

MEETING SUMMARY
Carroll County Planning and Zoning Commission

October 16, 2018

Location: Carroll County Office Building

Members Present: Richard Soisson, Chair
Cynthia L. Cheatwood, Vice Chair
Eugene A. Canale
Jeffrey A. Wothers
Daniel E. Hoff
Alec Yeo
Janice R. Kirkner, Alternate
Stephen A. Wantz, Ex-officio

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

CALL TO ORDER/WELCOME

Chair Soisson called the meeting to order at approximately 9:02 a.m.

ESTABLISHMENT OF QUORUM

Laura Bavetta took attendance and noted that seven 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 Mr. Wothers and carried, the Revised Agenda was approved.

REVIEW AND APPROVAL OF MINUTES

The minutes from the September 18, 2018 meeting were 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

Chair Soisson reported that the Closed Session on September 18th ended at 12:45 p.m. Closed Session was held to obtain legal advice from private counsel. Chair Soisson also reported that he approved the MacDonald Subdivision since the last meeting.

B. EX-OFFICIO MEMBER

Commissioner Wantz reported that the Freedom Community Comprehensive Plan was approved on October 10th. Commissioner Wantz thanked the Planning Commission for their work on the

Plan. Commissioner Wantz reported that Carroll County now has a AAA credit rating by all three credit agencies. Commissioner Wantz also reported that he attended the groundbreaking for the Sykesville Readiness Center.

C. OTHER COMMISSION MEMBERS

There were no other reports.

ADMINISTRATIVE REPORT

A. ADMINISTRATIVE MATTERS

Secretary Eisenberg stated that SHA has invested in making road improvements along Route 32 in preparation for the Readiness Center. Secretary Eisenberg noted the Resolution for the Freedom Plan will be signed by the Commissioners this week. Secretary Eisenberg stated the November 7th evening meeting will be canceled and reminded the Commission that the November Business meeting is one week earlier due to the Thanksgiving holiday.

B. EXTENSIONS

Clay Black stated there was one extension since the last meeting; Stansbury Estates.

Mr. Black discussed the history of the Carrolltowne complex and stated the construction of the 5th building will begin soon. The existing buildings will be updated and brought up to code.

C. BZA CASES

Arco Sen reported that comments were submitted for BZA Case No. 6110 that is scheduled to be heard on October 25th.

D. OTHER

There were no further items to report upon within the Administrative portfolio.

SPECIAL REPORT

SUBJECT: S-17-0034, Liberty Road Car Wash
LOCATION: South side of MD Route 26, east of Ridge Road; E.D.5
OWNER: Compass Real Estate, Inc., 8480 Baltimore National Pike, #415, Ellicott City, MD 21043
DEVELOPER: Jason Stilling, 6132 Edmondson Avenue, Catonsville, MD 21228
ENGINEER: DDC, Inc., 192 East Main Street, Westminster, MD 21157
ZONING: B-NR – Neighborhood Retail Business
ACREAGE: 0.72 acres
WATERSHED: Liberty Reservoir
FIRE DISTRICT: Sykesville
MASTER PLAN: Business Local – Boulevard District – 2001 Freedom Community Comprehensive Plan
PRIORITY
FUNDING AREA: Freedom
DESIGNATED
GROWTH AREA: Freedom

SEWER/ WATER

DISTRICT: Freedom

❖ **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 and comment prior to a variance request determination.

❖ **Existing Conditions:**

The subject property is undeveloped land, platted and once retained by the State Highway Administration as Ridge Road right-of-way (see plat attached). Ridge Road was relocated to align with the intersection of Oklahoma Road and MD Route 26 and the State Highway Administration then deeded the parcel to J & B Construction in 1988. Compass Real Estate purchased the property in 1997. While the roadbed and access onto MD Route 26 remain, the 100-foot-wide parcel has lain undeveloped through three ownerships since 1988.

Dense scrub brush, trees, and the roadbed are present on the parcel. There are no streams or floodplain on site. The property slopes from the southern portion down to MD Route 26 with a culvert running under the existing roadbed in the MD Route 26 right-of-way.

The property is surrounded by the lands of the Reservoir Ridge Condominium Association and split-zoned B-NR to the west of the subject property and R-10,000 to the south and east (see plat attached). The B-NR segment of Reservoir Ridge's land is unbuilt. Adjoining to the west of this strip of land is a bank. The R-10,000 portion of Reservoir Ridge's land is built with condominiums. The nearest condominium is approximately 42 feet from the southern property line. Cornwall Drive, with on-street perpendicular parking, lies between the condominiums to the east and the subject property.

The subject property is located in the Freedom Priority Funding Area and a Growth Area. It is in the Freedom Existing / Final public water and public sewer areas.

❖ **Plan Review:**

During the Pre-submittal Conference, the site development plan process was discussed. The Developer is seeking a variance from certain requirements of the landscape ordinance. Staff's direction was that a full distribution and agency review, Technical Review Committee public meeting, and Planning and Zoning Commission comprehensive plan review would precede a variance determination.

The concept site plan was subject to citizen involvement at the September 24, 2018 meeting of the Technical Review Committee (TRC). No citizens signed or spoke regarding the Liberty Road Car Wash. Development Review received one inquiry to view the plan set.

The developer proposes construction of a 4,095 square foot automated car wash and associated vacuum stations. Measuring 30 feet by 1,043 feet, the building is oriented north-south on the property. Access into the car wash is located on the south side of the building and vacuums and associated parking spaces are on the eastern side of the building.

With no median in MD Route 26 at this location, the parcel is accessible to both eastbound and westbound traffic. The proposed access is full movement. The State Highway Administration (SHA) has reviewed the plan and approved the full movement access with a request for plan details to be submitted. SHA recommends sidewalk at Liberty Road as per the County Master Plan and is requiring a partial deceleration lane. Trip Generation numbers

provided on sheet 1 indicate that a Traffic Impact Study will be required. Engineering Review and SHA will review the study.

Vehicular circulation is proposed to allow inbound vehicles to veer left or right dependent on the service desired. For car wash service, traffic will circulate counterclockwise. A single access drive lane on the west side of the building splits at two gated pay stations and merges back to a single lane through the building. In accordance with Code, one-way access drives are required to be 12 feet wide. No by-pass lane is proposed at the car wash queuing lane. For vacuum station service, inbound traffic will veer left towards the parking area and vacuums on the east side of the building.

Parking requirements are 1 space for every employee on maximum shift plus 1 space per bay. With 2 employees and 1 bay, total parking spaces required equals four. Twelve spaces are provided. Vehicle queuing required for a car wash equals 5 spaces per wash station. Five spaces have been depicted.

The proposed land use is consistent with the 2001 Freedom Community Comprehensive Plan, as stated by the Department of Planning in their review. Comments from Planning include a request to indicate the planning level alignment of Ridenour Way as depicted in the 2001 Freedom Community Comprehensive Plan. This alignment may be achieved through inter-parcel connectivity in lieu of a road being constructed. This was conveyed at the Technical Review Committee meeting with Planning recommending that the Developer explore the practicality of inter-parcel connectivity. Planning Department support will be provided if a connection is found to be viable and beneficial for the area.

Comprehensive Planning's review cites the 2014 Certified Bicycle-Pedestrian Master Plan and Assessment as recommending sidewalk along MD Route 26.

Building elevations are shown on sheet 6 of the drawing set. Building height is annotated as 16 feet at the curved corrugated metal roof and 30 feet at the panel feature. Building materials include; wave, polycarbonate, aluminum, and glass panels, a corrugated metal roof, and steel frame. Material colors are annotated as red, gray, and black gray.

A photometric plan is included on sheet 3. Four pole lights are depicted at a height of 20 feet in addition to building-mounted lights. Lighting levels at both property lines are higher than zero foot-candles. At the eastern property line are two parking lot pole lights, adjacent to the Reservoir Ridge parking lot. At the western property line, lighting levels are generated by three building-mounted lights, adjacent to the unbuilt portion of Reservoir Ridge's land.

A 25-foot high pylon sign is proposed to at MD Route 26. The sign board measures 8 foot wide by 6 foot high, with LED illumination and red lettering on a gray background. Building-mounted signage is depicted on the 30-foot-tall panel feature.

The plan is exempt from Floodplain and Forest Conservation codes. Stormwater Management and Water Resources codes must be addressed. Site Compliance shall be addressed. A hydrant is proposed on-site for fire protection purposes. Grading Review, the Health Department, and Utilities have granted concept level approvals. Public water and sewer will serve the site

The Landscape Manual requires a 15-foot wide landscape screen at the east, south, and west property lines. A landscape variance request was submitted by the Engineer on behalf of the Developer on August 10, 2018. The request is for a variance from 15 feet down to 6 feet at both the west and east property lines (see attached). A 15-foot landscape buffer is proposed at the south property line.

Once a variance determination is made, a Traffic Study submitted and reviewed, and Codes are addressed at a concept level, the Planning and Zoning Commission will see the concept site development plan for review and consideration.

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 introduced the project and noted a landscape variance request. Mr. Black stated that staff is looking for input from the Planning Commission before the request is acted upon.

Laura Matyas presented the staff report.

Kelly Shaffer, Attorney; Jason Stilling, Developer and Andrew Stine, DDC, Inc. were present.

Mr. Yeo suggested adding evergreens along the south eastern border to block the residents from headlights.

Ms. Shaffer stated the landscaping requirements inhibit potential development of this site.

Chair Soisson asked if the strip of land next to the site could be purchased.

Mr. Stine stated they have looked into that possibility but Condominium laws state that strip of land cannot be conveyed for development purposes.

Ms. Cheatwood and Ms. Shaffer pointed out that the required number of planting units is still being used; the request is for the buffer to be narrowed.

Mr. Stine explained how he came up with the variance request of six feet.

Mr. Hoff suggested changing the chain link fence to something more attractive.

Mr. Hoff also suggested additional screening along the condominium side if the association would be willing to give the developer an easement.

Mr. Stine noted the chain link fence is existing and in disrepair.

Mr. Yeo asked Mr. Voight if the property would be eligible for any setback variances.

Mr. Voight stated he would have to research the properties further before determining if a setback variance is possible.

Ms. Shaffer stated a setback variance would not be helpful in this case.

Ms. Shaffer stated notification was sent to adjacent property owners individually.

Mr. Stine stated he did not receive a response from the HOA so he notified every owner that is adjacent to this property because he wanted to make sure they were aware of this project.

Mr. Yeo suggested heavy landscaping along the southeast side as vehicles would be turning toward the condos and waiting in the queue.

Ms. Shaffer stated the carwash will not be a 24 hour facility.

Mr. John Bowman, Landscape and Forest Conservation Specialist for the County, explained the constraints of the parcel and the implications of reducing the buffer.

Mr. Stine was part of the group that provided input and feedback with regard to the buffers that were set in the landscape manual. He stressed the importance of the available soil volume for the plantings to root in. In this case, the eastern border of the buffer is an abstract property line so the trees will have plenty of space to spread their roots and get what they need.

Mr. Bowman asked what type of noise levels will be produced by the vacuuming system.

Mr. Stilling stated everything is contained underground and enclosed in the building to limit noise.

Mr. Stine stated there will be masonry enclosures to mitigate noise and they will be in compliance with Carroll County's noise ordinance.

There was a brief discussion regarding the alignment of Ridenour Way and meeting with Development Review and the Department of Planning to discuss this further.

Decision:

No action is required.

RECESS

COMPREHENSIVE REZONING – COMMERCIAL/INDUSTRIAL/EMPLOYMENT CAMPUS – DISCUSSION

Secretary Eisenberg reviewed the packet and the process going forward with the Board of Commissioners.

The Commission, on motion on Mr. Yeo, seconded by Mr. Canale and carried, voted to forward the proposed zoning text packet to the County Commissioners with a favorable recommendation.

PROPOSED 2019 MEETING DATES

The Commission reviewed and discussed the proposed meeting dates for 2019. The Commission agreed to cancel the evening meeting on July 3rd because of the holiday.

MEMBERSHIP AND TERMS – DISCUSSION

The Commission members discussed term limits for sitting on the Commission.

ADMINISTRATIVE RULES – PRELIMINARY DISCUSSION

Mr. Yeo suggested adding a section on terms and rearranging sections regarding attendance under item 3. Mr. Yeo also suggested adding a statement that members must be present to vote under 3.8. Mr. Yeo noted a correction on the signature and date line.

PUBLIC COMMENT

There were no public comments.

CLOSED SESSION

On motion of Mr. Yeo, seconded by Mr. Canale and carried, the Commission voted to close session to discuss legal matters at 11:01 a.m.

OPEN SESSION

At 11:56 a.m. Mr. Soisson opened session again. Mr. Soisson stated the Commission prepared a letter to send to the Board of Commissioners regarding the Freedom Community Comprehensive Plan. On motion of Mr. Yeo, seconded by Ms. Cheatwood and carried, the Commission voted to sign and send the letter to the Board of County Commissioners.

ADJOURNMENT

On motion of Mr. Yeo, seconded by Mr. Wothers and carried, the Commission voted to adjourn at approximately 12:05 p.m.

Secretary

Approved