, pharmacy, and coffee shop were all shown with drive-thru lanes. The main retail building, located at the rear of the site, was 28,405 square feet in size. The bank was proposed to be 2,500 square feet and the pharmacy was proposed to be 11,084 square feet in size. The coffee shop was shown as 1,800 square feet. The development was to be accessed by a new full-movement entrance on to MD Route 26. A new right-in entrance was proposed between MD Route 27 and the full-movement entrance. Improvements to MD Route 26 were proposed along the entire property frontage.

The developer has not begun the legal document process, the developer has been granted a series of extensions, and the approved site plan expiration date is October 27, 2016. This plan is an amendment to that plan and therefore is being brought before the Planning Commission for review. Should the current site plan be approved, the previous site plan will become void.

❖ **Site Plan Review:**

A concept plan, Liberty Road Crossing, Amended was submitted to Development Review on June 27, 2016. County agencies presented plan review comments to the engineer at the July 25, 2016 Technical Review Committee meeting, no citizens were in attendance.

This amended site plan for the Planned Business Center proposes a 12,420 square foot retail building with a drive-thru, a 12,013 square foot retail building consisting of nine (9) separate tenant spaces, and a 4,375 square foot building consisting of two retail businesses and a restaurant with a drive-thru. Towards the rear of the property, a 384 unit mini storage

operation is proposed. The mini storage consists of six buildings totaling 56,080 square feet with a 528 square foot office attached.

Access to the site is via a right-in right-out near the MD Route 26 and MD Route 27 intersection as well as a full movement entrance utilizing the existing SHA Right of Way for the identified Taylorsville Bypass. The proposed development does not directly impact any County owned road or storm drain systems, and site access approval is deferred to the Maryland State Highway Administration (MDSHA). The traffic impact study was updated to reflect the new land uses, pharmacy, retail, and mini storage proposed for the Liberty Crossing site. In addition, traffic volume counts were not required to be updated. The State Highway Administration find that the traffic impact study indicates no significant impact and the conclusions remain the same. The State Highway Administration concurs with the report findings for this project as currently proposed and will not require submission of any additional traffic analyses.

The buildings in the Planned Business Center will have brick facades utilizing red and tan colors, the two drive-thrus will utilize split face block and brick in similar colors as the facades. The glass store fronts will be aluminum with a dark bronze finish. The HVAC units are to be rooftop mounted and screened by a parapet wall. All entrances and storefronts will have awnings above. The six mini storage buildings and office will have faux stone foundations, the office entrance and windows will match the color of the storefronts of the planned business center. The plans are under review by the Design Architectural Review Committee.

Three retaining walls are proposed, two retaining walls are shown along the majority of the western and southern property lines. The third retaining wall separates the mini storage and planned business center parking. A six foot board on board fence will run along the eastern property line and retaining wall, with a 45 inch vinyl picket fence along the southern property line. A 72 inch chain link fence is proposed along the front and eastern side of the mini storage. There will be two gates for ingress and egress to the mini storage units. Site lighting will utilize decorative pole mounted lights with a maximum height of 14 feet as well as wall packs mounted to the mini storage buildings. A photometric plan will need to be included in the final site plan submittal.

The proposed double faced sign, located near the full movement entrance, is an aluminum pylon with a height of 20 feet. The sign will be internally illuminated with a 6' 4" by 10' 8" electronic message center and three sign cabinets. Tenant signs are proposed above each main entrance as well as above the two drive-thrus.

Planned Business Centers require 5.5 parking spaces per 1,000 square feet of floor area per Chapter 155.077 of the Carroll County Code of Ordinances. The combined floor area of Liberty Road Crossing is 28,808 square feet. The required number of parking spaces is 158, the developer proposes 160 spaces. Mini storage requires 1 space for every 10 units, the developer proposes 384 units. The required number of parking spaces is 38, the developer proposes 40 spaces.

The site will need to meet all Health Department regulatory requirements including a well and septic plan.

The previous site plan, S-05-038, addressed forest conservation however this plan includes additional disturbance associated with an east side entrance drive, which will need to be addressed in final submittal. The site will need to be landscaped in accordance to the Landscape Manual, especially as it pertains to interior landscaping.

The site is within Surface Water Protection Area therefore development of this site will need to address the requirements of the water resource ordinance. The site is exempt from the requirements of Chapter 153, Floodplain Management. Concept Storm water management approval has been granted.

The property has a land use designation of Village Commercial/Industrial in the 2014 Carroll County Master Plan. Comprehensive Planning's review states that the development proposal is not inconsistent with this designation (comments attached).

All adjoining property owners have been contacted as of the date of this report. There have been no telephone inquiries pertaining to the scope of the project. No written comments have been received. The Bureau did receive one walk in and reviewed the plan with them. They did not have any opposition.

❖ **Action Requested:**

No action is required.

Discussion:

Chairman Helminiak questioned the location of the retaining walls and grading of the buildings.

Commissioner Soisson questioned the sign and asked if they had considered a monument sign. Chairman Helminiak expressed concern over the electronic portion of the sign. The style of the sign will be revisited.

Commissioner Yeo asked for clarification of the square footage of the project. The square footage is almost double from the original plan in 2005. There is less retail space now that a portion is public storage. This will have less impact on traffic, septic and well.

The Commission discussed road improvements based on SHA recommendations such as moving the entrance away from the intersection on 26 and 27 and widening and lengthening turn lanes.

Commissioner Yeo had concerns about traffic flow within the site. Easements around the bypass are forcing a certain flow around the buildings.

The Commission questioned the location of trash.

Commissioner Yeo asked about adding greenery around the storage facility.

The Commission would like this to come back to the full board for Final.

There were no public comments.

ZONING CODE REVISIONS – COMMERCIAL DISTRICTS

Mary Lane presented staff proposed purposes for changes in the Commercial Districts.

Secretary Hager explained the importance of having accurate and detailed definitions of the uses for these Commercial Districts.

Chair Helminiak asked for clarification of Limited Residential Use.

Mr. Wothers asked for clarification on the difference between the writing in Red and Black.

Secretary Hager stated the writing in Red is the definition of the Land Use designation from the Master Plan, the writing in Black is the proposed purpose of the Zoning classification.

Mr. Yeo asked for consistency of the term Pedestrian Friendly between the Commercial Districts.

Mr. Yeo asked that the terms “daily and immediate” be removed from the definition.

Mr. Wothers asked if the terms Low, Medium and High can be added next to the definitions.

LUNCH RECESS

The Commission adjourned for lunch until 1:15 p.m.

FREEDOM COMMUNITY COMPREHENSIVE PLAN WORKSESSION, ELEMENT 11 – TRANSPORTATION

Lynda Eisenberg and Mary Lane presented a list of Planned Major Streets, a list of which have been completed since 2001, and a discussion of preliminary plan recommendations.

Ms. Eisenberg explained how a road can function as an inter-parcel connector and not be a planned major street.

The Commission decided to terminate Georgetown Boulevard at Progress Way.

After a detailed discussion The Commission decided they will continue to discuss the remaining recommendations at the next meeting.

For the December 5th Outreach meeting an Endorsed Planned Major Street Map and Transportation recommendation will be presented.

PUBLIC COMMENTS

Linda Lovesay, citizen, has concerns about Oklahoma Road and Dickenson Road. Her employer owns the parcel on this corner.

ADJOURNMENT

There being no further business, the Commission adjourned on motion of Mr. Soisson, seconded by Mr. Yeo and carried.

Secretary

Approved