1. Agenda 05 05 2020

   Documents:

   BZA AGENDA 05 05 2020.PDF

2. Application - Case No. 20-02 Mid-Atlantic Lubes LLC

   Documents:

   APPLICATION - CASE NO. 20-02 MID-ATLANTIC LUBES LLC.PDF

3. Pre-Hearing Statement

   Documents:

   PRE-HEARING STATEMENT.PDF

   3.I. Introduction To Henley

   Documents:

   INTRODUCTION TO HENLEY.PDF

   3.II. Market Report Valbridge

   Documents:

   MARKET REPORT VALBRIDGE.PDF

   3.III. Record Plat

   Documents:

   RECORD PLAT.PDF

   3.IV. Traffic Concepts Report

   Documents:

   TRAFFIC CONCEPTS REPORT.PDF

4. Board Of Zoning Appeals Case No. 20-02 City Staff Report

   Documents:

   BZA 20-02 - VALVOLINE SPECIAL EXCEPTION STAFF REPORT WITH ATTACHMENTS.PDF

5. Signed Decision For BZA Case No. 20-02

   Documents:

   SIGNED DECISION FOR BZA CASE NO. 20-02.PDF

6. Order To Suspend The June 23, 2020 Order Of The BZA

Documents:

ORDER TO SUSPEND THE JUNE 23, 2020 ORDER OF THE BZA.PDF

BOARD OF ZONING APPEALS
AGENDA

Tuesday, May 5, 2020, at 6 PM
Virtual Meeting:
www.facebook.com/WestminsterMD
www.WestminsterMD.gov

I. Call to Order

II. Approval of Minutes

January 7, 2020

III. Public Hearings

<u>CASE NO: 20-02</u>

An application by Mid-Atlantic Lubes, the contract purchaser and property owner ABBEC Property LLC, requesting approval of a special exception to operate a **service station use, subject to the provisions of Zoning Ordinance Section 164-149** to be located at 334 Gorsuch Road Westminster Maryland pursuant to Zoning Ordinance Article VIII: B Business, Section 164-42 S., Special Exceptions; Article XX: Special Provisions, Section 164-149.

IV. Other Business

V. Adjournment

Posted April 23, 2020

LAW OFFICES
HOLLMAN, MAGUIRE, KORZENEWSKI & LUZURIAGA
CHARTERED
189 EAST MAIN STREET
WESTMINSTER, MARYLAND 21157
WESTMINSTER LINE - 410-848-3133
BALTIMORE LINE - 410-876-3183
FACSIMILE LINE - 410-876-2790
WWW.CARROLL-LAWYERS.COM

JOHN T. MAGUIRE, II
PETER J. KORZENEWSKI
MATTHEW G. LUZURIAGA
MANDI M. PORTER

SENDERS E-MAIL:
JMAGUIRE@CARROLL-LAWYERS.COM

OF COUNSEL
ROBERT L. SLINGLUFF
(1977-1996)

CHARLES D. HOLLMAN

March 2, 2020

HAND-DELIVERED

City of Westminster
Board of Zoning Appeals
56 West Main Street
Westminster, Maryland 21158

Attention: Andrew Gray, Comprehensive Planner

Re: Request for Special Exception Case No. 20-~~20~~02
Mid-Atlantic Lubes, LLC
334 Gorsuch Road

Dear Board Members:

Please accept the enclosed Application for approval of a special exception for a service station at the above-referenced address which proposes a rebuild and redevelopment of the former veterinary building located at the site. Also enclosed herewith please find a check in the amount of One Thousand Five Hundred Dollars ($1,500.00) for the Application fee.

It is our understanding that this Application can be processed for a hearing on April 7, 2020 at 6:00 p.m. Please let me know if you need anything further to process and place this matter on the agenda.

Very truly yours,

John T. Maguire

John T. Maguire

JTM/pae
Enclosure
cc: Randolph L. Kazazian III, Vice President of Real Estate (with enclosure)

Application Fees
See fees below, plus City legal fees and court reporter fees, payable to *City of Westminster*

RECEIVED
MAR 02 2020
DEPT. OF FINANCE

CITY OF WESTMINSTER

56 WEST MAIN STREET
WESTMINSTER, MD 21157

For Office Use Only
Case No.: _____
Form Received: _____
Fee Paid: _____
DCPD Reviewed: _____
Appeal Received: _____
Court Review: _____

APPLICATION FOR PUBLIC HEARING BEFORE THE BOARD OF ZONING APPEALS

In accordance with the Charter and Code of the City of Westminster, an application is made to the Board as follows:

1. **Purpose of Hearing:**

		Applicable Fees:
☑	Request for special exception	$1,500, unless owner-occupied or day care $300
☐	Request for variance	$1,000, unless owner occupied $200
☐	Appeal of admin decision	$600
☐	Nonconforming uses	No fee

2. **Applicant Information:**
Name: Mid-Atlantic Lubes, LLC Address: 54 Jaconnet Street, Newton Highlands, MA 02461
c/o Telephone: 410-876-3183 Fax: 410-876-2790 E-Mail: jmaguire@carroll-lawyers.com

3. **Property Owner Information:** (if Different)
Name: ABBEC Property LLC Address: 723 Baltimore Blvd., Westminster, MD 21157
Telephone: 410-848-3100 Fax: N/A E-Mail: bob@carrollcovet.com

4. **Attorney Information:** (if Applicable)
Name: John T. Maguire Address: Hollman, Maguire, Korzenewski & Luzuriaga, Chartered 189 E. Main St., Westminster, MD 21157
Telephone: 410-876-3183 Fax: 410-876-2790 E-Mail: jmaguire@carroll-lawyers.com

5. **Address of Subject Property:** 334 Gorsuch Road (Tax Acct. 07-111657; Map 108, Parcel 2910)

6. **Request Description:** Applicant is the contract purchaser of the subject property and seeks approval of a special exception to operate a service station offering to the public light automotive maintenance services, including quick oil changes (oil, filter and lubrication), other automotive fluid exchanges, air conditioning check and recharge, serpentine belt check and replacement, battery check, charge and replacement, tire rotation, air filter, cabin filter, wiper blade and light bulb check and replacement, windshield washer fluid top off, antifreeze/coolant top off, tire pressure check and inflation, and the like in the B-Business Zone pursuant to Westminster City Code Section 164-42(S).
See attached Concept Plan; Representative Exterior Rendering, Elevation and Floor Plans.

Please note that applications for public hearings must comply with the provisions and requirements in Chapter 164, Zoning & Subdivision of Land, City of Westminster Code. All applicants are advised to review the Rules of Order and Procedure before applying.

Application for Public Hearing before the Board of Zoning Appeals (Continued - Page 2)

Subject Property - Owner's Address: 334 Gorsuch Road, Westminster, MD 21157

Using SDAT, provide names and addresses of owners of all adjacent properties – including names and addresses of owners of properties on opposite sides of streets or alleys.

Property 1: see chart attached

Property 2:

Property 3:

Property 4:

Property 5:

Property 6:

Property 7:

Property 8:

Property 9:

Property 10:

Property 11:

Property 12:

CERTIFICATION

I CERTIFY THAT THE FOREGOING INFORMATION AND THE LIST OF ADJOINING PROPERTY OWNERS IS TRUE AND ACCURATE. I AGREE TO ABIDE BY THE RULES OF ORDER AND PROCEDURE FOR THE BOARD OF ZONING APPEALS AND ALL APPLICABLE LAWS.

MID-ATLANTIC LUBES, LLC

By: 2/19/20

APPLICANT'S SIGNATURE / DATE

Randy Kazazian, Authorized Signatory
VICE PRESIDENT

Randy Kazazian 2/19/20

APPLICANT'S PRINTED NAME / DATE

ABBEC PROPERTY LLC

By: 2/24/20

PROPERTY OWNER'S SIGNATURE / DATE

Robert F. Wimmer, Authorized Member

2/24/20

APPLICANT'S ATTORNEY SIGNATURE / DATE

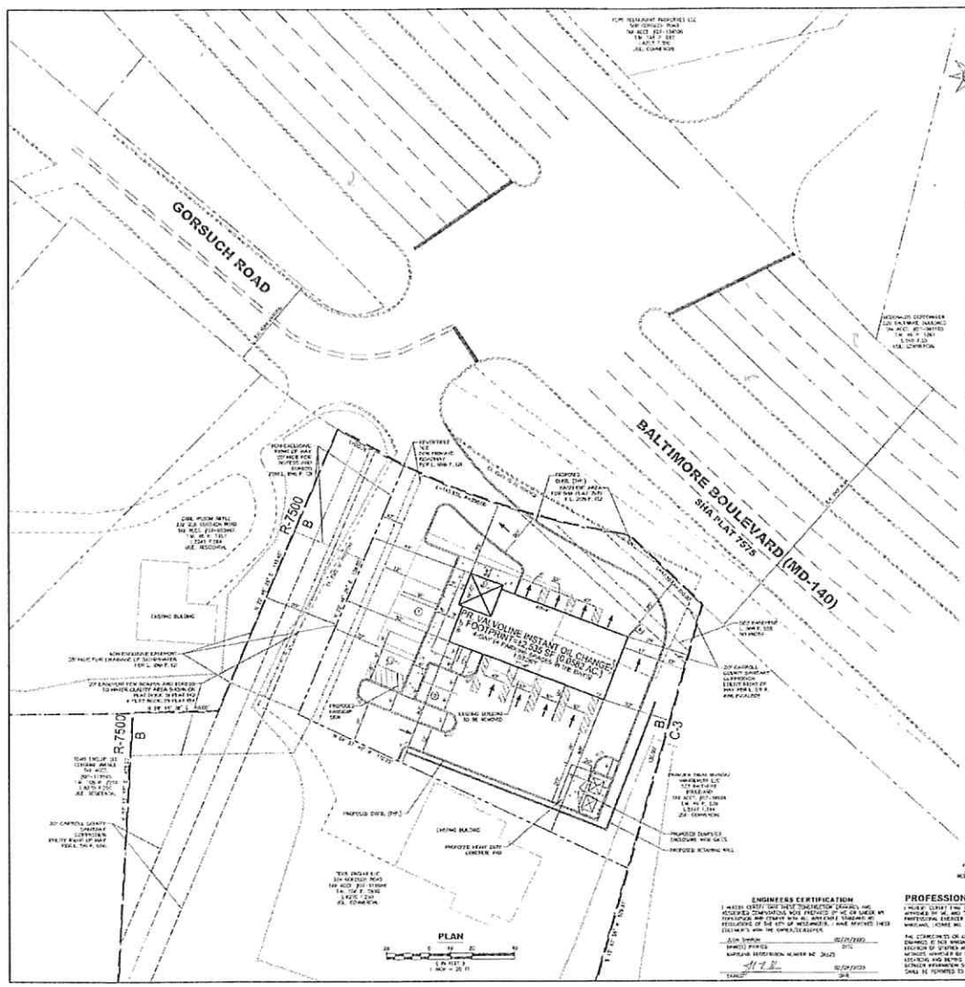
John T. Maguire

Application for Public Hearing before the Board of Zoning Appeals

Subject Property-Owner's Address: 334 Gorsuch Road, Westminster, MD 21157
Tax Map 0108, Parcel 2910, Lot 1 (07-111657)

Using SDAT, provide names and addresses of owners of all adjacent properties - including names and addresses of owners of properties on opposite sides of streets or alleys.

Property 1:	Tevis Englar LLC 82 John Street Westminster, MD 21157	Tax Map 0108 Parcel 2910, Parcel A
Property 2:	Pramukh Swami Maharaj Management LLC 8005 Pulaski Highway Baltimore, MD 21237	Tax Map 0046 Parcel 0639
Property 3:	McDonalds Corporation c/o Scott Rardin SDR Mgmt, Inc. 8017 Dorsey Run Road, UN A1 Jessup, MD 20794	Tax Map 0046 Parcel 1361
Property 4:	FCPT Restaurant Properties LLC 1000 Darden Center Drive Orlando, FL 32837	Tax Map 0046 Parcels 0817, Lot 2
Property 5:	Carl Wilson Riffle 3415 Island Creek Ct. Silver Spring, MD 20906-1313	Tax Map 0046 Parcel 1457
Property 6:	Maryland State Highway Administration 707 North Calvert Street, Room 603 Baltimore, MD 21202	Tax Map 0046 Road Parcel

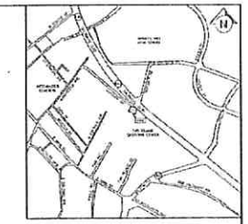


GENERAL NOTES

1. PROPERTY INFORMATION:
   a. PROPERTY ADDRESS: 334 GORSUCH ROAD WESTMINSTER, MD 21157
   b. SITE AREA: 31,637 SF/0.73 AC±
   c. TAX REFERENCE: 04-051-00004 07-070009 07-070029
   d. ELECTION DISTRICT: 7
   e. CENSUS TRACT: 7
   f. TAX MAP: 0007
   g. GRID: 0008
   h. PARCEL: 0029
   i. PLAT: 28-114
2. TAX ACCOUNT: 1100029
3. EXISTING ZONING: B (BUSINESS ZONE)
4. EXISTING USE: PROPOSED USE: EXISTING BUILDING WITH OIL CHANGE SERVICE STATION
5. SUPPLEMENT SHEET B: BASED ON SITE PROVIDED BY CARROLL COUNTY
6. THE LOCATION OF EXISTING UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE ONLY. CONTRACTOR SHALL VERIFY THE EXISTENCE, LOCATION, AND DEPTH OF ANY EXISTING UTILITIES AND SHALL NOTIFY THE ENGINEER OF DISCREPANCIES PRIOR TO BEGINNING WORK.
7. THE CONTRACTOR SHALL NOTIFY "MISS UTILITY" AT 1-800-257-7777 THREE WORKING DAYS PRIOR TO BEGINNING ANY WORK IN THE VICINITY OF EXISTING UTILITIES.
8. THE SITE IS LOCATED WITHIN A REGIONAL PROFESSIONAL AREA. IT IS NOT LOCATED IN A WATERSHED MANAGEMENT AREA.
9. BUILDING AREA: 1,432 SF (1ST FLOOR) 1,000 SF (BASEMENT)
   TOTAL GROSS AREA: 2,432 SF (NOTE 12)
10. FLOOR AREA RATIO REMARKS: 2.0. THE TOTAL BUILDING FLOOR AREA EXCEEDS THE EXISTING TAX CALC. THE BASEMENT WAS NOT THE 1ST INC PURPOSES TOTAL FLOOR AREA WAS NOT IN ACCT.
11. BUILDING HEIGHT: 1-2½ FEET
12. B ZONE BUILDING STANDARDS:

	REQUIRED	PROVIDED
FRONT	15'	30'
REAR SIDE	10'	40'
EAST SIDE	10'	24'
WEST	10'	41'

13. THE SITE IS SERVICED BY PUBLIC SEWER AND STORM DRAIN.
14. THE PARKING REQUIREMENT FOR AUTOMOTIVE SERVICE STATIONS IS 2 PER BAY AND 1 FOR EMPLOYEE UNIT. SEE PARKING CALCULATIONS AND TABLE.
15. THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN. THE PROPERTY IS LOCATED WITHIN AN AREA OF MINIMAL FLOODING AS SHOWN ON FEMA FIRM MAP NO. 24013C0155F. THE PROPERTY MANAGER OF RECORD BETWEEN CARROLL COUNTY MUNICIPAL BUILDING AND THE INTERSECTION WITH A LINE OF CONTRACTOR BY PUBLIC WORKS COMPANY NUMBER 2 (CARROLL COUNTY, MD) AND THROUGH CITY OF WESTMINSTER, MD.
16. THERE ARE NO KNOWN EXISTING WELLS ON PUBLIC FILES WITHIN THIS SITE PROPERTY.
17. THERE ARE NO WETLANDS WITHIN THIS SITE.
18. ANY LIGHT USED TO ILLUMINATE AN OFF-STREET PARKING AREA ON THE SITE SHALL BE OF THE TYPE AS DEFINED IN THE ZONING ORDINANCE.
19. SITE AND BUILDING INFORMATION WAS OBTAINED BY CARROLL COUNTY GIS DATA.
20. THE PARKING AND LANDSCAPING TAKES COMPLY WITH THE CARROLL COUNTY LANDSCAPE MANUAL AND THE CITY WESTMINSTER. ALL PROPOSED LANDSCAPING SHALL BE MAINTAINED IN A HEALTHY, VIGOROUS, WELL KEPT CONDITION. PLANTS THAT DIE SHALL BE REPLACED WITHIN ONE (1) YEAR. ALL LANDSCAPED AREAS SHALL BE PROTECTED BY CURBS OR BOLLARDS TO ENSURE GOOD HEALTH AND VITALITY.



VICINITY MAP

SCALE: 1" = 1,000'

LEGEND

- EX. PROJECT PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- EX. RIGHT OF WAY
- EX. EASEMENT
- EX. BUILDING
- EX. FACADE
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. SIGN ARM
- EX. HYDRO CONTOURS
- EX. HYDRANT
- C-2 / C-3 — EX. ZONING LINE
- EX. DIRECTIONAL TRAFFIC
- PR. CONCRETE
- PR. BUILDING
- PR. CURB
- PR. PARKING LOT STRIPE
- PR. HANDICAP PARKING SYMBOL
- PR. PARKING SPACE NUMBER
- PR. SIGN
- PR. DIRECTIONAL TRAFFIC
- PR. PARKING AISLE STRIPING
- PR. RETAINING WALL

PARKING TABULATION

USE	PARKING RATE	EMPLOYEES OR BAYS AND MAXIMUM OF BAYS	PARKING SPACES REQUIRED
SERVICE STATION	1/1 FOR EMPLOYEE UNIT	3	3
SERVICE STATION	2 PER BAY	4	8
TOTAL PARKING REQUIRED (PER CODE)			12
TOTAL PROVIDED PARKING (REVISED)			13

* BASED ON "MINIMUM NUMBER OF SPACES" SECTION 164-133 OF THE ORDINANCES OF THE CITY OF WESTMINSTER.

Know what's below. Call before you dig.

OWNER

VALVOLINE INSTANT OIL CHANGE, LLC
334 GORSUCH ROAD
WEST WINDSOR, NJ 07017

ENGINEERS CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 24025, EXPIRATION DATE: INDEFINITE.

JOHN SHARON — DATE: 10/27/2020
PRINTED NAME — DATE
MARYLAND REGISTRATION NUMBER NO. 24025
SIGNATURE — DATE: 10/27/2020

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 24025, EXPIRATION DATE: INDEFINITE.

DESIGN IS BASED ON NAD 83 MARYLAND COORDINATE SYSTEM (ADMIN/NAD 83/91/2011 VERSION, NAVD 88

THE COMMITMENTS OF COMPLIANCE OF ENGINEER INFORMATION SHOWN ON THE PLAN, AND THE ENGINEER'S CERTIFICATION, ARE MADE ONLY TO THE EXTENT OF THE ENGINEER OF STORMWATER AND BREAKWATER FACILITIES. IN NO WAY DO OWNER MEMBERS WHATSOEVER DO THE OWNERS REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DETAILS WITH THE LAYOUT OF IMPROVEMENTS. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT FOUND IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 325
TOWSON, MARYLAND 21286
(410) 821-1630
FAX (410) 821-1740

Copyright 2020 Morris & Ritchie Associates, Inc.

VALVOLINE INSTANT OIL CHANGE
334 GORSUCH ROAD

CONCEPT PLAN TO ACCOMPANY SPECIAL EXCEPTION REQUEST

7TH ELECTION DISTRICT
WESTERN RANGE 17-1127
CARROLL COUNTY, MARYLAND

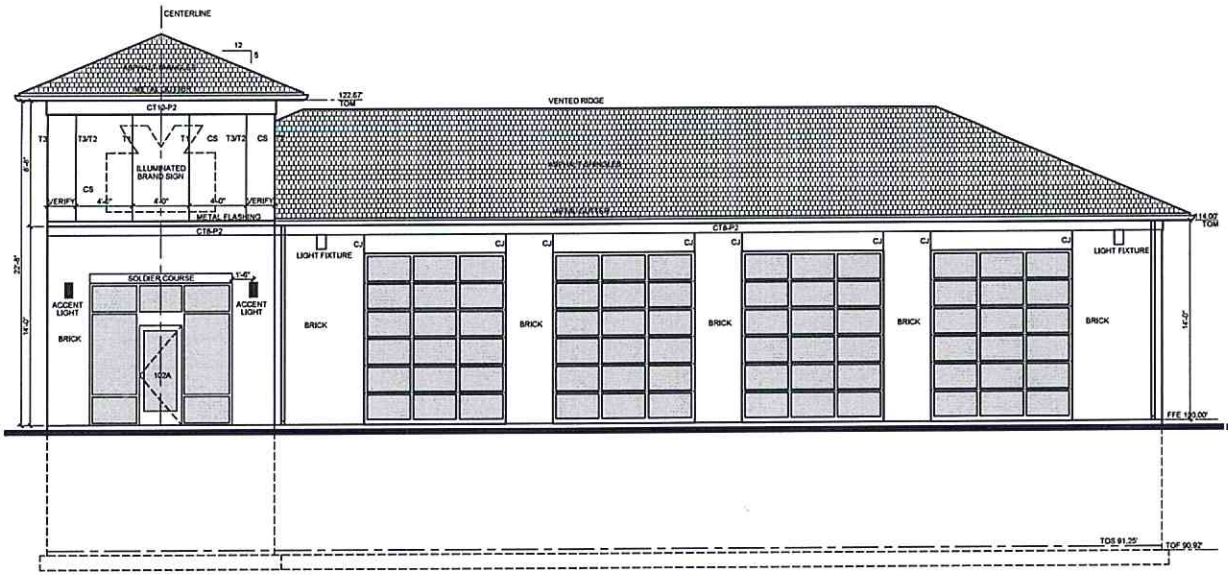
DATE	REVISIONS

JOB NO.	20-160
SCALE:	1" = 30'
DATE:	10/27/2020
DRAWN BY:	MT
DESIGN BY:	JS
REVIEW BY:	JS
SHEET:	1 OF 1

VALVOLINE INSTANT OIL CHANGE

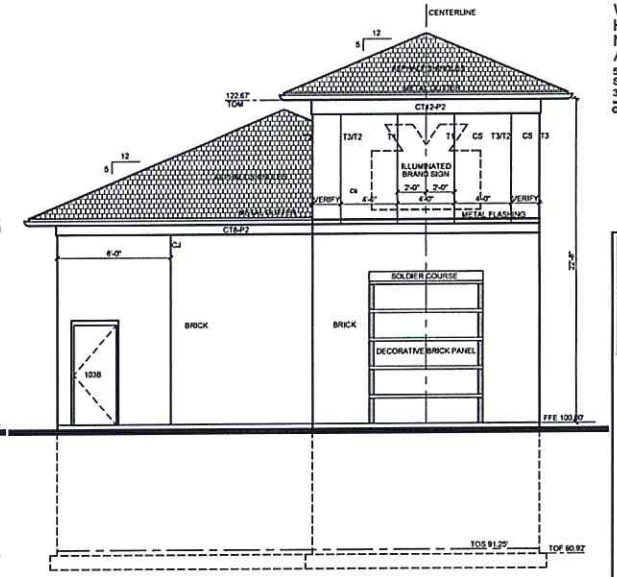
Mid-Atlantic Lubes
50 Jaconnet Street, Suite 100
Newton Highlands, MA 02461
January 2018

Wyatt Howard Nelson
Architecture, PLLC
522 Elm Street
Syracuse, NY 13203



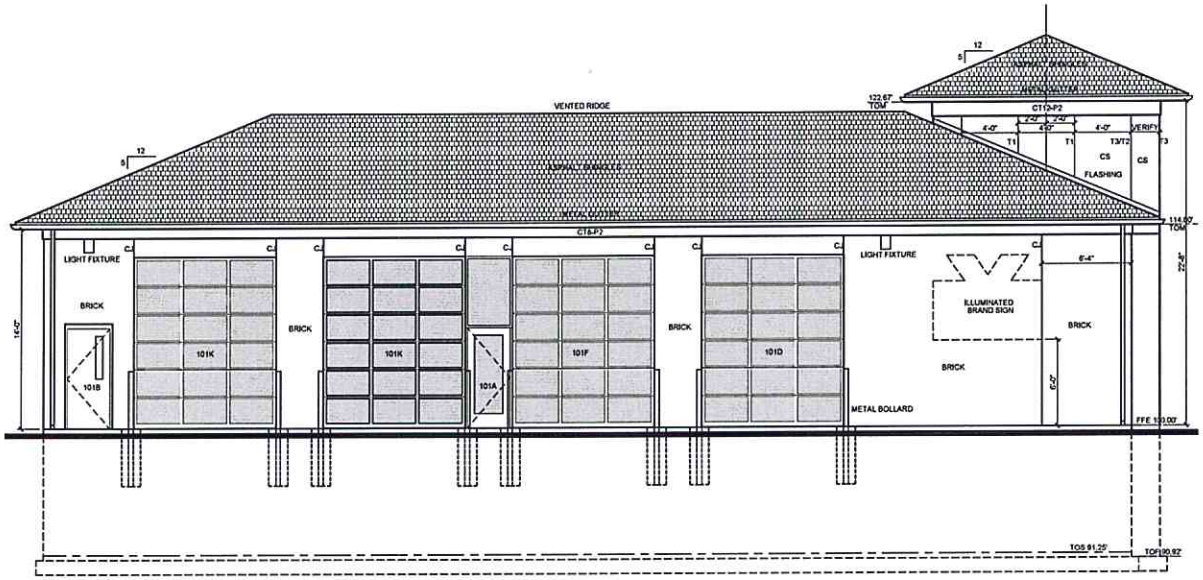
1 A2.1 FRONT ELEVATION

SCALE 1/4" = 1'-0"



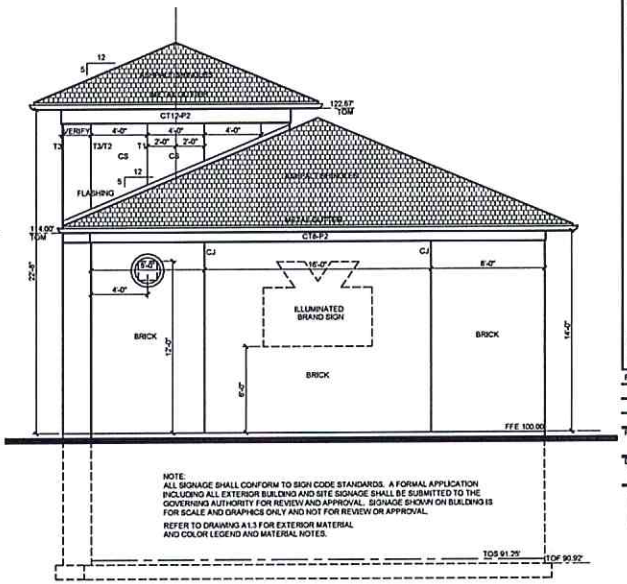
2 A2.1 LEFTSIDE ELEVATION

SCALE 1/4" = 1'-0"



3 A2.1 REAR ELEVATION

SCALE 1/4" = 1'-0"



NOTE:
ALL SIGNAGE SHALL CONFORM TO SIGN CODE STANDARDS. A FORMAL APPLICATION INCLUDING ALL EXTERIOR BUILDING AND SITE SIGNAGE SHALL BE SUBMITTED TO THE GOVERNING AUTHORITY FOR REVIEW AND APPROVAL. SIGNAGE SHOWN ON BUILDING IS FOR SCALE AND GRAPHICS ONLY AND NOT FOR REVIEW OR APPROVAL.

REFER TO DRAWING A1.3 FOR EXTERIOR MATERIAL AND COLOR LEGEND AND MATERIAL NOTES.

4 A2.1 RIGHTSIDE ELEVATION

SCALE 1/4" = 1'-0"

Wyatt
Howard
Nelson
Architecture
522 Elm Street
Syracuse, NY 13203
315.952.2072

© copyright 2014 wyatthoward nelson architect

Valvoline Instant Oil Change

Owner: Mid-Atlantic Lubes, LLC
54 Jaconnet Street, Suite 100
Newton Highlands, MA 02461

Project: Valvoline Instant Oil Change

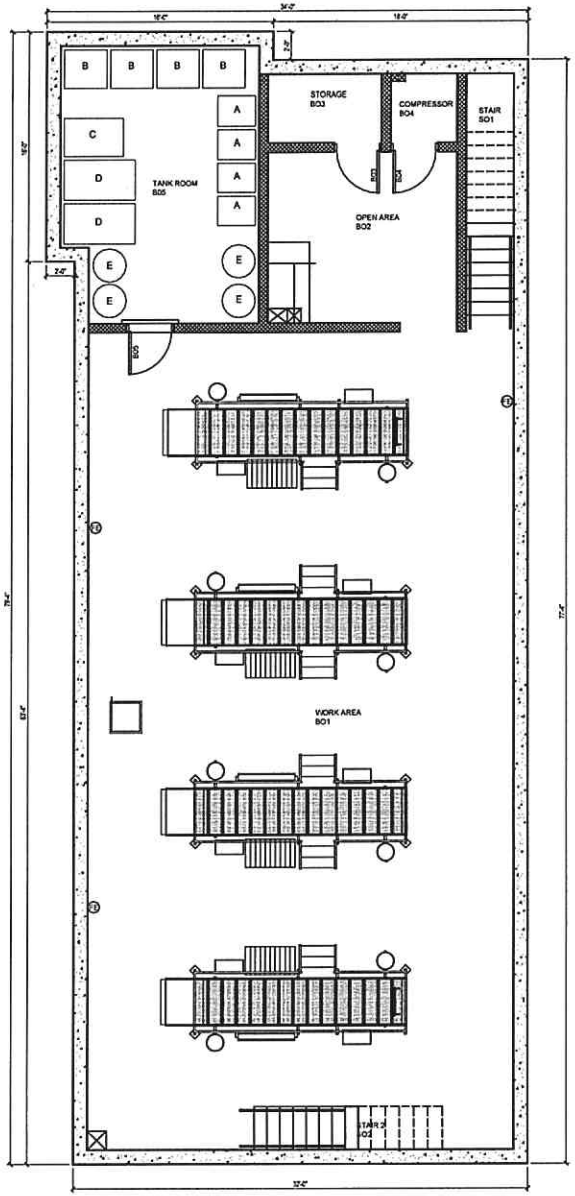
REVISIONS

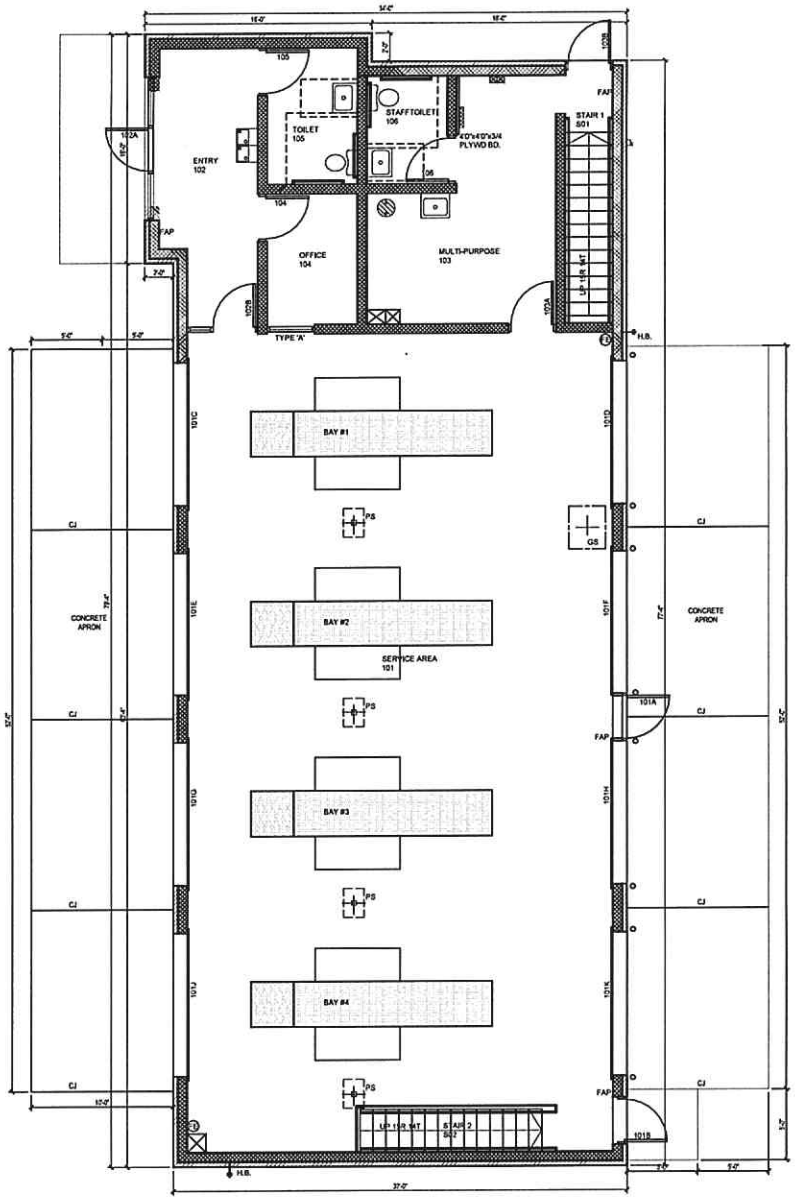
PROJECT NO.

DATE
01.18.18

Exterior Elevations

SP2





Wyatt
Howard
Nelson
Architecture
522 Elm Street
Syracuse, NY 13203
315.952.2072

Owner:
Mid-Atlantic Lubes, LLC
54 Jaconnet Street, Suite 100
Newton Highlands, MA 02461

Project:
Valvoline Instant Oil Change

REVISIONS

PROJECT NO.

DATE
01.18.18

Floor Plan
Lower Level
Main Level

1 SP1.1 LOWER LEVEL PLAN
SCALE 1/4" = 1'-0"

2 SP1.1 MAIN LEVEL PLAN
SCALE 1/4" = 1'-0"

SP1

LAW OFFICES
HOLLMAN, MAGUIRE, KORZENEWSKI & LUZURIAGA
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MANDI M. PORTER

SENDERS E-MAIL:
JMAGUIRE@CARROLL-LAWYERS.COM

OF COUNSEL
ROBERT L. SLINGLUFF
(1977-1996)

CHARLES D. HOLLMAN

April 20, 2020

VIA E-MAIL and HAND-DELIVERY

City of Westminster
Board of Zoning Appeals
56 West Main Street
Westminster, Maryland 21158

Re: Case No. 20-20
Mid-Atlantic Lubes, LLC
Special Exception - Service Station
334 Gorsuch Road

Dear Board Members:

In accordance with the prehearing requirements of Section 8 of the Rules of Order and Procedure for the Board of Zoning Appeals, the following information is provided in connection with the above-referenced case.

1. The specific grounds upon which the application is based are set forth more fully in the application itself, including Westminster City Code Section 164-42(S).

2. The Applicant intends to show that there will be no adverse effects from the proposed service station at this location sufficient to overcome the presumption in favor of this use as a special exception as set forth in the City Code. The Applicant will further show that the proposal meets the technical criteria for an automobile service station under City Code Section 164-149, including market need for the public convenience and service. In support thereof, Applicant intends to introduce at hearing all or part of the materials filed with its Application.

3. Randy Kazazian, Applicant's Vice President of Real Estate, will testify about the existing use and proposed use of the subject property, including the scope and nature of the facility and operations. He will produce the publication entitled "Introduction to Henley Enterprises, Inc." which further explains the operations, a copy of which is attached hereto.

4. Joshua Sharon, PE, LSIT, LEED AP, a licensed professional engineer under whose supervision the filed plans were prepared, and/or other qualified representatives from his firm, Morris & Ritchie Associates, Inc., will further testify as to the appropriateness, compatibility, consistency and feasibility of the proposed design and the lack of any appreciable adverse effects at this location.

5. Edward M. Steere, AICP, MSRE, a marketing and valuation expert with the Valbridge Property Advisors, will testify on behalf of the Applicant that there is market need for the proposed quick oil change and other light automotive maintenance services. He will distinguish the subject use from service stations which dispense fuel. He will produce a written report detailing his findings, a copy of which is attached hereto. He will also testify that the use will not cause adverse effects on surrounding property values. Mr. Steere has been qualified as an expert in real estate market analysis and evaluation, and specifically in market need for service stations, before numerous zoning bodies, including the Westminster City Board of Zoning Appeals.

6. Ken Schmid, a traffic expert with Traffic Concepts, Inc., will testify to the minimal amount of new traffic generated and the lack of any appreciable adverse effects at this location. A copy of Traffic Concept Inc.'s written report containing these findings is attached hereto.

7. We anticipate the Applicant's presentation will take about seventy-five (75) minutes.

8. An original and four (4) copies of this prehearing statement, the Introduction to Henley publication, Mr. Steere's market report, Traffic Concept, Inc.'s report and the record plat for the property (Lot 1) are included herewith. There are no other parties of record.

Applicant also intends to call others as witnesses, and introduce at hearing such other drawings and materials as may become appropriate, to the extent that these matters may become relevant as a result of the course of the proceedings.

Very truly yours,

John T. Maguire
Attorney for Applicant

JTM/pae
Enclosure
cc: Randolph L. Kazazian III, Vice President of Real Estate (via e-mail transmission, no enclosure)
Joshua Sharon, PE, LSIT, LEED AP (via e-mail transmission, no enclosure)
Edward M. Steere, AICP, Managing Director (via e-mail transmission, no enclosure)
Mark Keeley, PTP (via e-mail transmission, no enclosure)

Introduction to Henley Enterprises, Inc.

March 2020

HENLEY

Est. 1989

HENLEY
Est. 1989

Valvoline
Instant Oil Change

Business Overview

- Henley Enterprises, Inc., and its affiliates (collectively "Henley") currently operate 214 Valvoline Instant Oil Change ("VIOC") facilities in 10 states – CA, DE, FL, MA, MD, NH, NJ, PA, RI and VA.
- Henley's service centers primarily provide lubrication and preventative fluid maintenance services to cars and light trucks.
- Henley is the largest VIOC franchisee and the third largest independent quick lube operator in the United States.
- Henley has consistently been among the top performing franchises, within the VIOC franchise community, with revenues per service center being approximately 60% higher than the average franchised VIOC center.
- Henley had $290,000,000 in total sales in 2019, with 3.3 million oil changes being performed.
- Henley is privately held and currently employs more than 2,500 individuals.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

HENLEY
Est. 1989

Valvoline
Instant Oil Change

History

Henley Enterprises, Inc. was incorporated in June 1987 specifically to develop and operate VIOC facilities under franchise agreements with Valvoline Instant Oil Change Franchising, Inc. ("VIOCF"), a subsidiary of Valvoline Inc. (NYSE: VVV). Henley is now comprised of several geographic operating companies which operate VIOC service centers.

- *Henley Enterprises, Inc.* Opened its first facility in February 1989 in Somerville, MA. The Somerville location was the first franchised facility in the U.S. for VIOCF. Presently, Henley Enterprises currently operates 52 VIOC's in Eastern New England - Massachusetts, New Hampshire and Rhode Island.

- *Mid-Atlantic Lubes, LLC* Formed in March 2000 and acquired its first service center in April 2000, from an existing VIOC franchisee, in Manassas, VA, a suburb of Washington, D.C. Mid-Atlantic Lubes currently operates 31 facilities in Virginia, Maryland, Delaware, Pennsylvania and New Jersey.

- *Sunshine Lubes, LLC* Formed in 2006 and opened its first six service centers in Southwest Florida (Naples and Ft. Myers) in October 2006, by acquiring the operations of two existing VIOC franchisees. Presently, Sunshine Lubes operates 10 facilities.

- *Henley Pacific LA LLC* Formed in 2011 to acquire and operate 71 service centers primarily located in greater Los Angeles and northern San Diego from EZ Lube, LLC, an independent operator that featured Castrol oil. Henley Pacific LA currently operates 109 service centers as a result of acquisition and consolidation activity.

- *Henley Pacific SF LLC* Formed in 2017 and opened its first two service centers in the San Francisco Bay Area (Antioch and Oakley) in January 2018, by acquiring two existing VIOC service centers. Presently, Henley Pacific SF operates 12 facilities.

In October 2017, Henley Enterprises sold 56 service centers in Michigan and Northern Ohio to Valvoline, Inc. to concentrate on the expansion of its East and West Coast operations, including establishing operations in the San Francisco Bay Area.

Henley expects to add approximately 75 service centers during the next 5 years through acquisition and ground-up development.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

HENLEY
Est. 1989

Valvoline
Instant Oil Change

Core Values

- Be fair and honest with employees and customers
- Make self-improvement and learning a way of life
- Recognize and celebrate achievement
- Make our jobs fun and safe
- Be great at what we do

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

HENLEY
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Valvoline
Instant Oil Change

Strategy

- Position and solidify Henley as the quick lube leader in every market in which we compete through acquisition and ground up development.
- Continual attention to operational efficiency, our people, and the changing profile of the automotive aftermarket.
- Commitment to "speed of service" to differentiate Valvoline Instant Oil Change from its competitors.
- Commitment to service procedures that communicate with the customer while providing a fast and thorough oil change.
- Construct and maintain first-class service centers that exceed customer's expectations and the industry standard.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
Based on a survey of over 250,000 Valvoline Instant Oil Change customers annually.

HENLEY
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Valvoline
Instant Oil Change

Marketing

- Henley has the unique opportunity to leverage the internationally recognized Valvoline brand on a targeted basis for greater effectiveness.
- Valvoline's in-house marketing department, along with their national advertising agency, delivers professionally designed advertising campaigns for implementation in all media types.
- Henley's in-house marketing professionals lead digital, social media and traditional marketing campaigns that augment VIOCF's campaigns.
- Henley leverages Valvoline's purchasing power across all advertising mediums within each market.
- Customer information obtained at the time of service is used to drive future transactions through tailored messages, as well as increase customer retention.
- Henley's fleet sales representatives market to commercial and government fleets and differentiate Henley from the competition by offering individualized billing, which results in Valvoline Instant Oil Change being a preferred vendor among both fleet managers and drivers.
- VIOCF's electronic point of sale system allows Henley to measure the effectiveness of advertising campaigns.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

HENLEY
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Service Center Operations

- VIOC offers the following services:
  - Oil change, filter and lubrication
  - Transmission fluid exchange
  - Power steering fluid exchange
  - Antifreeze/coolant exchange
  - Differential fluid exchange
  - Transfer case fluid exchange
  - Air conditioning check and recharge
  - Windshield washer fluid filling
  - Tire pressure check/inflation
  - Air filter check and replacement
  - Serpentine belt check and replacement
  - Wiper blade check and replacement
  - Light bulb check and replacement
  - Tire rotation
  - Battery test and replacement
  - Cabin filter check and replacement
  - Fuel filter check and replacement
- Hours are typically 7AM - 7PM Monday - Saturday and 9AM to 5PM on Sunday.
- Staffing consists of 13-15 full and part-time team members.
- On-site parking is utilized only by staff as customers stay in their vehicles.
- A Spill Prevention, Control and Countermeasures Plan is developed for the service center.
- Bulk oils, lubricants, antifreeze and washer solution are delivered to the service center by licensed and insured distributors in the same manner as heating oil.
- Used motor oil and lubricants are collected in a waste oil collection tank, located in the basement tank room, where they are stored for recycling.
- Bulk product deliveries and recycling pick-ups are typically scheduled to occur on a weekly basis.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
Based on a survey of over 250,000 Valvoline Instant Oil Change customers annually.

HENLEY
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Valvoline
Instant Oil Change

Instant Oil Change Customer Experience

- Oil changes and other fluid exchanges are completed in approximately 15 minutes.
- Customers are greeted upon entering the lot and asked (i) if they have visited one of our service centers before and (ii) what service(s) brought them here today.
- Customers are guided into an open service bay. In the event all the service bays are occupied, customers are told the approximate waiting time and asked to park in front of the next available service bay. If a customer chooses not to wait, they are directed to the property exit.
- Customers stay in their vehicles throughout the entire service experience.
- Customers are guided through the oil change experience, from oil selection to being shown the dipstick level upon completion, by trained customer service representatives. In addition, customers are made aware of manufacturer's recommended service intervals for other lubrications and fluids.
- Certified technicians on the "top" and "bottom" sides of the vehicle utilize SuperPro, VIOCF proprietary service procedures, to communicate and provide a fast and thorough oil change.
- Service centers are equipped with free Wi-Fi for the customer's use while awaiting completion of their chosen services.
- Upon the completion of the requested service(s) the customer is guided out of the service bay and directed to the property exit.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

HENLEY
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Instant Oil Change

Environmental

- Henley's policy is to meet or exceed federal, state, local and industry standards, for environmental requirements.
- Each service center is equipped with an Employee Health and Safety manual that contains guidance for trainers and employees for waste management; each employee is trained upon hire and recertified annually.
- A Spill Prevention, Control and Countermeasures Plan is developed for each service center.
- Each service center is equipped with a Spill Kit, which can be used to contain and stop the flow of material in the unlikely event of a spill.
- Bulk oils, lubricants, antifreeze and washer solution are delivered to the service center by licensed and insured distributors in the same manner heating oil is delivered to a home.
- All bulk products and used motor oil are delivered and removed through a permanently installed system of black iron pipes. These pipes terminate outside the building in a locked steel box that provides spill protection and security from vandals. All tanks are vented to the outside of the building and are equipped with whistles to let delivery personnel know the tank is full.
- Used motor oil and lubricants are collected in a rolling drain pan beneath the car that is piped directly to a waste oil collection tank, located in the basement tank room, where it is stored for recycling.
- Used motor oil, lubricants and antifreeze are stored in designated containers for such items and collected by a licensed and insured recycler in accordance with federal, state and local requirements and accounted for by manifest.
- Used oil filters and absorbent materials are stored in designated containers for such items, collected by a licensed and insured waste oil hauler and recycled/disposed of appropriately off-site.
- Wastewater pickups and oil/water separator cleanouts are recorded and accounted for by manifest.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

- Service centers are constructed with a tank room, located in the basement of the building, which is constructed of noncombustible materials, has a sealed floor and walls, has secondary containment and is equipped with a fire suppression system.

- There are no floor drains in the basement of the building; this provides another level of containment, in addition to the tank room, and allows us to identify a spill more easily in the unlikely event a spill occurs.

- Floor drains located in the first floor of the building are piped into a regularly maintained oil/water separator before entering the sanitary sewer.

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Awards and Acknowledgements

- 2001 – "Operator of the Year" *VIOC Franchising*
- 2001 – "Outstanding Achievement" Award *VIOC Franchising*
- 2004 – "National Operator of the Year" *National Oil & Lube News*
- 2005 – "Outstanding Achievement" Award *VIOC Franchising*
- 2006 – "Star Contributor - Don Smith" *VIOC Franchising*
- 2009 – "First $2 Million Store" Award *VIOC Franchising*
- 2010 – "Operator of the Year" *VIOC Franchising*
- 2012 – "Certified Female Friendly® Retailer" *AskPatty.com*
- 2013 – "William S. Collier Spirit of Franchising Award" *VIOC Franchising*
- 2013 – "Franchisee of the Year" *International Franchise Association*
- 2014 – "William S. Collier Spirit of Franchising Award" *VIOC Franchising*
- 2015 – "King of Cars" *VIOC Franchising*
- 2015 – "Operator of the Year" *VIOC Franchising*
- 2016 – "King of Cars for Large Systems" *VIOC Franchising*
- 2017 – "Developer of the Year" *VIOC Franchising*
- 2017 – "King of Cars for Large Systems" *VIOC Franchising*
- 2017 – "Good Samaritan Award for Large Systems" *VIOC Franchising*
- 2018 – "Operator of the Year" *VIOC Franchising*
- 2018 – "King of Cars for Large Systems" *VIOC Franchising*

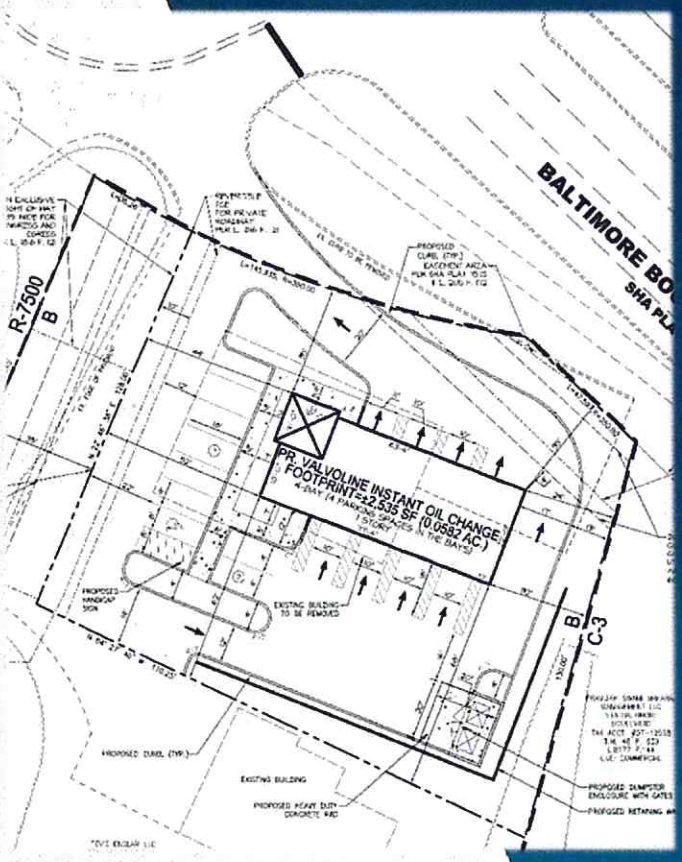
CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

- 2019 – "Developer of the Year" *VIOC Franchising*
- 2019 – "King of Cars for Large Systems" *VIOC Franchising*
- 2019 – "Good Samaritan Award for Large Systems" *VIOC Franchising*
- 2019 – "Sandy McLeod Legacy Award" *VIOC Franchising*
- 2019 – "Celebrating 30 Years as a Franchisee" *VIOC Franchising*

Valbridge
PROPERTY ADVISORS

Need Analysis

Proposed Drive-Through Oil Change Facility
334 Gorsuch Road
Westminster, Maryland



FOR
Mid-Atlantic Lubes LLC
54 Jaconnet Street
Newton Highlands, Massachusetts 02461

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valbridge.com

April 16, 2020

Mr. Randy Kazazian
Mid-Atlantic Lubes LLC
54 Jaconnet Street
Newton Highlands, Massachusetts 02461

Subject: Proposed Drive-Through Oil Change Facility
Westminster, Carroll County, MD - Need Analysis

Dear Mr. Kazazian

Enclosed please find Valbridge Property Advisor's (Valbridge) analysis of the need for the proposed development of a drive-through automotive quick lubrication vehicle shop to be located at 334 Gorsuch Road in the City of Westminster in Carroll County, Maryland. The analysis has been conducted in connection with your petition for a special exception to permit an automobile service station on that property.

We find that that the proposed drive-through oil change facility will serve an unmet public need for expedient oil change services. The enclosed report summarizes our reasoning process.

It has been a pleasure working with you on this project. Please call me at (443) 333-5521 should you have any questions or comments.

Respectfully submitted,
Valbridge Property Advisors |
Baltimore Washington Metro

Edward M. Steere, AICP
Managing Director

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PROPOSED OIL CHANGE FACILITY NEED ANALYSIS

Executive Summary

Valbridge Property Advisors has been engaged by Mid-Atlantic Lubes LLC in connection with its petition to the Westminster City Board of Zoning Appeals for a special exception permitting the development of a drive-through quick lubrication vehicle shop at the property located at 334 Gorsuch Road. We have examined evidence of the public need for a drive-through oil change facility at this location. Presentation of sufficient evidence of public need for the use is required before a special exception for that use can be granted.

Valvoline Oil Change Facility

The subject will be a redevelopment of a vacant veterinary hospital on the southern side of Baltimore Boulevard (MD-140) in the City of Westminster. The proposed improvements to the site include a new, four-bay drive-through quick lubrication vehicle shop roughly 2,535 sq. ft. in size with appropriate parking spaces.

The Maryland Department of Transportation State Highway Administration published an estimated annual average daily traffic (AADT) count in 2018 on MD-140 passing the subject location as 53,360 AADT. Along Gorsuch Road to Manchester Avenue, AADT was 2,920 in 2018. This site is located in the center of the City of Westminster's primary retail corridor, offering an opportunity to link an expedient visit to the quick lubrication vehicle shop facility with trips to other commercial opportunities in the area.

Supply/Demand Issues

- Trade Area – We have defined the subject fueling station's trade area as the area centered on Westminster and the MD-140 commercial corridor, drawing commuters and consumers from residential communities throughout central Carroll County to the regional center of the County seat of Westminster.

- Trade Area Residents – The trade area is populous and is expected to grow by approximately 1.4% through 2024. Its households are relatively affluent for the Baltimore MSA. The Census Bureau's American Community Survey for 2013-2017 estimates that there are 2.2 vehicles per household on average and more than one-third of workers commute more than 45 minutes to work.

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- Trade Area Demand – The defined trade area extending outwards from the City reasonably contains the majority of commuters and consumers who are likely to travel through or do their shopping in the City of Westminster. Realistically, residents of other areas may also avail themselves of the broad variety of offerings in the City. In 2020, we estimate that trade area households are annually spending an aggregate of approximately $3.6 million on lubrication/oil change services ($143 per household). Our estimate is conservative as it only includes households residing in the trade area and also excludes expenditures attributable to commercial vehicles.

- Competitive Supply –Although there are a variety of businesses which meet the definition of an automobile service station use throughout the City and County, most are not directly comparable to the subject. Modern oil change facilities such as the subject generate their revenue primarily from oil change services and have been designed in a manner which minimizes the time spent working on each vehicle. Dual profit centers such as a full-service garage and tire shop are less likely to see their customers at regular intervals and typically require scheduled appointments and have parking designed to accommodate vehicle drop offs.

    - Westminster Trade Area Supply – Including only those establishments which follow the Institute of Traffic Engineers' (ITE) classification of a Quick Lubrication Vehicle Shop we find that there are three other facilities located throughout Carroll County. All the properties operate under the Jiffy Lube brand and only one of the facilities is located within the trade area boundaries. Given the geographic scale of the County each facility effectively services a different target market.

    - Current Performance – Without exact sales figures or information regarding what proportion of sales are directly attributable to oil change services at each location, we have estimated the overall capacity of the three existing facilities under the assumption that each is operating at maximum efficiency. We find that the one Jiffy Lube within the trade area has the capacity to perform approximately 29,536 per year.

    - Unmet Demand – There are an estimated 25,398 households currently residing in the Westminster trade area. Trade area residents had an average of 2.2 vehicles available per household (55,876 vehicles), more than one-third had commutes in excess of 45 minutes and more than half worked outside of Carroll County. Under any scenario, we believe that the single Jiffy Lube location at 385 N Center Street is unable to accommodate the entirety of public demand for expedient oil change services. Even under the most optimistic performance assumptions which would reduce service times to fifteen minutes per vehicle and double the capacity of this sole facility, there would still be a shortfall of two to four required oil changes by each household annually.

Conclusions

Valbridge concludes, therefore, that the development of the subject will be convenient and serve the needs of households within the City of Westminster as well as those in surrounding areas. As it stands, trade area households are being forced to have their oil change service needs fulfilled at full-service garages and tire shops due to a lack of available capacity at quick lubrication shops. There have been zero quick lubrication shops built in the last decade and the existing locations throughout Carroll County effectively serve different target markets.

The existing capacity for quick oil change services within the trade area is estimated at 29,536 oil changes per year. Capacity doubles under the most optimistic assumptions, however this level of supply still restricts trade area households to one oil change per year if they wish to visit the same location. The subject would be an expedient alternative in comparison to the full-service garages and tire shops which are currently absorbing this unmet consumer demand as the only choice by default. Further, this site is a previously developed commercial corner and the use will not detract from the community or regulatory planning concepts in any way.

Impact on Value

The activity proposed for this land use offers no more inherent adverse impact on the adjacent land uses, than it would at any other location along this strip or anywhere else in this particular zoning district. This use is appropriate for the site based on the 2009 Westminster Comprehensive Plan and also the 2014 Carroll County Master Plan, as amended. This site was previously a commercial use and there are other high-traffic existing commercial uses in the neighborhood (ice cream, gasoline station, restaurants, tobacco store, motel, shopping centers, etc. – there is no means by which it could be discerned that this proposed use would have any more adverse effect than any other existing use in the community.

COVID-19

The global outbreak of a "novel coronavirus" known as COVID-19 was officially declared a pandemic by the World Health Organization (WHO). It is currently unknown what direct, or indirect, effect, if any, this event may have on the national economy, the local economy or the market in which the subject property is located. The reader is cautioned, and reminded, that the conclusions presented in this needs analysis apply only as of the effective date(s) indicated. The analyst makes no representation as to the effect on the subject property of this event, or any event, subsequent to the effective date of the study.

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I. INTRODUCTION

Valbridge Property Advisors has been engaged by Mid-Atlantic Lubes LLC in connection with its petition to the City of Westminster Board of Zoning Appeals for a special exception permitting the development of an oil change facility at the property located at 334 Gorsuch Road at the intersection with Baltimore Boulevard (MD-140) in the City of Westminster, Carroll County, Maryland.

Purpose of Assignment

This site consists of a single half acre parcel currently zoned for commercial use. The proposal is to demolish the existing building on the site and build a four-bay drive-through quick lubrication vehicle shop with appropriate parking spaces. It is assumed that Mid-Atlantic Lubes LLC may prefer a modified site plan, but development will generally be in context with the current concepts.

Valbridge Property Advisors has been engaged to examine evidence of the public need for an oil change facility at this location. Presentation of sufficient evidence of public need for the use is required before a special exception for that use can be granted. In regard to the oil change facility, the City of Westminster Zoning Ordinance – among other provisions – requires that:

> (4) The evidence of record establishes that for the public convenience and service a need exists for the proposed use due to an insufficient number of similar uses presently available to serve existing population concentrations in the City and the use at the location proposed will not result in a multiplicity of proposed uses. In the absence of convincing evidence to the contrary, the following shall constitute lack of probability of a reasonable public need:
>
> (a) An automobile service station within one mile on the same side of the road, except at intersections.
>
> (b) The presence of two service stations within the four quadrants of an intersection, including ½ mile from the center of the intersection in any direction.
>
> (Article XX, §164-149.A.)

For purposes of this analysis, we have considered public need/necessity to mean "expedient of reasonably convenient and useful to the public" (as defined in Lucky Stores, Inc. v. Board of Appeals) and "convenient, useful, appropriate, suitable, proper or conducive to the public in the surrounding area" (as defined in Baltimore County Licensed Beverage Association, Inc. v. Kwon). In this case, we consider a drive-through oil change facility to be accommodating to the public need when it meets the demand of the public living and working within a reasonably defined trade area for oil change services, as analyzed according to standard market research methodologies.

Scope of Work

In conducting this analysis Valbridge has accomplished the following tasks:

- Inspected the subject site and neighborhood;
- Reviewed the subject's site plan;
- Defined the subject's surrounding geographic trade area;
- Consulted demographic and economic data for the trade area produced by ESRI (Environmental Systems Research Institute, Inc.) based on U.S. Census information, and others;
- Inspected similar drive-through oil change facility properties in the trade area;
- Estimated the scale of demand for oil change services within the defined trade area and arrived at certain conclusions.

Organization of Report

Following this Section I, Valbridge's report is organized in three sections as follows: Section II, site and location analysis; Section III, need analysis; Section IV, survey of nearby competitive supply; Section V, conclusions.

Qualifications of Consultant

Valbridge is the largest independent real estate valuation firm in the continental United States, with 70 offices and more than 675 employees, of which more than 200 are MAI appraisers. We have experience and data on all types of real estate, including special purpose and portfolio assignments.

The principal-in-charge of this assignment has been Edward Steere, AICP, Managing Director. He has 30 years of real estate development, finance and consulting experience. Most relevant to this assignment, Steere has successfully completed feasibility assessments for commercial opportunities throughout Maryland. Additional information on the firm and Steere are found in Appendix A at the end of this study.

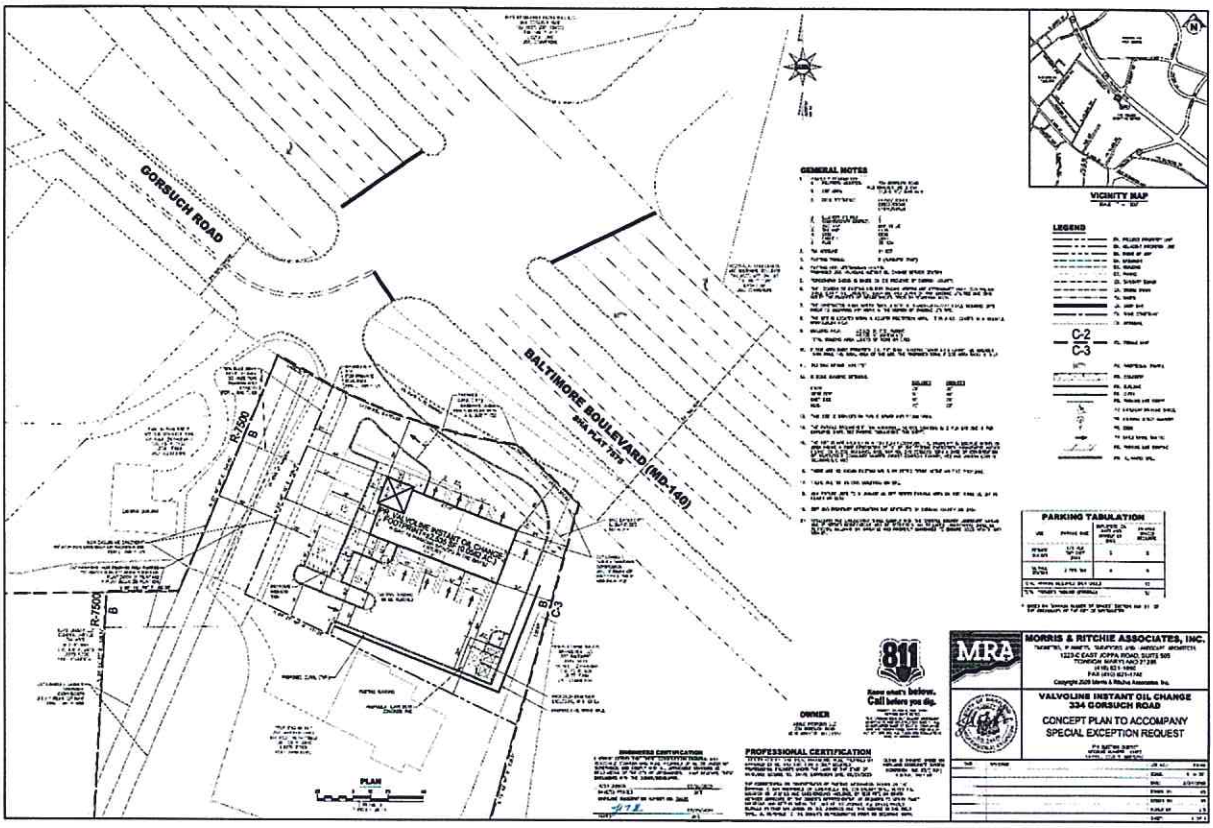
II. SITE LOCATION ANALYSIS

In this section, Valbridge describes the proposed drive-through quick lubrication vehicle shop location, its access and surroundings in order to establish its positioning within its trade area and competitive environment generally.

A. SITE DESCRIPTION

The proposed drive-through quick lubrication vehicle shop is located on a half-acre parcel in the business zone on the southern side of Baltimore Boulevard (MD-140). The property is presently improved with a vacant veterinarian hospital building of approximately 3,621 square feet which was built in 1965 along with sixteen parking spaces. There is a single access point on Gorsuch Road at the northwest corner of the site. The intersection of Gorsuch Road and Baltimore Boulevard is signalized

The proposed improvements to the site include the construction of a four-bay drive-through quick lubrication vehicle shop with appropriate parking spaces. The facility will be 2,535 square feet and will have a small area set aside for office purposes. It is assumed that Mid-Atlantic Lubes LLC may prefer a modified site plan, but development will generally be in context with the current concepts shown on the following page:



Source: Morris & Ritchie Associates, Inc

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The topography of the site is generally sloped where the existing veterinary office is located. The land will be regraded with development to acquire reasonable access and final elevation grades.

B. SITE ACCESS

The subject property has excellent frontage on the south side of Baltimore Boulevard (MD-140), which is a multi-lane highway through this area with a continuous central median. Traveling in both directions on MD-140 to the intersection with Gorsuch Road there are three through lanes, one right-turning lane and one left-turning lane. Gorsuch Road is a two-lane road at the site's existing access point. The existing curb cuts on Gorsuch Avenue will be retained. The Maryland Department of Transportation State Highway Administration published an estimated annual average daily traffic (AADT) count in 2018 on MD-140 passing the subject location as 53,360 AADT. Along Gorsuch Road to Manchester Avenue, AADT was 2,920 in 2018. This site is located in the center of the City of Westminster's primary retail corridor, offering an opportunity to link an expedient visit to the oil change facility with trips to other commercial opportunities in the area.

C. SURROUNDING LAND USES

There is a commercially zoned single-family home abutting the subject to the south which will share a non-exclusive right of way with the oil change facility. Directly adjacent to the subject on the south side of MD-140 is a 117-room hotel which is zoned C-3 (Commercial High Intensity District) as well as the nearly 200,000 sq. ft. 140 Village Shopping Center which is zoned B (Business). Across MD-140 to the north is an Olive Garden restaurant, a McDonald's and two office buildings which all lie within the C-2 zone. Further north of the subject is Winters Mill High School.

The land that is directly west of the subject along Gorsuch Road is zoned R-7 allowing for the highest density of residential development. There are currently three single-family homes immediately adjacent to the subject, however the remainder of the block is unimproved except for one more home across from the 140 Village Shopping Center and a church at the beginning of Manchester Avenue. Most of the area between MD-140 and Main Street is residential or mixed-use. A zoning map illustrating uses surrounding the subject is provided on the following page.

It is important to note that the subject property is surrounded on three sides by unincorporated lands of Carroll County. The zoning mentioned above for the hotel, shopping center, residential homes, and retail sites and high school are all located outside the incorporated City of Westminster.

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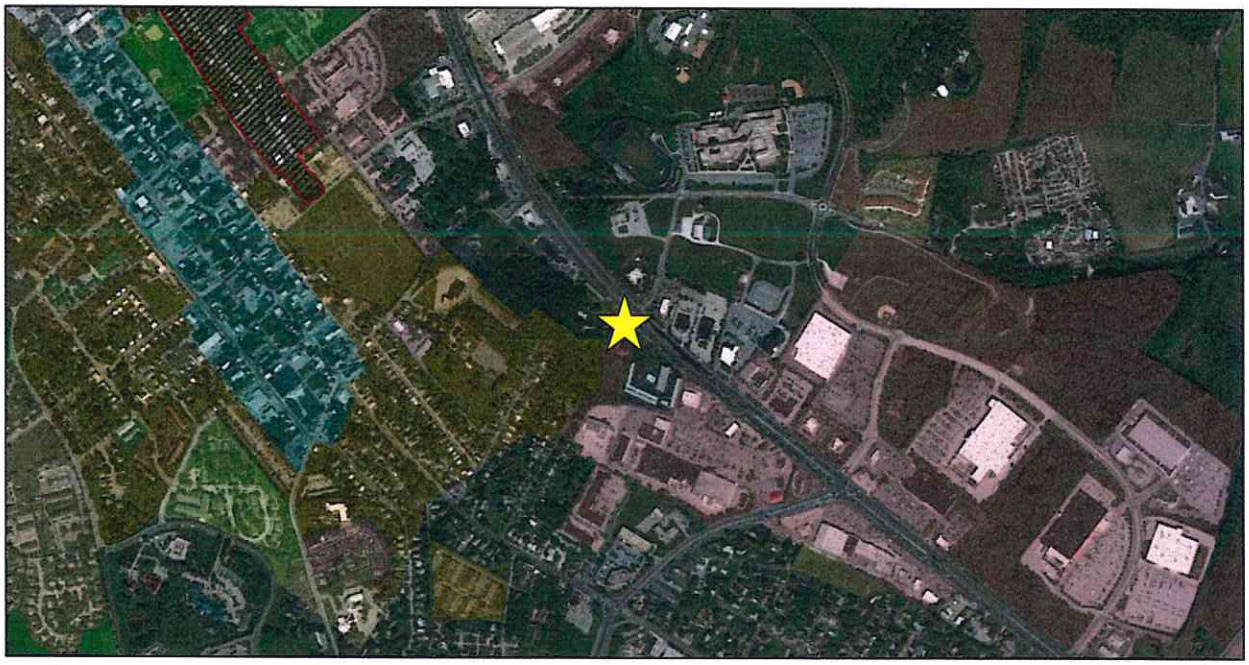
Zoning Map



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Zoning Overlays

Neighborhood Preservation

Property_Zoning

B, C, C-B, C-C, D-B, I-G, I-R, MUI, N-C, P-I, P-RSC, PD-4, PD-9, R-10,000, R-20,000, R-7,500

1:9,028

0 0.07 0.15 0.3 mi

0 0.13 0.25 0.5 km

CC GIS, FMiddleton, JBrown, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Web AppBuilder for ArcGIS
USDA FSA | CC GIS, Jeremy Brown | CC GIS, FMiddleton, JBrown | Jeremy Brown, Andrew Grey | Esri, HERE, iPC |

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E. SUMMARY

In summary, the subject property is well situated at the intersection of MD-140 and Gorsuch Road. The proposed design will replace the vacant veterinary office that is currently on the site. Site improvements will include a 2,535 sq. ft. four-bay quick lubrication vehicle shop facility with appropriate parking spaces. The facility will be utilized primarily by residents of the City of Westminster as well as those from surrounding Carroll County communities as they combine trips to this regional shopping destination with other errands. MD-140 serves as a major route which connects communities to I-795 and the Baltimore beltway. Traffic volume passing this intersection is strong with 2018 State Highway Administration data showing 53,360 AADT. The site is located in the center of the City of Westminster's primary retail corridor and is generally surrounded by other commercial establishments as well as the residential communities of downtown Westminster and surrounding suburban neighborhoods. This site is on the edge of the incorporated City of Westminster and has no direct access within the City limits. Rather it is oriented to serve the commercial corridor that passes through and along the City on MD-140.

Existing Veterinary Office Building

Gorsuch Road looking Southeast to subject

MD-140 Southeast from Subject

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Three adjacent residences

Retail on opposite side of MD-140

Subject frontage looking Northwest on MD-140

Gorsuch Road looking Southeast from 140 Village Shopping Center

Gorsuch Road looking Northwest from 140 Village Shopping Center

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III. NEED ANALYSIS

In this section, Valbridge reviews certain factors which are determinative of the subject's ability to accommodate public need. We estimate total demand for oil change services within the subject's trade area, estimate the subject oil change facility's usage, then draw conclusions regarding accommodation of public need.

A. WESTMINSTER TRADE AREA

We have defined the subject oil change facility's trade area as the area served by Westminster commercial and civic uses, drawing commuters and consumers from the City of Westminster and from throughout the central portion of Carroll County. Westminster has a premier location as a crossroads in Carroll County's highway network. The trade area has the following boundaries: Pennsylvania line on the North: a line approximately equidistant between MD Routes 140 and 26 on the South; a line approximately equidistant between MD Routes 97 and 30 on the East; and a line east of Taneytown following Big Pipe Creek and other geographic features. The trade area contains the following 14 Carroll County census tracts:

5020	5030	5041	5042.01	5042.02	5075	5076.01
5076.02	5077.02	5077.03	5077.04	5078.01	5078.02	5110

The trade area is depicted on the map on the following page. We have defined the trade area based on two principal factors:

- Commercial Services - The City of Westminster has the highest concentration of commercial services (including vehicle service stations) in Carroll County, serving not only City residents but also residents in surrounding areas. The City is well located within the trade area.

- Highway Network - The City of Westminster is located at a critical crossroads of the northern Carroll County highway network for commuters and consumers. It is served by MD Route 140 (Baltimore Boulevard) running northwest from the Baltimore County line to Frederick County. That route is intersected by MD Routes 27, 31 and 97 in the City. MD-32 links the City to the Eldersburg and Sykesville area to the South.

The Greater Carroll County market area is very attractive for retailers. Focused on the City of Westminster which is the County seat and economic center of the County, the trade area is relatively upscale and has a stable population base. The defined trade area extending outwards from the City reasonably contains the majority of commuters and consumers who are likely to travel through or do their shopping in the City of Westminster. Realistically, residents of other areas also avail themselves of the broad variety of offerings in the City.

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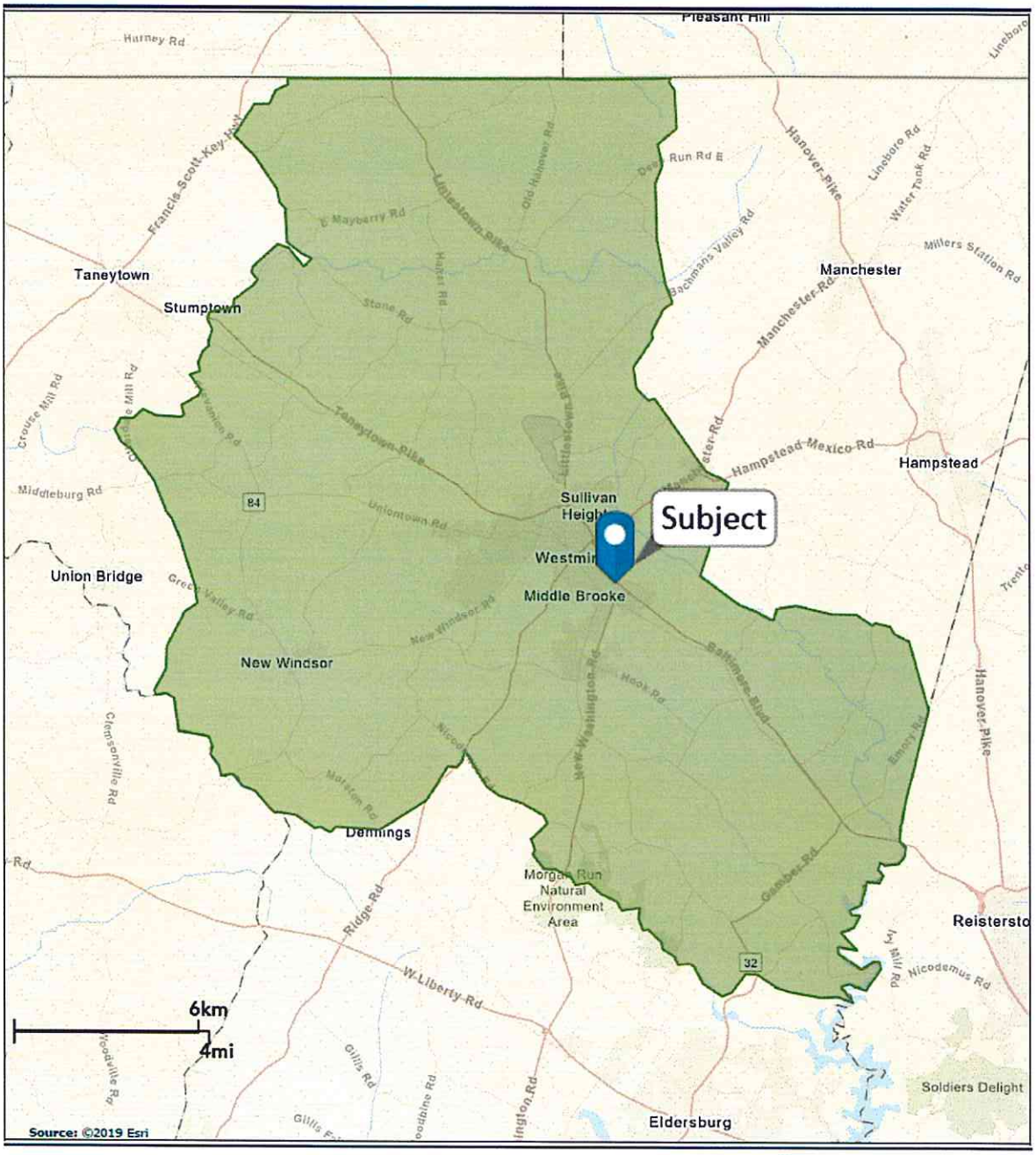
Trade Area Map



B. DEMAND FOR OIL CHANGE SERVICES

Demographic Data

We have compiled data obtained from the U.S. Census and Environmental Systems Research Institute, Inc. (ESRI), a respected national demographic and economic research firm, describing demographic trends and socio-economic characteristics of the trade area. Population trends have been as follows:

Demographic Trends				
	2000	2010	2019	2024
Trade Area:				
Population	62,808	67,511	68,940	69,855
Households	22,599	24,823	25,398	25,764
Carroll County:				
Population	150,897	167,134	172,218	174,865
Households	52,503	59,786	61,760	62,775

Source: 2000 and 2010 Census; ESRI estimate, 2019 and 2024.

Using the demographic statistics, we estimate the number of households in the defined trade area at 25,398 in 2019 — with growth of 2,799 households since 2000. Those households have the following socio-economic characteristics:

	Trade Area	Carroll County
Average Household Income (2019)	$109,828	$119,216
Average Household Size--Persons (2019)	2.64	2.73
Median Owner-Occupied Home Value (2019)	$335,409	$347,730
Estimated Homeownership Rate (2019)	69.2%	74.6%
Average Vehicles per Household (2013-2017)	2.2	2.2
Workers Driving Alone to Work (2013-2017)	84.1%	85.5%
Workers Working outside of Carroll (2013-2017)	42.8%	50.0%
Travel Time to Work 45+ minutes (2013-2017)	36.0%	35.9%

The trade area is populous and is expected to grow by approximately 1.4% through 2024. Its households are relatively affluent for the Baltimore MSA. The Census Bureau's American Community Survey for 2013-2017 estimates that there are 2.2 vehicles per household on average and more than one-third of workers commute more than 45 minutes to work.

Aggregate Household Income

Retail market analysis estimates demand for various goods and services based on the proportion of household income which consumers typically spend on those items. For purposes of our analysis, we have used ESRI's U.S. Consumer Spending data to estimate the average current expenditures by trade area households on lube/oil change services. This data incorporates the latest data from the Consumer Expenditure Surveys (CEX) from the Bureau of Labor Statistics and includes average spending per households for 17 spending categories. The first step is to calculate the aggregate income for the trade area. The trade area's aggregate income is calculated as $2,789,411,544 in 2019 as follows:

25,398 households x $109,828 average income = $2.78 Billion Aggregate Income

Estimated Oil Change Services Expenditures

Using 2019 ESRI data, we find that trade area households typically spent $1,419 annually on vehicle maintenance services while Carroll County households spent an average of $1,506 per year on vehicle maintenance services. This expenditure category is further separated into purchases of lubrication/oil change services which averaged $143 annually for the trade area and $151 for Carroll County. Both these figures align with the overall State average of $144. Valbridge estimates the total expenditures for lubrication/oil change services as follows:

Total Trade Area Households	25,398
Times: Oil Change Expenditure	x $143
Total Expenditures	$3,631,914

This estimate conservatively assumes that each of the estimated 25,398 households used for 2020 are purchasing approximately the same level of oil change services as in 2019. Given the 1.4% expected overall growth in the number of households through 2024 (roughly 73 households per year), we expect the level of demand for oil change services to remain relatively stable. We note that the average number of vehicles per household in the market area is 2.2 and that many trade area residents are long-distance commuters. With recent declines in the price of gasoline, it is also possible that driver behavior could be altered.

In addition, our estimates only include households residing in the trade area and therefore excludes any pass-thru traffic originating from census tracts outside of the defined trade area. Westminster is the principal retail center for northern Carroll County with destinations such as TownMall and a wide variety of big box stores, drawing consumers from beyond the defined trade area for these shopping needs. In particular, the Taneytown, Manchester and Hampstead areas beyond the defined trade area have populations approximately the same as the trade area and certainly patronize Westminster retailers that do not exist in those markets.

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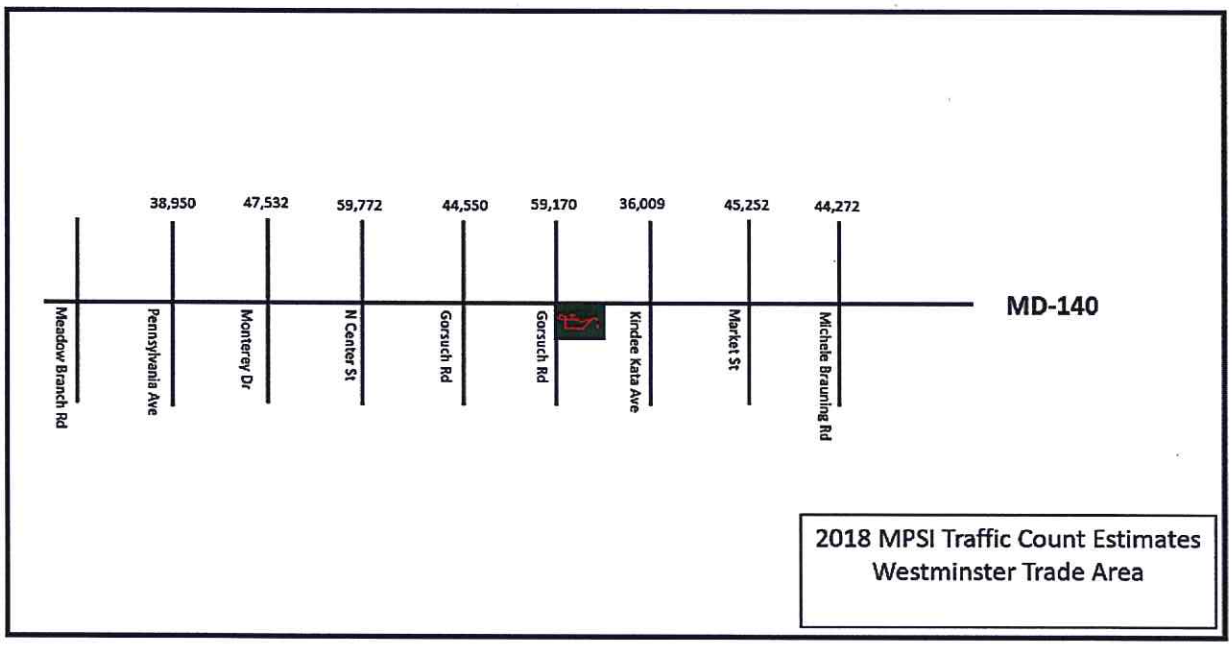
We have also chosen to exclude expenditures attributable to commercial vehicles from our estimates of overall demand given the lack of empirical data regarding the proportion of sales made to these users. We are aware of the presence of this type of demand through our own observations as well as SHA data indicating that approximately 7,060 light trucks pass through this section of MD-140 daily. We assume that small businesses in particular are most likely to use typical oil change facilities such as the subject, since larger construction and trucking companies will more often have their own maintenance locations.

Traffic Volume

We cannot use traffic count data to compute the individual demand impacts of each consumer group because the overall traffic data includes overlap among them. Nonetheless, the table which follows illustrates traffic volumes for various points along the MD-140 corridor to put into perspective the number of vehicles utilizing this route. Data estimates are provided by MPSI (Market Planning Solutions). It is reasonable to assume that there is sufficient traffic to accommodate the proposed subject site based on the provided traffic volume.



C. SUMMARY

The size and shape of the Westminster trade area has been determined based principally on demand for commercial services and the shape of the highway network serving Carroll County. The City of Westminster is a regional retail center and demand for quick lubrication services will realistically draw a number of customers from beyond the trade area boundaries. Trade area households are relatively affluent for the Baltimore Metropolitan area and are for the majority long-distance commuters with more than one-third commuting more than 45 minutes. Nearly half of all trade area households have workplaces outside of Carroll County

In 2020, we estimate that trade area households are annually spending an aggregate of approximately $3.6 million on lubrication/oil change services ($143 per household). With a forecasted growth in trade area households of 1.4% through 2024, we expect demand to remain stable going forward. We note that the average number of vehicles per household in the market area is 2.2 and that many trade area residents are long-distance commuters. With recent declines in the price of gasoline, it is also possible that driver behavior could be altered.

Although residents of the Westminster trade area will account for a significant majority of demand, we believe our estimate of $3.6 million to be conservative as it only reflect households residing within the trade area and excludes any pass-thru traffic originating from census tracts outside of the defined trade area. Our estimate of overall demand also excludes expenditures attributable to commercial vehicles given the lack of empirical data regarding the proportion of sales made to these users. Regardless, we find that there is strong demand within the Westminster trade area for quick lubrication vehicle services.

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IV. TRADE AREA SUPPLY

In this section Valbridge evaluates the proposed quick lubrication vehicle shop operation in the context of its competitive environment—in Carroll County generally and also within the defined Greater Westminster trade area. The primary trade area is defined as 14 census tracts that represent the local residential and commercial community associated with the City of Westminster and the MD-140 corridor. In addition to our observations, we have consulted various sources including the Maryland Department of Assessments & Taxation (SDAT), CoStar Realty Group's commercial multiple list system and others to better describe the competitive supply in the Westminster area.

A. AUTOMOBILE SERVICE STATIONS

Westminster zoning regulations define an automobile service center as, "Any area of land, including buildings and other structures, that is used to dispense motor vehicle fuels, oil and accessories at retail, where minor repair service is incidental and where no storage or parking space is offered for rent."[1] The special exception standards also state that a lack of probability of a reasonable public need exists if:

(a) An automobile service station within one mile on the same side of the road, except at intersections.

(b) The presence of two service stations within the four quadrants of an intersection, including ½ mile from the center of the intersection in any direction.[2]

The definition of an automobile service center in the Westminster zoning code is very broad, when considering the wide variety of specific automobile related service and parts retailers. This proposed use is very narrow, in that the quick-lube oil change facility does not do traditional auto repair, that requires appointments, vehicle drop-offs and tow truck operations. This use is designed to support the consumer with the convenience of stopping through to get an oil change and/or other incidental services while on the way to other destinations. The use is principally a retail operation in that regard. Customers are typically in the service bay for approximately 12-15 minutes, and do not leave their car to go to a waiting room. Consumer behavior is similar to a drive-through restaurant, wherein if they have time and a need to get the service, they will stop through, and if there is a line, they will stop by at another time. At the national average of 13,500

[1] §164-3. Definitions and word usage, Zoning and Subdivision of Land, City of Westminster, p14.
[2] §164-149.A.(4) Automobile service stations, Zoning and Subdivision of Land, City of Westminster, p184.

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miles per year driven, the typical customer will stop through two to three times per year, per automobile (based on an oil change interval of 4,500 miles).[3]

Therefore, Valbridge chose to analyze only those facilities which are in direct competition with the subject for customers seeking expedient oil change services. Although performing oil changes is the main service being offered at the subject, the large variety of vehicle makes and models on the road today requires business owners to stock thousands of dollars' worth of inventory including multiple oil types, oil filters, windshield wipers, light bulbs and other fluids. All the services offered at Valvoline are done with the customer remaining in the car. These services include filter replacements, wipers, light bulbs and tire rotation. These services are not available to all makes and models, based on the specific requirements of some brands and the preservation of the "quick" component of the service model at these facilities.

While we have observed full-service garages in the trade area offering oil change services, most customers intentionally visit those shops seeking particular repairs or to purchase an entire set of new tires, both of which are big-ticket items that require an appointment and dropping of the vehicle for some time or days. Oil change services at full-service garages are often loss-leaders designed to attract new customers and provide an opportunity for a garage to do an inspection of a car and recommend other necessary repairs. Quick lubrication facilities are more likely to see a customer at least twice per year while a full-service garage or tire shop could wait three or more years before making another sale to the same person. Modern quick lubrication vehicle oil change facilities have been designed to minimize the time spent servicing each vehicle and extensively highlight this in their advertising. Many locations now feature basement construction so that routine maintenance services such as inflating tires, adjusting fluids, changing filters and replacing light bulbs can be completed while another employee works from below. Full-service garages and tire shops frequently require scheduled appointments and have adequate parking to accommodate customers who wish to drop off their vehicles.

B. WESTMINSTER AREA

Considering that the subject will not dispense motor vehicle fuels, provide major repair services or maintain retail floorspace dedicated to the sale of auto parts and accessories, we have included only those establishments which fall under the Institute of Transportation Engineers' (ITE) classification of a Quick Lubrication Vehicle Shop. The ITE description of a Quick Lubrication Vehicle Shop is as follows:

> *"...a business where the primary activity is to perform oil change services for vehicles. Other ancillary services provided may include preventative maintenance, such as fluid and filter changes. Automobile repair service is generally not provided."*

[3] Valvoline Instant Oil Change System.

We have included facilities from throughout Carroll County to provide context of the overall need for expedient oil change services. The competitive supply within the trade area is considered core facilities as they are important for serving demand derived from throughout the County. As available, the areas of each Quick Lubrication Vehicle Shop improvements and parcels have been taken from SDAT assessment records for the sake of consistency. We find that there are three other existing facilities located throughout Carroll County:

- Jiffy Lube – 385 N Center Street, Westminster – located in the Cranberry Square shopping plaza, this is the closest competitor to the subject. Built in the early 1990s, this facility originally had three service bays and a car wash. The car wash has been converted to an additional service bay. This is the only facility located within the subject's trade area.

- Jiffy Lube – 1951 Dickenson Road, Eldersburg – this facility is located at the intersection of Liberty Road and Monroe Avenue across from a Weis supermarket. The facility was constructed in 1997 and is approximately 2,070 sq. ft. with two service bays and a waiting area.

- Jiffy Lube – 1001 Twin Arch Road, Mount Airy – located in the Twin Arch Shopping Center off Route 27, this facility is adjacent to a High's gasoline station and was built in 1989. The facility has two service bays and a carwash.

Evaluation

Of the surveyed facilities, only one was within the boundaries of the defined trade area. None of the facilities were built in the last decade and all adhere to the same Jiffy Lube franchise design format which requires customers to exit their vehicles. Two of the facilities have two service bays while the Jiffy Lube in Westminster has four. The facilities are either positioned as pad sites within a shopping center or are proximate to a concentrated retail corridor. Given the geographic scale of the County each facility effectively services a different target market and are located on major roadways which extend radially outwards from Baltimore City. Additionally, our research did not find any Quick Lubrication Vehicle Shops between the City of Westminster and the Pennsylvania border.

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385 N Center Street, Westminster
Cranberry Square Shopping Center

1001 Twin Arch Road, Mount Airy
Twin Arch Shopping Center

1951 Dickenson Road, Eldersburg

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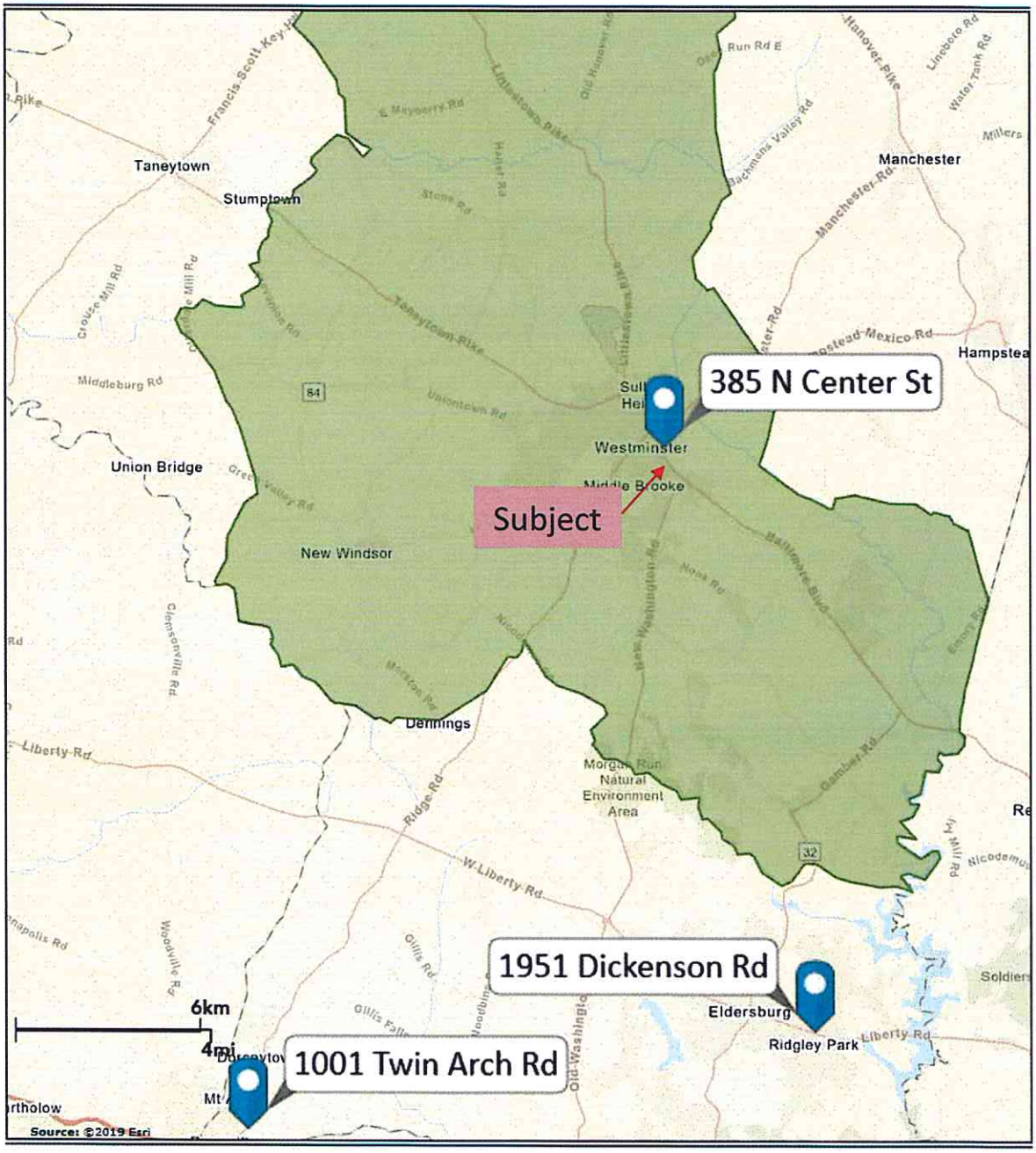
Valbridge PROPERTY ADVISORS
Comprehensive Valuation & Advisory Services

Existing Supply



C. CURRENT PERFORMANCE

Without exact sales figures or information regarding what proportion of sales are directly attributable to oil change services from each competitor, we have estimated the total capacity of these three existing stations using the assumption that each is operating at maximum efficiency. The typical Jiffy Lube location surveyed was open 71 hours per week which consisted of 11 hours per day on weekdays and seven to nine hours on the weekends. An extremely optimistic view that all service bays will have a non-stop flow of customers and will take an average of 15 minutes to complete an oil change, then each bay can complete 284 oil changes per week or roughly 40 per day. If the vehicle turnover time is increased to 30 minutes to account for wait times, then a typical bay can complete 142 oil changes per week or 568 oil changes per month. This figure is more realistic and aligns with national industry data which indicates that typical facilities perform about 1,200 oil changes per month. We have calculated the capacity for each facility under this more realistic conservative approach are as follows:

385 N Center Street – 4 service bays x 142 oil changes per week x 52 weeks = 29,536 per year

1951 Dickenson Road – 2 service bays x 142 oil changes per week x 52 weeks = 14,768 per year

1001 Twin Arch Road – 2 service bays x 142 oil changes per week x 52 weeks = 14,768 per year

Total capacity = 59,072 oil changes per year

Based on household data as provided in the previous chapter, we know that there are approximately 25,398 households (55,876 vehicles) currently residing within the Westminster trade area and around 62,775 households (138,105 vehicles) within Carroll County. There is one quick lubrication shop within the defined trade area at 385 N Center Street. Under performance assumptions which most closely align with national industry data, this facility is estimated to have a total capacity of 29,536 oil changes per year. Dividing this single facility's capacity by the total number of trade area households restricts each household to slightly more than one visit to this facility per year. Knowing that trade area households possess 2.2 vehicles on average and each vehicle will require an oil change between two to three times per year based on a 4,500-mile service interval demonstrates an overwhelming volume of unmet demand. Even under the most optimistic performance assumptions which would reduce service times to fifteen minutes per vehicle and double the capacity of this sole facility, there would still be a shortfall of two to four required oil changes by each household annually. It is clear, then, that trade area households are fulfilling their oil change needs at the various full-service garages, tire dealers, dealerships or DIY self-service.

D. SUMMARY

Trade area households are being forced to have their oil change service needs fulfilled at full-service garages and tire shops due to a lack of capacity. These establishments are often less convenient and are not intentionally visited unless the customer is seeking vehicle repairs or to purchase an entire set of new tires, both of which are big-ticket items that require an appointment and vehicle drop off. Oil change facilities such as the subject are more likely to see a customer at least twice per year while a full-service garage or tire shop could wait three or more years before making another sale to the same person.

We consider the subject to be a "Quick Lubrication Vehicle Shop" with features such as basement construction and minimal parking spaces. This design highlights the businesses' emphasis on expedient service in contrast to a full-service garage and tire shops which frequently require appointments and allow customers to drop off their vehicles. There are only three facilities throughout Carroll County which we believe are directly comparable with the subject and only one of these is located within the Westminster trade area. All three facilities operate under the Jiffy Lube brand name and given the geographic scale of the County each facility effectively services a different geographic target market.

The existing capacity for quick oil change services within the trade area is estimated at 29,536 oil changes per year, yet there are approximately 56,000 vehicles possessed by these households requiring two to three annual service visits per vehicle. Even under the most optimistic performance assumptions which would effectively double trade area capacity, households are still restricted to slightly more than two annual oil changes per year in contrast to the necessitated four to six oil changes.

We therefore find that the addition of the subject will be convenient and serve the needs of households within the City of Westminster and surrounding areas. There have been zero quick lubrication shops built in the last decade throughout Carroll County and the subject would be an expedient alternative in comparison to the full-service garages and tire shops which are currently absorbing this unmet consumer demand.

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V. POTENTIAL IMPACT ON PROPERTY VALUES

The subject site is a unique property located in a unique setting:

- ✓ On a mixed-use road at an intersection with a divided commercial highway;
- ✓ Surrounded on three sides by unincorporated lands of both commercial and residential zoning;
- ✓ Designation as housing for older persons in the City Comprehensive Plan, but zoned completely business;
- ✓ No direct access to incorporated City streets or uses.

This site is located on the southwest side of MD-140, a divided, multi-lane arterial highway with signalized intersections at all cross streets in the approximately 5.5-mile length through the City of Westminster. The MD-140 corridor through the City is decidedly commercial especially between the interchange of Westminster Crossing shopping center in the North and the used car dealership south of the City at 1203 Baltimore Blvd – a stretch of approximately 3.1 miles. The subject site is located slightly north of the midpoint of this commercial strip.

The 2009 Westminster Comprehensive Plan identifies the site as Housing for Older Persons[4], assuming an assemblage with the larger parcel uphill and to the rear of this frontage lot. However, zoning is designated Business and the housing for older persons comprehensive plan designation has no commensurate zoning designation other than high density residential, making it too narrow to be legally implemented on a specific property. The future land use of potentially annexed land calls for Urban Residential, high-density residential uses on the lands northwest of the subject site, as well as the continuation of the commercial land uses to the South and across MD-140.

Valbridge has analyzed the corridor and determined that there is a total of five single family homes proximal to the highway. Four on Gorsuch Road just northwest of the site and four on the opposite side of MD-140 on Old Gorsuch Road, between the high school and MD-140. None of these homes front directly on MD-140 and all are surrounded by non-residential or vacant land uses.

Our conclusion is that this use is consistent with the land uses prevalent on the MD-140 strip

[4] "Land within the Housing for Older Persons designation is generally located in existing neighborhoods where there is adequate vacant land available for high-density senior housing. This type of development will afford older persons the opportunity to live in a convenience-driven community that provides larger housing units and preserves personal independence in the home environment." 2009 Westminster Comprehensive Plan, p85.

through Westminster. The activity proposed for this land use offers no more inherent adverse impact on the adjacent land uses, than it would at any other location along this strip or anywhere else in this particular zoning district. This use is appropriate for the site based on the 2009 Westminster Comprehensive Plan and also the 2014 Carroll County Master Plan, as amended. This site was previously a commercial use and there are other high-traffic existing commercial uses in the neighborhood (ice cream, gasoline station, restaurants, tobacco store, motel, shopping centers, etc. – there is no means by which it could be discerned that this proposed use would have any more adverse effect than any other existing use in the community.

APPENDIX A
Consultant Qualifications

Valbridge Property Advisors

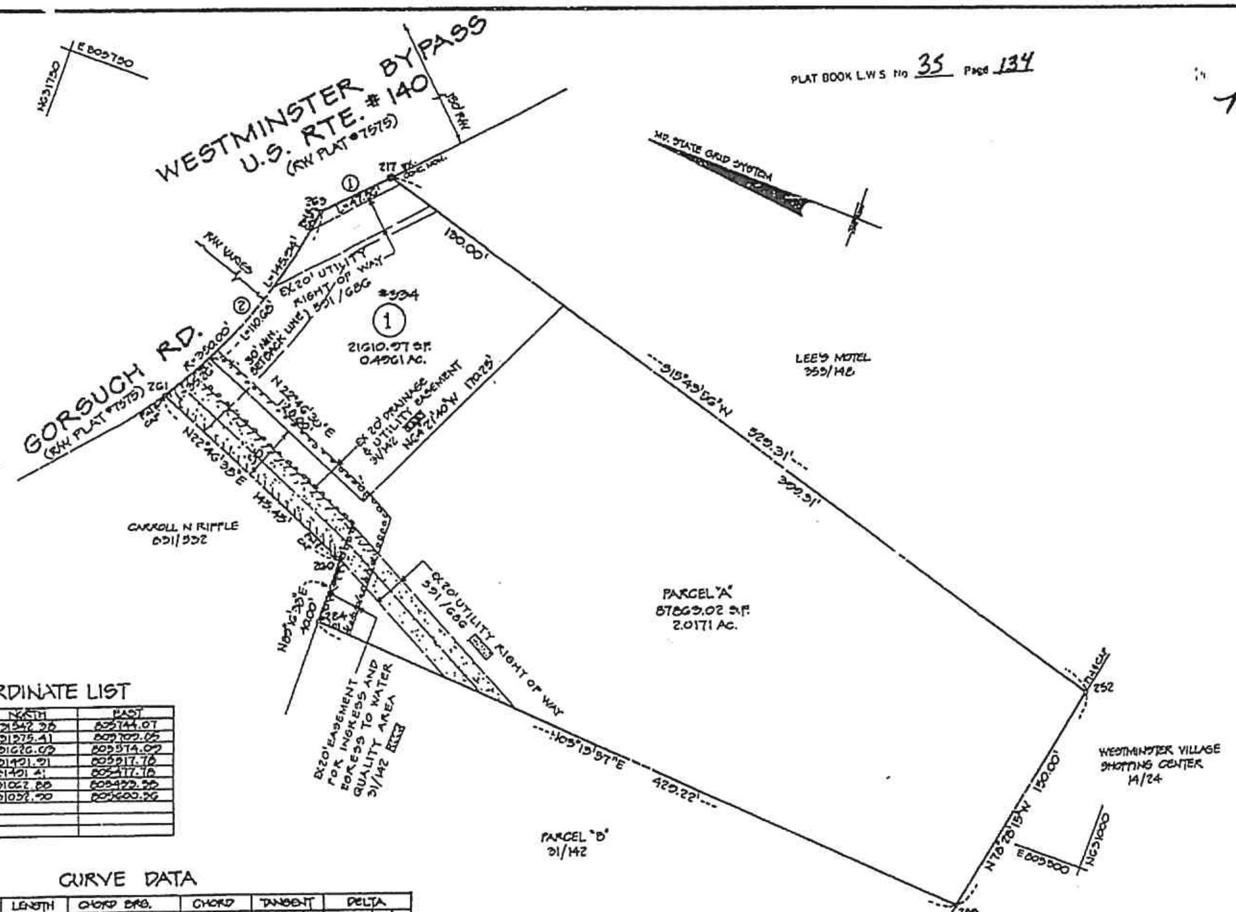
Valbridge is the largest national commercial real estate valuation and advisory services firm in North America with more than 675 professionals in 70 offices. We are a multifaceted, independent real estate consulting and appraisal firm covering all property types, including special-purpose and services from site acquisition to market feasibility to valuation. Our Marriottsville, Maryland office employs 13 professionals, of which three hold the MAI designation and other advanced degrees. Professional licenses are held by various members of the firm in Maryland, District of Columbia, Pennsylvania, Delaware and Virginia. Academic degrees and professional designations are combined with hands-on real estate investment, development and ownership expertise--offering our clients many decades of accumulated counseling and valuation experience.

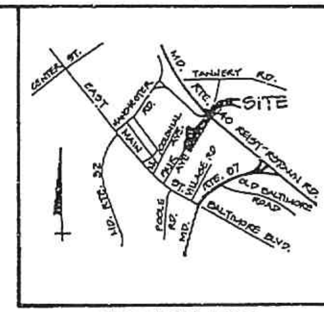
We provide clients with objective advice and practical assistance at every stage of decision-making on the development, use or reuse of all types of real estate. Our clients include corporations, institutions, real estate owners, builders, developers, and government entities. Our professional staff has an exceptional capability to use a vast array of information and resources to assist clients in making sound, timely decisions through the real estate planning, financing and development process.

Edward M. Steere, AICP

Edward M. Steere, AICP is the senior consultant who completed this assignment. Mr. Steere has a broad professional background in planning and real estate acquired over 30 years in the industry including: site design, entitlement, research, sales and marketing, development, financing and appraisal. His advisory assignments have encompassed: market and financial feasibility analyses of major real estate projects; land acquisition and marketing for residential development; tax-motivated and conventional financing for single family and multifamily residential projects; and advising public, non-profit and private clients concerning real estate decision-making. Mr. Steere is qualified in analyzing the multitude of issues relating to residential and commercial real estate development, including: demographic and economic trends, financial analysis and property valuation, economic and fiscal impacts. Mr. Steere has conducted real estate and market feasibility analyses throughout the Washington-Baltimore region. He has testified before administrative bodies concerning the public need for various kinds of commercial facilities and other planning issues in many of the jurisdictions in the Washington-Baltimore region.

PLAT BOOK L.W.S. No 35 Page 134





VICINITY MAP

SCALE: 1" = 2000'

GENERAL NOTES

1. BEARINGS AND COORDINATES SHOWN ON THIS PLAT ARE BASED ON THE MARYLAND STATE GRID SYSTEM.
2. ZONING : "B"- BUSINESS
3. NOTHING SHOWN OR STATED ON THIS PLAT SHALL CREATE A COVENANT OR RESTRICTION OF TITLE.
4. A FIVE FOOT UTILITY AND DRAINAGE EASEMENT IS RESERVED ALONG ALL NON-FRONTAGE LOT LINES.
5. PUBLIC WATER AND SEWER WILL BE AVAILABLE TO ALL LOTS OFFERED FOR SALE.
6. NO GRADING, FILLING, OR CONSTRUCTION SHALL BE PERMITTED WHICH OBSTRUCTS OR INHIBITS THE SURFACE FLOW OF WATER WITHIN DRAINAGE AND UTILITY EASEMENTS AS SHOWN HEREON.
7. ANY MODIFICATION OR PLAT REASSEMBLY SHALL BE SUBJECT TO APPROVAL BY THE CITY OF WESTMINSTER, PLANNING AND ZONING COMMISSION.
8. COUNTY MASTER PLAN FOR WATER AND SEWERAGE
   WATER - EX. SERVICE AREA
   SEWER - EX. SERVICE AREA
   NO INDIVIDUAL WATER AND SEWERAGE SYSTEMS SHALL BE PERMITTED.
9. DEED REFERENCE : 547/490, DATED JULY 11, 1973. CURRENT TITLE, DAVID L. BOOTH AND SARAH B. BOOTH. GRANTOR, IRENE C. KERN.
10. ⊡ DENOTES CONCRETE SURVEY MARKERS THAT HAVE BEEN SET AS SHOWN.
11. NO DIRECT ACCESS TO MD 140 TO OR FROM THE SUBJECT SITE WILL BE ALLOWED. ALL ACCESS WILL BE VIA GORSUCH ROAD.
12. DEVELOPER IS TO BE AWARE OF POSSIBLE RESTRICTIONS RELATED TO UTILITY EASEMENTS.
13. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 1 FROM PARCEL "A".

COORDINATE LIST

POINT	NORTH	EAST
217	631542.38	805744.07
263	631575.41	805709.05
261	631626.02	805574.09
260	631491.91	805517.76
284	631491.41	805477.78
265	631062.88	805492.38
252	631052.90	805600.36

CURVE DATA

NO	RADIUS	LENGTH	CHORD BRG.	CHORD	TANGENT	DELTA
①	5801.58'	47.56'	S46°01'06"E	47.56'	23.78'	0°28'10"
②	350.00'	145.34'	S65°33'08"E	144.88'	74.05'	23°33'26"

DATA TABULATION

1. TOTAL AREA OF LOT 1 = 21610.97 S.F. OR 0.4961 AC.
2. TOTAL AREA OF PARCEL "A" = 87863.02 S.F. OR 2.0171 AC.
3. TOTAL AREA OF PLAT = 109473.99 S.F. OR 2.5132 AC.
4. NUMBER OF BUILDING SITES = 1

OWNER/DEVELOPER
DR. DAVID L. & SARAH S. BOOTH
334 GORSUCH ROAD
WESTMINSTER, MD. 21157

AMENDED PLAT OF PARCEL "A"
"BOOTH PROPERTY"

(PREVIOUSLY RECORDED IN PLAT BOOK 31, FOLIO 142)

ELECTION DISTRICT 7 — CARROLL COUNTY, MARYLAND
SCALE: 1" = 50' — CITY OF WESTMINSTER — MARCH 24, 1992

CITY OF WESTMINSTER

REVIEWED & RECOMMENDED FOR APPROVAL
DIRECTOR OF PLANNING & PUBLIC WORKS
BY [signature] 7/16/92 DATE

ZONING ADMINISTRATOR
BY [signature] 7/13/92 DATE

ACKNOWLEDGED
[signature] 7/16/92
MAYOR DATE

WESTMINSTER PLANNING AND ZONING COMMISSION APPROVED
[signature] 7/[illegible] DATE

CARROLL COUNTY HEALTH DEPARTMENT APPROVAL

BY [signature] DATE 7/13/92

COMMUNITY WATER AND/OR SEWERAGE SYSTEMS ARE IN CONFORMANCE WITH CARROLL COUNTY MASTER PLAN FOR WATER AND SEWER (89-90).

MARYLAND DEPARTMENT OF THE ENVIRONMENT
WATER CONTRACT NO. ~ ISSUED: EXISTING
SEWER CONTRACT NO. ~ ISSUED: EXISTING

SURVEYOR'S CERTIFICATION

I, CHARLES A. PHILLIPS JR., A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT PREPARED IN COMPLIANCE WITH SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE PREPARATION OF RECORD PLATS.
[signature] 6/24/92
CHARLES A. PHILLIPS JR. PROPERTY LINE SURVEYOR #463 DATE

CERTIFICATION

I (WE), OWNER(S) OF THE PROPERTY SHOWN HEREON, AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE BUILDING LINES AS SHOWN, AND CERTIFY THAT THE REQUIREMENTS OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND (1974) AS AMENDED PERTAINING TO THE PREPARATION OF RECORD PLATS, AND SUBSEQUENT ACTS, IF ANY, AMENDATORY THERETO AS FAR AS THEY RELATE TO THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH. NEW STREETS, ROADS, OPEN SPACES, AND THE MENTION THEREOF IN DEEDS, ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE LAND SO SHOWN IS EXPRESSLY RESERVED IN THE PRESENT OWNER(S) SHOWN ON THIS PLAT, THEIR SUCCESSORS, HEIRS, AND ASSIGNS. NO MORE THAN ONE PRINCIPAL BUILDING SHALL BE PERMITTED ON ANY RESIDENTIAL LOT AND NO SUCH LOT MAY EVER BE RE-SUBDIVIDED SO AS TO PRODUCE A BUILDING SITE OF LESS AREA OR WIDTH THAN THE MINIMUM REQUIRED BY APPLICABLE HEALTH, ZONING, OR OTHER REGULATIONS. COMMUNITY WATER AND SEWERAGE FACILITIES WILL BE AVAILABLE TO ALL LOTS OFFERED FOR SALE.

OWNER [signature] 6/24/92 DATE
OWNER [signature] 6/24/92 DATE
WITNESS [signature] 6/26/92 DATE

STATE OF MARYLAND PROPERTY LINE SURVEYOR (seal)

KCI TECHNOLOGIES, INC.
ENGINEERS AND PLANNERS
1020 CROMWELL BRIDGE ROAD
BALTIMORE, MARYLAND 21204
(410) 321-5500

COMPUTED: A.P. DRAWN: J.V.K. CHECKED: C.P.

FILE No. T-92-017F

TRAFFIC CONCEPTS, INC.

Traffic Impact Studies • Feasibility • Traffic Signal Design • Traffic Counts •Expert Testimony

April 17, 2020

Mr. Randolph L. Kazazian III
Vice President of Real Estate
Henley Enterprises
54 Jaconnet Street
Newton Highlands, MA 02461

RE: Traffic Exemption Statement
Valvoline – 334 Gorsuch Road
Westminster, Maryland
T/C 3638

Dear Mr. Kazazian:

Traffic Concepts, Inc. has conducted a comparative trip generation analysis for the proposed Valvoline quick lubrication vehicle service shop with four (4) service bays and a 3,620 gsf veterinary clinic that previously operated on the subject site. The site address is 334 Gorsuch Road, Westminster and is situated on the southeast quadrant of MD 140 (Baltimore Boulevard) and Gorsuch Road. The site has a direct full movement access to Gorsuch Road.

The weekday peak hour trip generation data for both the proposed Valvoline Shop and the former veterinary clinic were determined with the *Institute of Transportation Engineers; Trip Generation Manual, 10th Edition* (ITE). Additional data generated by the Valvoline Corporate Office is also provided to show the actual number of vehicle services completed on a weekday at an existing Valvoline Shop, which offers similar services as the proposed Westminster Shop. This Valvoline shop is located in Howard County at 4215 MD 103 (Montgomery Road).

The ITE trip generation data for a Quick Lubrication Vehicle Shop (LUC 941) was applied to the proposed Valvoline Shop in order to determine the new site generated weekday peak hour trips. The independent variable used to determine the new site trips are the four (4) proposed service bays. The former veterinary clinic weekday trips were generated using the Animal Hospital/Veterinary Clinic land use (LUC 640) with a floor area of 3,620 gross square feet. The ITE forecasted weekday peak hour trips are provided on the following page.

7525 Connelley Drive • Suite B • Hanover, MD 21076 • Phone (410) 760-2911 • Fax (410) 760-2915

Table I: Trip Generation

Weekday Peak Hour New Site Trips	AM			PM		
	IN	OUT	Total	IN	OUT	Total
Quick Lubrication Vehicle Shop (941) Per Four (4) Service bays	8	4	12	11	8	19
Animal Hospital/Veterinary Clinic (640) Per 1,000 SQ. FT. GFA – 3.620 GFA	9	4	13	5	8	13
Difference	-1	0	-1	+6	0	+6

Source: *Institute of Transportation Engineers; Trip Generation Manual, 10th Edition*

According to the ITE data provided on Table I, the proposed Valvoline shop when compared to the veterinary clinic would generate one (1) fewer weekday AM peak hour trip and six (6) additional weekday PM peak hour trips. The additional six trips generated during the weekday PM peak hour would have a minimal impact to the existing site access point at Gorsuch Road and at the nearby intersections when compared to the existing traffic volumes.

The data shown on Table II, was collected from a Howard County Valvoline shop and represents the actual number of vehicles serviced at the shop each day. As previously stated, the Howard County shop provides the same vehicle service proposed at the Westminster Valvoline shop. The complete data set for the year 2017 is provided as an attachment.

The data for this shop shows an average of 51 vehicles serviced each weekday. A vehicle trip is defined as a one directional movement that is either entering or exiting from the driveway. Therefore, the number of weekday average daily trips at the proposed Valvoline driveway is 102.

Table II: Valvoline Data (Vehicles Serviced per day Year: 2017)

Valvoline Store # BA0009	Day of the Week	Vehicles Serviced per Day
BA0009	**Monday**	**55**
BA0009	**Tuesday**	**44**
BA0009	**Wednesday**	**47**
BA0009	**Thursday**	**49**
BA0009	**Friday**	**62**
Total Vehicles Serviced (Weekday)		**257(Visits) / 5 (Days) = 51**

Source: Valvoline 2017 Service Data

The project developer expects the proposed Westminster shop, after a period of time, would service 50 vehicle per day that would also generate 102 average weekday trips. We would expect the weekday peak hour trips would be no more than fifteen percent of the average daily trips. Using the actual Valvoline data, the expected weekday peak hour trips generated by the proposed Westminster Valvoline Shop are 15. This finding compares well to the 12 AM peak hour trips and the 19 PM peak hour trips generated with the ITE data. Therefore, we believe the actual Valvoline data validates the ITE data in terms of the weekday peak hour driveway volume.

Based on this generation analysis, Traffic Concepts, Inc. concludes the proposed use would generate weekday peak hour trips that are similar to the previous animal clinic. With this finding, we also conclude the proposed Valvoline Shop with four service bays would have a minimal impact on the existing commercial access and on the surrounding roadway network.

We also note that the MDOT SHA threshold for conducting a traffic impact analysis is fifty (50) weekday peak hour trips. As shown with this analysis using ITE traffic data, the proposed Valvoline shop would generate 12 AM weekday peak hour trips and 19 PM weekday PM peak hour trips. Therefore, from a MDOT SHA standpoint, this project would not meet the 50-weekday peak hour trip threshold that initiates the requirements to conduct a full Traffic Impact Study. However, during the site plan review period, we would expect to provide the City of Westminster and MDOT SHA with detailed site access information that would include intersection controls and peak hour volume.

If you have any questions or require additional information, please feel free to contact our office at your convenience.

Sincerely,

TRAFFIC CONCEPTS, INC.

Mark Keeley

Mark Keeley, PTP
MKeeley@traffic-concepts.com

Attachment: ITE 10th edition Trip Information
Valvoline Corporate Vehicle Service Data

Quick Lubrication Vehicle Shop
(941)

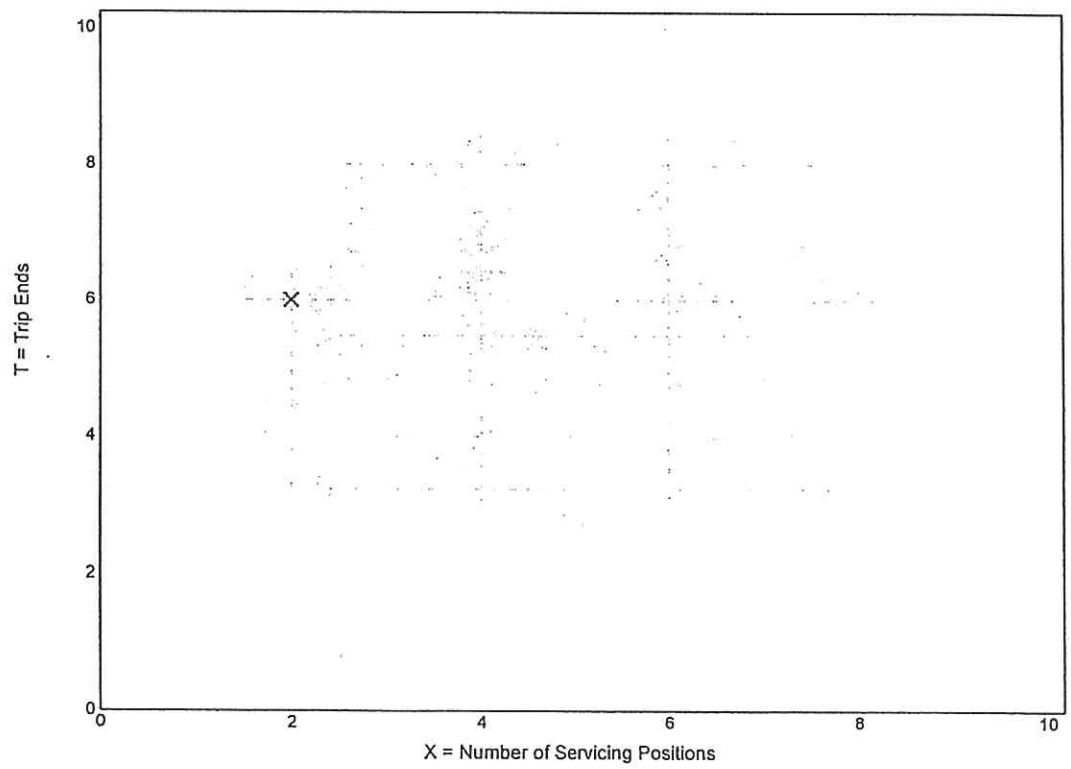
Vehicle Trip Ends vs:	Servicing Positions
On a:	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.
Setting/Location:	General Urban/Suburban
Number of Studies:	1
Avg. Num. of Servicing Positions:	2
Directional Distribution:	67% entering, 33% exiting

Vehicle Trip Generation per Servicing Position

Average Rate	Range of Rates	Standard Deviation
3.00	3.00 - 3.00	*

Data Plot and Equation

Caution – Small Sample Size



X Study Site

- - - - Average Rate

Fitted Curve Equation: Not Given

R^2= ****

Trip Gen Manual, 10th Ed + Supplement • Institute of Transportation Engineers

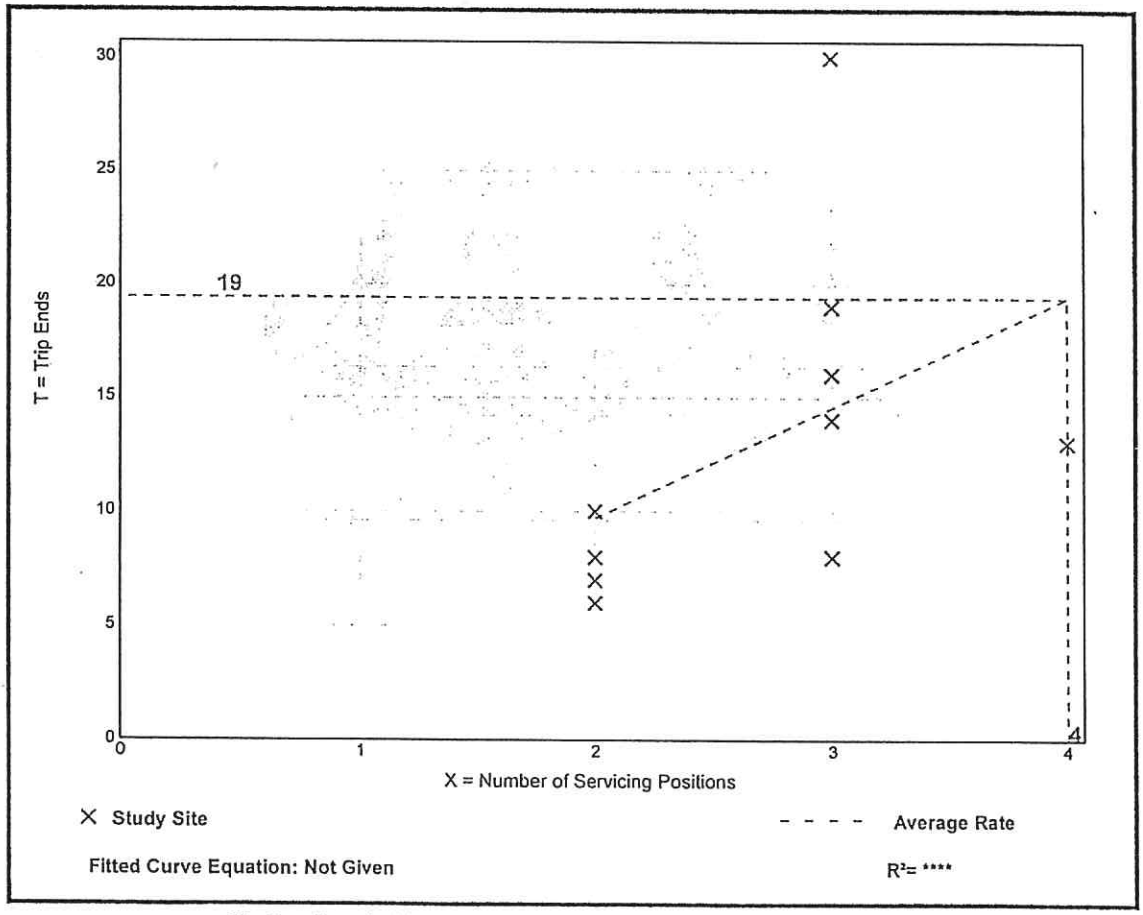
Quick Lubrication Vehicle Shop
(941)

Vehicle Trip Ends vs:	Servicing Positions
On a:	Weekday,
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 4 and 6 p.m.
Setting/Location:	General Urban/Suburban
Number of Studies:	10
Avg. Num. of Servicing Positions:	3
Directional Distribution:	56% entering, 44% exiting

Vehicle Trip Generation per Servicing Position

Average Rate	Range of Rates	Standard Deviation
4.85	2.67 - 10.00	2.25

Data Plot and Equation



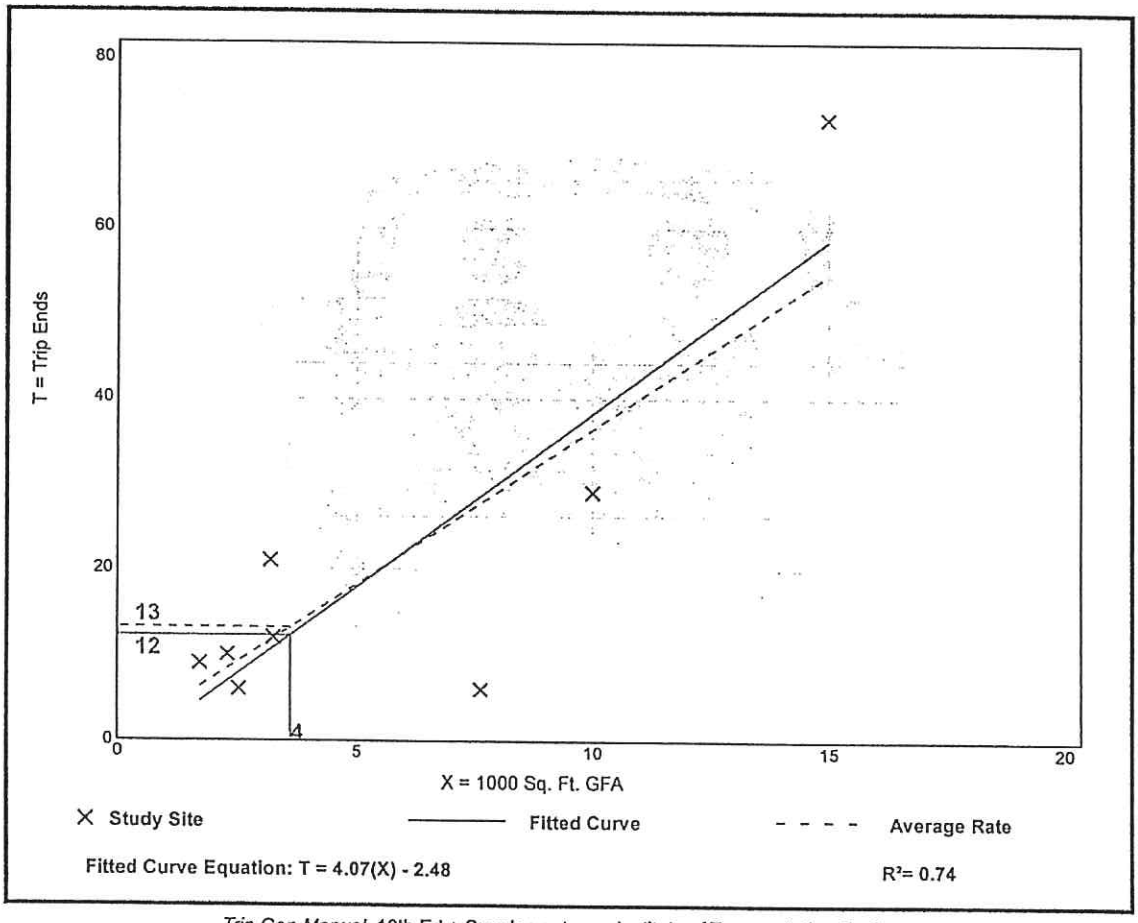
Animal Hospital/Veterinary Clinic
(640)

Vehicle Trip Ends vs:	1000 Sq. Ft. GFA
On a:	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.
Setting/Location:	General Urban/Suburban
Number of Studies:	8
Avg. 1000 Sq. Ft. GFA:	6
Directional Distribution:	67% entering, 33% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
3.64	0.79 - 6.56	1.78

Data Plot and Equation



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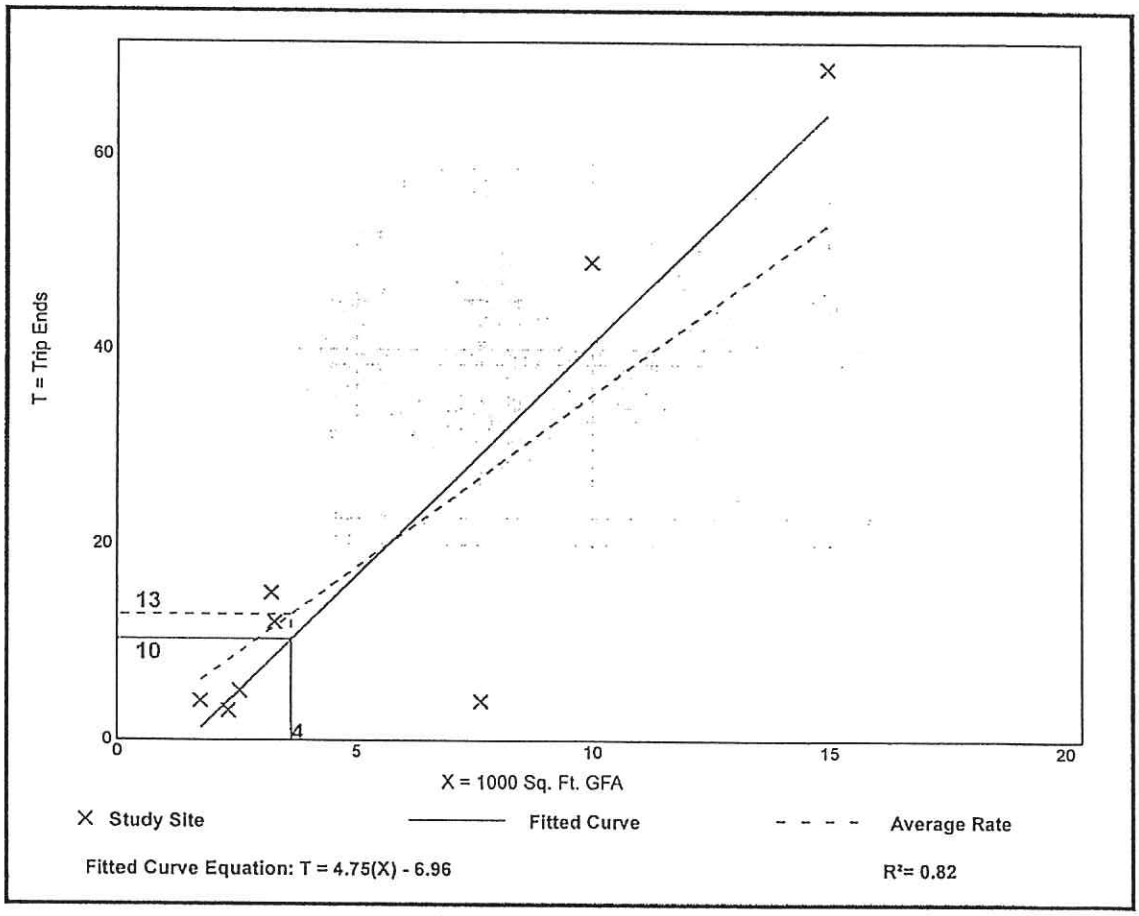
Animal Hospital/Veterinary Clinic
(640)

Vehicle Trip Ends vs:	1000 Sq. Ft. GFA
On a:	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.
Setting/Location:	General Urban/Suburban
Number of Studies:	8
Avg. 1000 Sq. Ft. GFA:	6
Directional Distribution:	40% entering, 60% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
3.53	0.53 - 4.90	1.80

Data Plot and Equation



Trip Gen Manual, 10th Ed + Supplement • Institute of Transportation Engineers

Site Location: 4215 Montgomery Road, Ellicott City MD

Date	Store	Total Oil Changes
02-Jan-17	BA0009	56
03-Jan-17	BA0009	30
04-Jan-17	BA0009	34
05-Jan-17	BA0009	40
06-Jan-17	BA0009	34
07-Jan-17	BA0009	33
08-Jan-17	BA0009	40
09-Jan-17	BA0009	61
10-Jan-17	BA0009	53
11-Jan-17	BA0009	50
12-Jan-17	BA0009	34
13-Jan-17	BA0009	51
14-Jan-17	BA0009	63
15-Jan-17	BA0009	42
16-Jan-17	BA0009	70
17-Jan-17	BA0009	38
18-Jan-17	BA0009	53
19-Jan-17	BA0009	38
20-Jan-17	BA0009	45
21-Jan-17	BA0009	67
22-Jan-17	BA0009	42
23-Jan-17	BA0009	41
24-Jan-17	BA0009	38
25-Jan-17	BA0009	42
26-Jan-17	BA0009	47
27-Jan-17	BA0009	47
28-Jan-17	BA0009	67
29-Jan-17	BA0009	40
30-Jan-17	BA0009	48
31-Jan-17	BA0009	42
01-Feb-17	BA0009	45
02-Feb-17	BA0009	38
03-Feb-17	BA0009	46
04-Feb-17	BA0009	68
05-Feb-17	BA0009	54
06-Feb-17	BA0009	49
07-Feb-17	BA0009	40
08-Feb-17	BA0009	37
09-Feb-17	BA0009	39
10-Feb-17	BA0009	48
11-Feb-17	BA0009	53
12-Feb-17	BA0009	47
13-Feb-17	BA0009	57
14-Feb-17	BA0009	50
15-Feb-17	BA0009	35
16-Feb-17	BA0009	35

17-Feb-17	BA0009	56
18-Feb-17	BA0009	81
19-Feb-17	BA0009	34
20-Feb-17	BA0009	62
21-Feb-17	BA0009	35
22-Feb-17	BA0009	29
23-Feb-17	BA0009	26
24-Feb-17	BA0009	74
25-Feb-17	BA0009	70
26-Feb-17	BA0009	52
27-Feb-17	BA0009	50
28-Feb-17	BA0009	50
01-Mar-17	BA0009	44
02-Mar-17	BA0009	53
03-Mar-17	BA0009	50
04-Mar-17	BA0009	69
05-Mar-17	BA0009	51
06-Mar-17	BA0009	52
07-Mar-17	BA0009	41
08-Mar-17	BA0009	36
09-Mar-17	BA0009	39
10-Mar-17	BA0009	53
11-Mar-17	BA0009	75
12-Mar-17	BA0009	45
13-Mar-17	BA0009	63
14-Mar-17	BA0009	3
15-Mar-17	BA0009	30
16-Mar-17	BA0009	41
17-Mar-17	BA0009	56
18-Mar-17	BA0009	89
19-Mar-17	BA0009	60
20-Mar-17	BA0009	33
21-Mar-17	BA0009	44
22-Mar-17	BA0009	52
23-Mar-17	BA0009	48
24-Mar-17	BA0009	64
25-Mar-17	BA0009	72
26-Mar-17	BA0009	56
27-Mar-17	BA0009	44
28-Mar-17	BA0009	52
29-Mar-17	BA0009	41
30-Mar-17	BA0009	40
31-Mar-17	BA0009	50
01-Apr-17	BA0009	70
02-Apr-17	BA0009	50
03-Apr-17	BA0009	42
04-Apr-17	BA0009	41

05-Apr-17	BA0009	37
06-Apr-17	BA0009	36
07-Apr-17	BA0009	65
08-Apr-17	BA0009	73
09-Apr-17	BA0009	46
10-Apr-17	BA0009	39
11-Apr-17	BA0009	46
12-Apr-17	BA0009	40
13-Apr-17	BA0009	48
14-Apr-17	BA0009	74
15-Apr-17	BA0009	56
17-Apr-17	BA0009	62
18-Apr-17	BA0009	41
19-Apr-17	BA0009	53
20-Apr-17	BA0009	39
21-Apr-17	BA0009	60
22-Apr-17	BA0009	48
23-Apr-17	BA0009	42
24-Apr-17	BA0009	58
25-Apr-17	BA0009	51
26-Apr-17	BA0009	40
27-Apr-17	BA0009	43
28-Apr-17	BA0009	71
29-Apr-17	BA0009	55
30-Apr-17	BA0009	50
01-May-17	BA0009	46
02-May-17	BA0009	44
03-May-17	BA0009	46
04-May-17	BA0009	35
05-May-17	BA0009	50
06-May-17	BA0009	69
07-May-17	BA0009	43
08-May-17	BA0009	49
09-May-17	BA0009	40
10-May-17	BA0009	52
11-May-17	BA0009	39
12-May-17	BA0009	55
13-May-17	BA0009	72
14-May-17	BA0009	26
15-May-17	BA0009	60
16-May-17	BA0009	45
17-May-17	BA0009	48
18-May-17	BA0009	49
19-May-17	BA0009	59
20-May-17	BA0009	62
21-May-17	BA0009	52
22-May-17	BA0009	65

23-May-17	BA0009	50
24-May-17	BA0009	53
25-May-17	BA0009	57
26-May-17	BA0009	65
27-May-17	BA0009	76
28-May-17	BA0009	35
29-May-17	BA0009	39
30-May-17	BA0009	38
31-May-17	BA0009	53
01-Jun-17	BA0009	62
02-Jun-17	BA0009	56
03-Jun-17	BA0009	65
04-Jun-17	BA0009	53
05-Jun-17	BA0009	54
06-Jun-17	BA0009	55
07-Jun-17	BA0009	43
08-Jun-17	BA0009	69
09-Jun-17	BA0009	74
10-Jun-17	BA0009	79
11-Jun-17	BA0009	37
12-Jun-17	BA0009	55
13-Jun-17	BA0009	43
14-Jun-17	BA0009	61
15-Jun-17	BA0009	63
16-Jun-17	BA0009	79
17-Jun-17	BA0009	76
18-Jun-17	BA0009	35
19-Jun-17	BA0009	48
20-Jun-17	BA0009	68
21-Jun-17	BA0009	60
22-Jun-17	BA0009	53
23-Jun-17	BA0009	76
24-Jun-17	BA0009	70
25-Jun-17	BA0009	51
26-Jun-17	BA0009	50
27-Jun-17	BA0009	51
28-Jun-17	BA0009	38
29-Jun-17	BA0009	66
30-Jun-17	BA0009	87
01-Jul-17	BA0009	68
02-Jul-17	BA0009	39
03-Jul-17	BA0009	86
05-Jul-17	BA0009	56
06-Jul-17	BA0009	69
07-Jul-17	BA0009	74
08-Jul-17	BA0009	55
09-Jul-17	BA0009	41

10-Jul-17	BA0009	53
11-Jul-17	BA0009	56
12-Jul-17	BA0009	61
13-Jul-17	BA0009	47
14-Jul-17	BA0009	72
15-Jul-17	BA0009	69
16-Jul-17	BA0009	54
17-Jul-17	BA0009	40
18-Jul-17	BA0009	44
19-Jul-17	BA0009	59
20-Jul-17	BA0009	60
21-Jul-17	BA0009	66
22-Jul-17	BA0009	75
23-Jul-17	BA0009	56
24-Jul-17	BA0009	69
25-Jul-17	BA0009	45
26-Jul-17	BA0009	62
27-Jul-17	BA0009	57
28-Jul-17	BA0009	65
29-Jul-17	BA0009	56
30-Jul-17	BA0009	44
31-Jul-17	BA0009	63
01-Aug-17	BA0009	44
02-Aug-17	BA0009	47
03-Aug-17	BA0009	47
04-Aug-17	BA0009	59
05-Aug-17	BA0009	81
06-Aug-17	BA0009	48
07-Aug-17	BA0009	51
08-Aug-17	BA0009	34
09-Aug-17	BA0009	52
10-Aug-17	BA0009	49
11-Aug-17	BA0009	61
12-Aug-17	BA0009	64
13-Aug-17	BA0009	50
14-Aug-17	BA0009	51
15-Aug-17	BA0009	42
16-Aug-17	BA0009	58
17-Aug-17	BA0009	57
18-Aug-17	BA0009	60
19-Aug-17	BA0009	68
20-Aug-17	BA0009	53
21-Aug-17	BA0009	43
22-Aug-17	BA0009	38
23-Aug-17	BA0009	64
24-Aug-17	BA0009	46
25-Aug-17	BA0009	69

26-Aug-17	BA0009	62
27-Aug-17	BA0009	50
28-Aug-17	BA0009	51
29-Aug-17	BA0009	29
30-Aug-17	BA0009	38
31-Aug-17	BA0009	57
01-Sep-17	BA0009	58
02-Sep-17	BA0009	55
03-Sep-17	BA0009	42
04-Sep-17	BA0009	42
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07-Sep-17	BA0009	47
08-Sep-17	BA0009	64
09-Sep-17	BA0009	59
10-Sep-17	BA0009	38
11-Sep-17	BA0009	53
12-Sep-17	BA0009	35
13-Sep-17	BA0009	47
14-Sep-17	BA0009	45
15-Sep-17	BA0009	67
16-Sep-17	BA0009	52
17-Sep-17	BA0009	53
18-Sep-17	BA0009	50
19-Sep-17	BA0009	43
20-Sep-17	BA0009	39
21-Sep-17	BA0009	52
22-Sep-17	BA0009	58
23-Sep-17	BA0009	75
24-Sep-17	BA0009	36
25-Sep-17	BA0009	50
26-Sep-17	BA0009	41
27-Sep-17	BA0009	54
28-Sep-17	BA0009	49
29-Sep-17	BA0009	77
30-Sep-17	BA0009	65
01-Oct-17	BA0009	60
02-Oct-17	BA0009	48
03-Oct-17	BA0009	49
04-Oct-17	BA0009	46
05-Oct-17	BA0009	45
06-Oct-17	BA0009	72
07-Oct-17	BA0009	58
08-Oct-17	BA0009	51
09-Oct-17	BA0009	64
10-Oct-17	BA0009	51
11-Oct-17	BA0009	35

12-Oct-17	BA0009	63
13-Oct-17	BA0009	59
14-Oct-17	BA0009	68
15-Oct-17	BA0009	40
16-Oct-17	BA0009	47
17-Oct-17	BA0009	47
18-Oct-17	BA0009	51
19-Oct-17	BA0009	55
20-Oct-17	BA0009	74
21-Oct-17	BA0009	65
22-Oct-17	BA0009	53
23-Oct-17	BA0009	52
24-Oct-17	BA0009	42
25-Oct-17	BA0009	41
26-Oct-17	BA0009	45
27-Oct-17	BA0009	58
28-Oct-17	BA0009	65
29-Oct-17	BA0009	48
30-Oct-17	BA0009	39
31-Oct-17	BA0009	36
01-Nov-17	BA0009	35
02-Nov-17	BA0009	48
03-Nov-17	BA0009	59
04-Nov-17	BA0009	69
05-Nov-17	BA0009	54
06-Nov-17	BA0009	49
07-Nov-17	BA0009	46
08-Nov-17	BA0009	48
09-Nov-17	BA0009	41
10-Nov-17	BA0009	76
11-Nov-17	BA0009	72
12-Nov-17	BA0009	55
13-Nov-17	BA0009	40
14-Nov-17	BA0009	54
15-Nov-17	BA0009	44
16-Nov-17	BA0009	49
17-Nov-17	BA0009	73
18-Nov-17	BA0009	102
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20-Nov-17	BA0009	58
21-Nov-17	BA0009	61
22-Nov-17	BA0009	67
24-Nov-17	BA0009	52
25-Nov-17	BA0009	52
26-Nov-17	BA0009	45
27-Nov-17	BA0009	47
28-Nov-17	BA0009	47

29-Nov-17	BA0009	38
30-Nov-17	BA0009	45
01-Dec-17	BA0009	46
02-Dec-17	BA0009	67
03-Dec-17	BA0009	43
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06-Dec-17	BA0009	50
07-Dec-17	BA0009	44
08-Dec-17	BA0009	55
09-Dec-17	BA0009	41
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11-Dec-17	BA0009	45
12-Dec-17	BA0009	42
13-Dec-17	BA0009	49
14-Dec-17	BA0009	65
15-Dec-17	BA0009	46
16-Dec-17	BA0009	76
17-Dec-17	BA0009	43
18-Dec-17	BA0009	63
19-Dec-17	BA0009	53
20-Dec-17	BA0009	52
21-Dec-17	BA0009	57
22-Dec-17	BA0009	73
23-Dec-17	BA0009	63
24-Dec-17	BA0009	27
26-Dec-17	BA0009	66
27-Dec-17	BA0009	69
28-Dec-17	BA0009	65
29-Dec-17	BA0009	82
30-Dec-17	BA0009	63
31-Dec-17	BA0009	31
		18863

Valvoline Store # BA0009	Day of the Week	ADT per Weekday
BA0009	Monday	55
BA0009	Tuesday	44
BA0009	Wednesday	47
BA0009	Thursday	49
BA0009	Friday	62
BA0009	Saturday	66
BA0009	Sunday	45

ITEM A

BOARD OF ZONING APPEALS

May 5, 2020

TITLE: **Valvoline Service Station**

REQUEST: **Special Exception Case# 20-02**
The Applicant is requesting Special Exception approval for a "**Service stations,** subject to the provisions of Zoning Ordinance Section 164-149" use, pursuant to Zoning Ordinance Section 164-42.S..

PROJECT INFORMATION:

LOCATION: **334 Gorsuch Road, Westminster, Maryland** (SDAT# 07-111657), approximately 35 feet east of the Gorsuch Road and Baltimore Boulevard (Route 140) intersection

ZONE: B Business Zone

APPLICANT/REPRESENTATIVES:

APPLICANT: Mid-Atlantic Lubes (contract purchaser) and ABBEC Property LLC (property owner)
OWNER: ABBEC Property LLC
ENGINEER: Joshua Sharon, Morris & Ritchie Associates, Inc.
ATTORNEY: John T. Maguire, Law Offices of Hollman, Maguire, Korzenewski & Luzuriaga, Chtd.

STAFF: Andrea Gerhard, Comprehensive Planner
Mark A. Depo, Director of Community Planning and Development

ATTACHMENTS:

1. Special Exception Application
2. Applicant Prehearing Statement
3. SDAT real property search information
4. Article XVI Off-Street Parking and Loading

STAFF REPORT

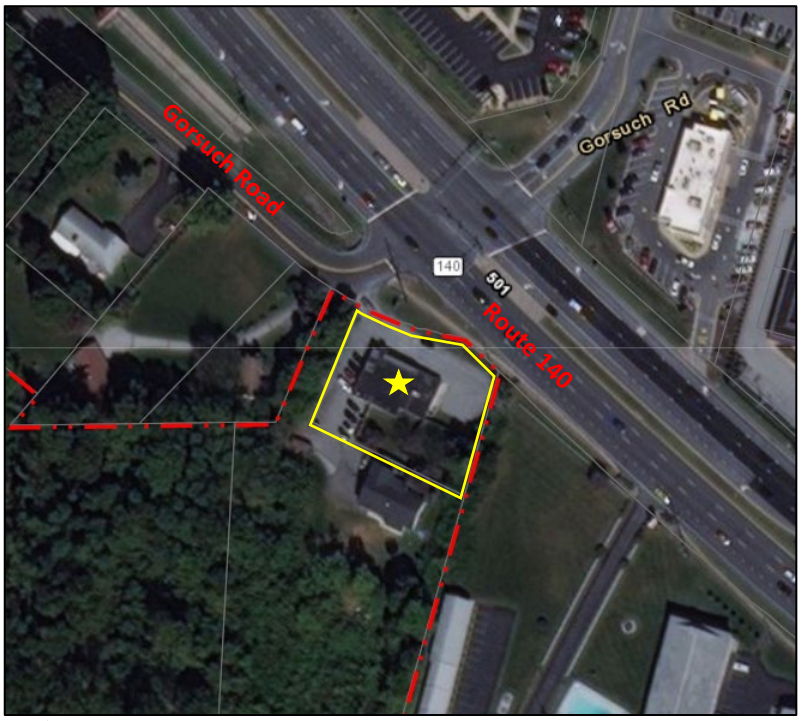
Article XXII of the City Code requires the City of Westminster Board of Zoning Appeals (Board) to hear and decide special exceptions as such exceptions are authorized by the Zoning Ordinance. The Board is hereby empowered to add the specific provisions that it may deem necessary to protect adjacent properties, the general neighborhood and the residents and workers therein, including provisions such as special setbacks, landscaping, parking, lighting restrictions, limited business hours and other restrictions. The Board may also specify a time limit for the implementation of a special exception. [Zoning Ordinance Section 164-171.A.]

I. BACKGROUND

On March 2, 2020, the Applicant submitted a Special Exception application to the Board for a "Service stations, subject to the provisions of Zoning Ordinance Section 164-149" use, pursuant to Zoning Ordinance Section 164-42.S., at 334 Gorsuch Road (SDAT# 07-111657), hereinafter referred to as the "Property".

II. PROPERTY INFORMATION

The Property is zoned B: Business. The Maryland State Department of Assessments and Taxation (SDAT) records indicate the Property is owned by ABBEC Property LLC. The property is located approximately 35 feet east of the Gorsuch Road and Baltimore Boulevard (Route 140) intersection.



★ - **Property**

III. REQUIRED NOTICE

On April 12, 2020, a Notice of Hearing appeared in the Carroll County Times. On April 16, 2020, a Notice of Hearing was sent via certified mail to the subject adjoining property owners and property owner. On April 19, 2020, a second Notice of Hearing appeared in the Carroll County Times. On April 20, 2019, the property was posted with a Zoning Notice sign. On April 24, 2019, a copy of the agenda, application, and pre-hearing statement were posted on the City's website. These notices were provided to meet the notification requirements set forth in Zoning Ordinance Section 164-166 and the Maryland Open Meeting Act. As of the date of this staff report, the City has not received a written request for inspection of the property, pursuant to Zoning Ordinance Section 164-166.E.

IV. SPECIAL EXCEPTION ANALYSIS AND COMMENTS

Special Exception Criteria

Pursuant to Zoning Ordinance Section 164-169, Criteria for determination, "In the exercise of its responsibilities under this chapter, the Board shall study the specific property involved, as well as the neighborhood, shall consider all testimony and data submitted and shall hear any person desiring to speak for or against the appeal or petition."

A. In making its determination, the Board may consider whether the appeal or petition would adversely affect the public health, safety, security, morals or general welfare, would result in dangerous traffic conditions or would jeopardize the lives or property of people living in the neighborhood.

B. In deciding such matters, the Board may consider the following factors, together with other relevant factors:

(1) The number of people residing or working in the immediate area concerned.
(2) The orderly growth of a community.
(3) Traffic conditions and facilities.
(4) The effect of such use upon the peaceful enjoyment of people in their homes.
(5) The conservation of property values.
(6) The effect of odors, dust, gas, smoke, fumes, vibrations, glare and noise upon the use of surrounding property values.
(7) The most appropriate use of land and structure.
(8) Prior decisions of the courts regarding such matters.
(9) The purpose of the regulations as set forth in this chapter.
(10) The type and kind of structures in the vicinity where public gatherings may be held, such as schools, places of worship and the like. [Amended 5-13-2019 by Ord. No. 910]
(11) Facilities for sewers, water, schools, transportation and other services and the ability of the City to supply such services.

(12) Limitations of fire-fighting equipment and the means of access for fire, police and health services.
(13) The preservation of cultural and historical landmarks.
(14) Traffic conditions, including facilities for pedestrians, such as sidewalks, safety zones, parking facilities available and the safe access of cars to highways or roads.
(15) The contribution, if any, that such proposed use, building or addition would make toward the deterioration of areas and neighborhoods.

Conditions for Grant of Special Exceptions

Pursuant to § 164-161 A. (2), the Board of Zoning Appeals is empowered "to hear and decide special exceptions as such exceptions are authorized by this chapter." Pursuant to § 164-170 A., "The Board may grant a special exception when it finds from a preponderance of the evidence of record that:"

(1) The proposed use does not adversely affect the general plan for the physical development of the district, as may be embodied in this chapter and in any Master Plan or portion thereof adopted by the Commission.

The information provided by the Applicant did not address this condition. The Applicant's testimony should address this condition and what/if any mitigation is needed or proposed to address adverse effects of the service station use. In this case, the Applicant is proposing to redevelop the Property, which most recently was in use as a veterinarian office. The applicant is proposing to remove the existing structure and to build a new service station structure.

The 2009 Comprehensive Plan sets goals including:

- Goal E2, Objective 3: "Support the retention and expansion of existing businesses, while exploring opportunities for new business development."
- Goal M2, Objective 1 and Goal L5, Objective 1: "Support infill development and other redevelopment options on underutilized residential or commercial lots"

(2) The proposed use at the selected location will not:

(a) Adversely affect the health and safety of residents or workers in the area;

The information provided by the Applicant did not address this condition. The Applicant's testimony should address this condition and what/if any safety measures will be taken to ensure the proposed service station use will not pose any hazards to adjacent properties, the public, and employees.

Zoning Administration is concerned with the increased level of traffic generated by the proposed use, particularly as this traffic relates to the nearby intersection (approximately 35 feet from ingress/egress of the Property) of Gorsuch Road and

Route 140 and the existing design of Gorsuch Road. Gorsuch Road is a two-lane neighborhood street that is approximately 22 feet in width. Access to the Property is located at the bend in Gorsuch Road and is in close proximity to the intersection with Route 140 which may cause ingress/egress issues and stacking issues on site and at the intersection. Additionally, ingress/egress is shared with a residential use located south and adjacent to the Property. Such service station use may cause odors of other emissions which may be harmful to the surrounding area. Zoning Administration is concerned with the level of traffic and current design of Gorsuch Road and the proximity of the proposed ingress/egress to the intersection of Gorsuch Road and Route 140. As requested, the Applicant needs to provide more information in the form of a traffic study at the time of site plan review. Furthermore, the Applicant should provide detailed information of the service station operations and possible impacts of such use to the surrounding neighborhood.

(b) Overburden existing public services, including water, sanitary sewer, public roads, storm drainage and other public improvements; or

The information provided by the Applicant did not address this condition. The Applicant's testimony should address this condition and what/if any measures are to be taken to alleviate any overburden of public services.

Over the last 12 quarters, the veterinarian's office historically used 282,765 gallons. This equals 261.82 gallons per day. Staff requested water usage from two comparable Valvoline Instant Oil Change facilities. Due to mandated store closures, staff has not yet received this information. Once received, this information will be used to determine if additional water is needed. Any increase in net water usage will require a Water Allocation approved by the City and the Maryland Department of Environment.

(c) Be detrimental to the use or development of adjacent properties or the general neighborhood or change the character of the general neighborhood in which the use is proposed, considering the service required, at the time of the application, the population, density, character and number of similar uses; and

The information provided by the Applicant did not address this condition. The Applicant's testimony should address this condition.

For the purposes of the special exception review, Zoning Administration views the neighborhood to include the residential and commercial uses within the general vicinity of the Property and have access to Gorsuch Road. The immediately adjacent properties are zoned as the following:

North: C-2 Commercial Medium Intensity District (County Zoning)
South: B: Business (City Zoning)

East: C-3 Commercial High Intensity District (County Zoning)
West: C-2 Commercial Medium Intensity District (County Property) and R-7,500 (Both City and County Zoned properties)

The special exception use is proposed on property within City Limits and is in the B: Business Zoning District.

Explanation of County Zoning:

C-2 Commercial Medium Intensity District: The purpose of the C-2 District is to provide locations for a diverse range of medium-intensity retail, service and professional office uses needed by a larger population than those provided for in the C-1 District. This district is also intended to provide locations for compatible institutional and recreational uses, limited residential uses, and some of the general neighborhood uses associated with the C-1 District. Bicycle and pedestrian access are encouraged where possible to ensure compatibility with nearby neighborhoods.

C-3 Commercial High Intensity District: The purpose of the C-3 District is to provide locations for high-intensity, large-scale retail businesses and destinations of a regional nature, planned business parks, clusters of commercial development, wholesale businesses, offices, and certain light processing operations. This district is also intended to provide locations for compatible institutional and recreational uses and some of the medium-intensity uses associated with the C-2 District. Uses in this district should be located in proximity to transportation infrastructure and major corridors. Developments in the C-3 District should, where possible and appropriate, facilitate pedestrian circulation.

(3) The standards set forth for each particular use for which a special exception may be granted have been met.

Pursuant to Zoning Ordinance Section 164-42.S., "Service stations, subject to the provisions of § 164-149" is listed as a special exception use. Pursuant to Zoning Ordinance Section 164-149:

§ 164-149 Automobile service stations.

A. An automobile service station may be permitted upon a finding by the Board, in addition to the findings required in Article XXII of this chapter, that:

(1) The use will not constitute a nuisance because of noise, fumes, odors or physical activity in the location proposed.

The information provided by the Applicant did not address this provision. The Applicant's testimony should address this provision.

Zoning Administration is concerned with the potential noise, fumes, odors or physical activity that may be associated with a service station use, particularly with the proximity of residential uses adjacent to and within the general vicinity of the Property.

(2) The use at the proposed location will not create a traffic hazard or traffic nuisance because of its location in relation to similar uses, necessity of turning movements in relation to its access to public roads or intersections or its location in relation to other buildings or proposed buildings on or near the site and the traffic pattern from such buildings or by reason of its location near a vehicular or pedestrian entrance or crossing to a public or private school, park, playground or hospital or other public use or place of public assembly.

The information provided by the Applicant did not address this provision. The Applicant's testimony should address this provision.

Staff has concerns regarding traffic as outline above in Condition for Grant of Special Exceptions (2) and the outcome of a traffic study for the proposed service station use. It has been reported by the Applicant that the proposed service station use would have similar daily trips as the previous tenant which was a veterinarian office. This property is located on and provides access to an approximately 90 degree bend of Gorsuch Road. Furthermore, this access to the Property is located approximately 35 feet from the signaled intersection of Route 140 and Gorsuch Road. Testimony should also include what safety measure discussions that have taken place with State Highway Administration.

(3) The use at the proposed location will not adversely affect nor retard the logical development of the general neighborhood or of the industrial or commercial zone in which the station is proposed, considering the service required, the population, character, density and number of similar uses.

The information provided by the Applicant did not address this provision. The Applicant's testimony should address this provision.

As stated above, the immediately adjacent properties are zoned as the following:

North:	C-2 Commercial Medium Intensity District (County Zoning)
South:	B: Business (City Zoning)
East:	C-3 Commercial High Intensity District (County Zoning)
West:	C-2 Commercial Medium Intensity District (County Property) and R-7,500 (Both City and County Zoned properties)

(4) The evidence of record establishes that for the public convenience and service a need exists for the proposed use due to an insufficient number of similar uses presently available to serve existing population concentrations in the City and that the use at the location proposed will not result in a multiplicity of proposed uses. In the absence of convincing evidence to the contrary, the following shall constitute lack of probability of a reasonable public need:

The Applicant has stated that the proposed Valvoline Service Station use for the Property is not a traditional service station that sells fuel or offers light or heavy automotive repairs. On site employees will be offering different auto related services to customers without having them exit their vehicles. The Applicant's testimony should address the proposed operation of the Valvoline Service Station use.

The Applicant must present convincing evidence to the Board establishing an existing need for the public convenience and service provided by the proposed service station use due to an insufficient number of similar uses presently available to serve existing population concentrations in the City. In the absence of convincing evidence, the following shall constitute lack of probability of a reasonable public need.

(a) An automobile service station within one mile on the same side of the road, except at intersections.

The information provided by the Applicant did not address this provision. The Applicant's testimony should address this provision and any existing service stations within one mile of the intersection of Route 140 and Gorsuch Road.

In the Zoning Ordinance, "service stations" use is the most similar use to the activity the Applicant is proposing.

It appears that there are two other auto-centric businesses that offer services of this nature. Caples Car Care located at the intersection of Route 97 and Cranberry Road is approximately 0.40 miles away from the Property. Jiffy Lube located at 385 N. Center Street is approximately 0.63 miles away from the Property.

(b) The presence of two service stations within the four quadrants of an intersection, including 1/2 mile from the center of the intersection in any direction.

The information provided by the Applicant did not address this provision. The Applicant's testimony should address this provision. This would be the only service station on the four quadrants of this intersection.

In the Zoning Ordinance, "service stations" use is the most similar use to the activity the Applicant is proposing.

It appears there is one other auto-centric business that offers similar services with a ½ of a mile. Caples Car Care located at the intersection of Route 97 and Cranberry Road is approximately 0.40 miles away from the Property.

In case the applicant does not present convincing evidence to the Board, the Board should determine if roughly a 0.40 mile distance would result in a multiplicity of service stations.

(5) The proposed use will be conducted upon a lot having a minimum area of 20,000 square feet, provided that this size is adequate to meet the necessary services and the setback and buffering requirements, and a minimum lot frontage of 120 feet on a public road shall be required for each automobile service station site.

The information provided by the Applicant did not address this provision. The Applicant's testimony should address this provision.

According to the signed Valvoline Special Exception plat included with the application, from Joshua Sharon of Morris & Ritchie Associates, Inc.: 1) the site area is 21,610 square feet, 2) the location of the proposed service station structure meets required setbacks, 3) with the location of the proposed service station structure, access drive, parking spaces/aisles, service bay queuing lanes it appears that buffering requirements may be met, and 4) With the information that was provided by the applicant staff is unable to determine if the minimum lot frontage of 120 feet on a public road can be met.

At time of site plan, the Applicant must demonstrate compliance with applicable Zoning Ordinance, Landscape Manual, and Development Design Preferences and consistency with the special exception plat. Be advised, modifications to the information provided on the special exception plat from that of the subsequent site plan application may be found to be inconsistent requiring revision to the site plan or amendment to the special exception.

(6) The lot shall contain landscaping on a minimum of 10% of the site area.

The information provided by the Applicant did not address this provision. The Applicant's testimony should address this provision.

At time of site plan the Applicant must also demonstrate compliance with this provision. Be advised, such requirement may not be modified at site plan stage as it is required as part of the special exception approval of a service station use.

B. In addition, the following requirements shall be met:

(1) When such abuts a residential zone or institutional premises not recommended for reclassification to commercial or industrial zone on an adopted Master Plan and is not effectively screened by a natural terrain feature, the use shall be screened by a solid wall or a substantial, sightly, solid fence not less than five feet in height, together with a three-foot planting strip on the outside of such wall or fence, planted in shrubs and evergreens. Screening shall not be required on street frontage.

The information provided by the Applicant did not address this provision. The Applicant's testimony should address this provision.

The Property abuts a residential zone (R-7,500) to the west and a residential use to the south. Testimony should include how this standard has been met. Zoning Administration is concerned with the proximity of the residential dwellings and recommends increased buffering and screening as well as a solid fence to sufficiently screen the service station use from these dwellings.

(2) Signs, products displays, parked vehicles and other obstructions which adversely affect visibility at intersections or to station driveways shall be prohibited.

The information provided by the Applicant did not address this provision. The Applicant's testimony should address this provision.

At time of site plan the Applicant must also demonstrate compliance with this provision. Zoning Administration is concerned with the location of the Property ingress/egress in relation to the design and width of Gorsuch Road and the proximity to the intersection of Route 140 and Gorsuch Road. Zoning Administration recommends that no commercial advertising signs, products displays, parked vehicles and other obstructions be permitted at or along the access drive to the Property.

(3) Lighting shall be designed and controlled so that any light source, including the interior of a building, shall be so shaded, shielded or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises nor adversely affect safe vision of operators of vehicles moving on public or private roads, highways or parking areas. Such lighting shall not shine on or reflect on or into residential structures.

The information provided by the Applicant did not address this provision. The Applicant's testimony should address this provision.

The Zoning Administrator is concerned about the impact that lighting will have on the residential properties (R-7,500) to the west and a residential use to the south.

A photometric plan may be helpful to the Board in determining if this standard has been met.

(4) All gasoline service station developments shall meet City off-street parking standards to ensure the safe movement of vehicles and pedestrians. The arrangement of structures, islands, driveways, parking and landscaping shall be designed so as to ensure maneuvering ease, to serve the community and not to adversely affect adjacent properties.

According to the signed special exception plat included with the application, from Joshua Sharon of Morris & Ritchie Associates, Inc., 9 standard parking spaces are located on-site. Furthermore, the Applicant is requesting that a parking space be provided within each queuing lane of the 4 service bays. The Applicant's testimony should address this provision.

The Zoning Ordinance requires 13 parking spaces for this service station use. As stated above, the applicant proposes using the spaces in front of the bays as 4 of the required 13 parking spaces. For the purposes of this hearing, the Director of Community Planning & Development is not opposed to the Applicant meeting 4 of the required 13 parking spaces within the service bays queuing lanes, as described above, subject to obtaining an official determination of the Zoning Administrator.

(5) Driveways shall be designed and located to ensure a safe and efficient movement of traffic on and off the site from the lane of traffic nearest the curb. The design, location and construction of all vehicular access driveways shall be in accordance with the applicable specifications and standards of the Department of Public Works.

The information provided by the Applicant did not address this provision. The Applicant's testimony should address this provision, particularly the shared use of the access driveway with the adjacent residential use to the south.

(6) Gasoline pumps or other service appliances shall be located on the lot at least 10 feet behind the building line, and all service storage or similar activities in connection with such use shall be conducted entirely within the building. There shall normally be at least 20 feet between driveways on each street, and all driveways shall be perpendicular to the curb- or street line unless the Planning Director determines that those configurations would present an unreasonable risk to vehicular and pedestrian traffic and grants a modification of those requirements which would eliminate or minimize such risks.

According to the signed special exception plat included with the application, from Joshua Sharon of Morris & Ritchie Associates, Inc., there are no gasoline pumps proposed for the proposed service station use. All of the service equipment for the proposed service station use is to be located within the building. The Applicant's testimony should address this provision

(7) Vehicles shall not be parked so as to overhang in the public right-of-way.

According to the signed special exception plat included with the application, from Joshua Sharon of Morris & Ritchie Associates, Inc., none of the 13 proposed parking spaces appear to overhang into the Route 140 or Gorsuch Road public right-of-way. The Applicant's testimony should address this provision

Additional Zoning Ordinance Regulations

Distance Requirements:

Pursuant to Zoning Ordinance Section 164-158, the proposed use [service station] is subject to Zoning Ordinance Section 164-140, Distance requirements, which states "*Any uses of buildings subject to compliance with this section shall be located at least 100 feet from any other lot in a residential zone or in any other zone which contains a dwelling, school, church or institution for human care.*"

The Applicant's testimony should address this provision as it relates to the residentially zoned property to the west and the residential dwelling to the south.

According to the City of Westminster GIS data it appears that the building for the service station use would be approximately 87 feet from the abutting R-7,500 Zoning District.

According to the City of Westminster GIS data it appears that the use would be approximately 52 feet from the closest property line of the southern property that contains a residential dwelling.

If the 100 feet requirement cannot be met a variance to Section 164-140 may be required.

Parking Requirements:

Pursuant to Zoning Ordinance Section 164-171 B., the proposal must meet the City's parking requirements contained in Article XVI.

The special exception application is for a service station use. Pursuant to Zoning Ordinance Section 164-111, automobile service stations require two spaces per bay and one space per employee shift. According to the signed special exception plat included

with the application, from Joshua Sharon of Morris & Ritchie Associates, Inc., 4 service bays are proposed with 9 employees during the largest employee shift, requiring 13 parking spaces. As discussed above, 9 typical parking spaces are located on-site and the Applicant is requesting that a parking space be provided within each queuing lane of the 4 service bays for a total of 13 parking spaces.

Signage Requirements:

Pursuant to Zoning Ordinance Section 164-121 D. of the City Code, "*signs for special exception uses shall be in accordance with the pertinent provisions of this article and approved by the Board of Appeals upon the granting of a special exception. Such signs may be freestanding or attached to a building but shall not exceed 32 square feet in size, except as to signs provided by § 164-120C. Lighting for such signs shall not cause glare onto neighboring residential properties or uses and shall be approved upon consideration of the character of the neighborhood in which the special exemption is located…*"

Pursuant to Zoning Ordinance Section 164-121 A. (3), "*such signs shall be integral with or attached to the building. Additionally, one freestanding sign located at the street right-of-way shall be permitted except as provided in Subsection A(5) hereof. Said freestanding sign shall not exceed 20 feet in total height. The area of all signs on the premises shall not exceed three square feet for each linear foot of the front building wall. No one sign shall exceed 64 square feet in total area except as provided in Subsection A (5) hereof."*

Pursuant to Zoning Ordinance Section 164-121 A. (5) (a) of the City Code, applications for signs…which do not exceed 12.5 feet in height shall be approved by the Zoning Administrator. Applications for signs…up to and including 20 feet in height shall be approved by the Commission

The information provided by the Applicant did not address this provision. The Applicant's testimony should address this provision.

The City regulates size and location, not content. Be advised, if approved, the applicant will need to submit an Application for Sign or Awning for each sign along with detailed drawings specifying size and location for staff and/or the Planning and Zoning Commission to review.

V. CONCLUSION AND ADDITIONAL CONSIDERATION

Pursuant to Zoning Ordinance Section 164-170 B., "*The applicant for a special exception shall have the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the Board*."

Zoning Administration recommends that the Board of Zoning Appeals carefully consider approval of the proposed Special Exception with the following conditions:

1) A Traffic Impact Study be submitted with the site plan application for the Property to commence the service station use, as approved by the Board of Zoning Appeals, to be approved by the State Highway Administration and City of Westminster and Carroll County, if deemed necessary by the Zoning Administrator.

2) Additional buffering, landscaping, and screening, as well as, a solid fence to sufficiently screen the service station use from properties with residential uses. If a solid fence cannot be provided based on issues regarding access then the Zoning Administrator may allow additional plantings and buffering in lieu of the fence.

3) No commercial advertising signs, products displays, parked vehicles and other obstructions shall be permitted at or along the access drive to the Property.

4) No pole mounted lighting shall be located between the proposed building and adjacent residential uses.

5) Any site plan that is submitted to commence the service station use, shall be in substantial conformance and consistent with the Valvoline Special Exception plat as provided to the Board of Zoning Appeals dated February 27, 2020 and as further amended:

    a. Revising the Special Exception Plat to include the radius information regarding the property frontage onto Maryland Route 140.
    b. Changing the use of Parcel 2910 (property to the south of the Special Exception use needs to be revised and shown as a residential use)

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WESTMINSTER LINE - 410-848-3133
BALTIMORE LINE - 410-876-3183
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JMAGUIRE@CARROLL-LAWYERS.COM

OF COUNSEL
ROBERT L. SLINGLUFF
(1977-1996)

CHARLES D. HOLLMAN

March 2, 2020

HAND-DELIVERED

City of Westminster
Board of Zoning Appeals
56 West Main Street
Westminster, Maryland 21158

Attention: Andrew Gray, Comprehensive Planner

Re: Request for Special Exception Case No. 20-~~20~~02
Mid-Atlantic Lubes, LLC
334 Gorsuch Road

Dear Board Members:

Please accept the enclosed Application for approval of a special exception for a service station at the above-referenced address which proposes a rebuild and redevelopment of the former veterinary building located at the site. Also enclosed herewith please find a check in the amount of One Thousand Five Hundred Dollars ($1,500.00) for the Application fee.

It is our understanding that this Application can be processed for a hearing on April 7, 2020 at 6:00 p.m. Please let me know if you need anything further to process and place this matter on the agenda.

Very truly yours,

John T. Maguire

John T. Maguire

JTM/pae
Enclosure
cc: Randolph L. Kazazian III, Vice President of Real Estate (with enclosure)

Application Fees
See fees below, plus City legal fees and court reporter fees, payable to *City of Westminster*

RECEIVED
MAR 02 2020
DEPT. OF FINANCE

CITY OF WESTMINSTER

56 WEST MAIN STREET
WESTMINSTER, MD 21157

For Office Use Only
Case No.: _____
Form Received: _____
Fee Paid: _____
DCPD Reviewed: _____
Appeal Received: _____
Court Review: _____

APPLICATION FOR PUBLIC HEARING BEFORE THE BOARD OF ZONING APPEALS

In accordance with the Charter and Code of the City of Westminster, an application is made to the Board as follows:

1. **Purpose of Hearing:**

		Applicable Fees:
☑	Request for special exception	$1,500, unless owner-occupied or day care $300
☐	Request for variance	$1,000, unless owner occupied $200
☐	Appeal of admin decision	$600
☐	Nonconforming uses	No fee

2. **Applicant Information:**
Name: Mid-Atlantic Lubes, LLC Address: 54 Jaconnet Street, Newton Highlands, MA 02461
c/o Telephone: 410-876-3183 Fax: 410-876-2790 E-Mail: jmaguire@carroll-lawyers.com

3. **Property Owner Information:** (if Different)
Name: ABBEC Property LLC Address: 723 Baltimore Blvd., Westminster, MD 21157
Telephone: 410-848-3100 Fax: N/A E-Mail: bob@carrollcovet.com

4. **Attorney Information:** (if Applicable)
Name: John T. Maguire Address: Hollman, Maguire, Korzenewski & Luzuriaga, Chartered 189 E. Main St., Westminster, MD 21157
Telephone: 410-876-3183 Fax: 410-876-2790 E-Mail: jmaguire@carroll-lawyers.com

5. **Address of Subject Property:** 334 Gorsuch Road (Tax Acct. 07-111657; Map 108, Parcel 2910)

6. **Request Description:** Applicant is the contract purchaser of the subject property and seeks approval of a special exception to operate a service station offering to the public light automotive maintenance services, including quick oil changes (oil, filter and lubrication), other automotive fluid exchanges, air conditioning check and recharge, serpentine belt check and replacement, battery check, charge and replacement, tire rotation, air filter, cabin filter, wiper blade and light bulb check and replacement, windshield washer fluid top off, antifreeze/coolant top off, tire pressure check and inflation, and the like in the B-Business Zone pursuant to Westminster City Code Section 164-42(S).
See attached Concept Plan; Representative Exterior Rendering, Elevation and Floor Plans.

Please note that applications for public hearings must comply with the provisions and requirements in Chapter 164, Zoning & Subdivision of Land, City of Westminster Code. All applicants are advised to review the Rules of Order and Procedure before applying.

Application for Public Hearing before the Board of Zoning Appeals (Continued - Page 2)

Subject Property - Owner's Address: 334 Gorsuch Road, Westminster, MD 21157

Using SDAT, provide names and addresses of owners of all adjacent properties – including names and addresses of owners of properties on opposite sides of streets or alleys.

Property 1: see chart attached

Property 2:

Property 3:

Property 4:

Property 5:

Property 6:

Property 7:

Property 8:

Property 9:

Property 10:

Property 11:

Property 12:

CERTIFICATION

I CERTIFY THAT THE FOREGOING INFORMATION AND THE LIST OF ADJOINING PROPERTY OWNERS IS TRUE AND ACCURATE. I AGREE TO ABIDE BY THE RULES OF ORDER AND PROCEDURE FOR THE BOARD OF ZONING APPEALS AND ALL APPLICABLE LAWS.

MID-ATLANTIC LUBES, LLC

By: 2/19/20

APPLICANT'S SIGNATURE / DATE

Randy Kazazian, Authorized Signatory
VICE PRESIDENT

Randy Kazazian 2/19/20

APPLICANT'S PRINTED NAME / DATE

ABBEC PROPERTY LLC

By: 2/24/20

PROPERTY OWNER'S SIGNATURE / DATE

Robert F. Wimmer, Authorized Member

2/24/20

APPLICANT'S ATTORNEY SIGNATURE / DATE

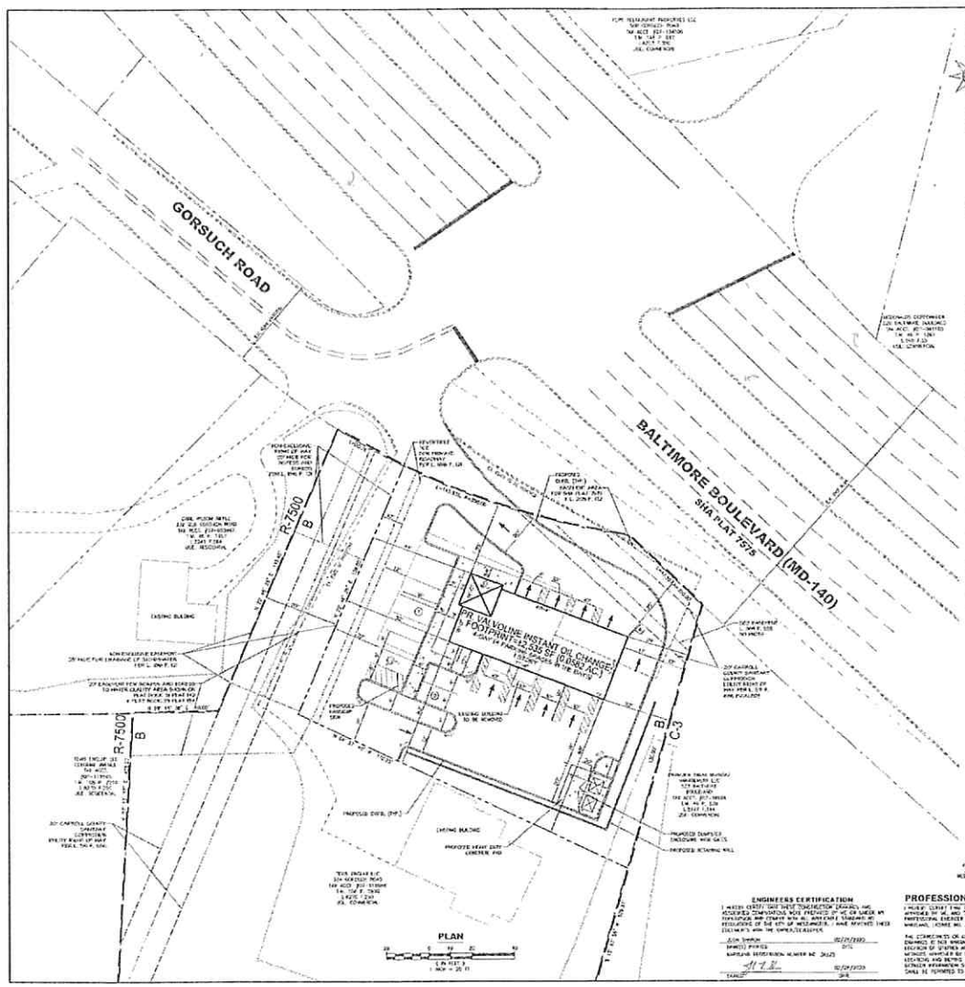
John T. Maguire

Application for Public Hearing before the Board of Zoning Appeals

Subject Property-Owner's Address: 334 Gorsuch Road, Westminster, MD 21157
Tax Map 0108, Parcel 2910, Lot 1 (07-111657)

Using SDAT, provide names and addresses of owners of all adjacent properties - including names and addresses of owners of properties on opposite sides of streets or alleys.

Property 1:	Tevis Englar LLC 82 John Street Westminster, MD 21157	Tax Map 0108 Parcel 2910, Parcel A
Property 2:	Pramukh Swami Maharaj Management LLC 8005 Pulaski Highway Baltimore, MD 21237	Tax Map 0046 Parcel 0639
Property 3:	McDonalds Corporation c/o Scott Rardin SDR Mgmt, Inc. 8017 Dorsey Run Road, UN A1 Jessup, MD 20794	Tax Map 0046 Parcel 1361
Property 4:	FCPT Restaurant Properties LLC 1000 Darden Center Drive Orlando, FL 32837	Tax Map 0046 Parcels 0817, Lot 2
Property 5:	Carl Wilson Riffle 3415 Island Creek Ct. Silver Spring, MD 20906-1313	Tax Map 0046 Parcel 1457
Property 6:	Maryland State Highway Administration 707 North Calvert Street, Room 603 Baltimore, MD 21202	Tax Map 0046 Road Parcel

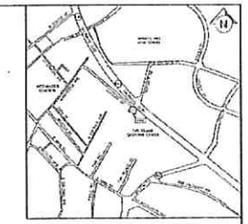


GENERAL NOTES

1. PROPERTY INFORMATION:
   a. PROPERTY ADDRESS: 334 GORSUCH ROAD WESTMINSTER, MD 21157
   b. SITE AREA: 31,637 SF/0.73 AC±
   c. TAX REFERENCE: 04-051-00004 07-070009 07-070029
   d. ELECTION DISTRICT: 7
   e. CENSUS TRACT: 7
   f. TAX MAP: 0007
   g. GRID: 0008
   h. PARCEL: 0029
   i. PLAT: 28-114
2. TAX ACCOUNT: 1100029
3. EXISTING ZONING: B (BUSINESS ZONE)
4. EXISTING USE: PROPOSED USE: EXISTING BUILDING WITH OIL CHANGE SERVICE STATION
5. SUPPLEMENT SHEET B: BASED ON SITE PROVIDED BY CARROLL COUNTY
6. THE LOCATION OF EXISTING UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE ONLY. CONTRACTOR SHALL VERIFY THE EXISTENCE, LOCATION, AND DEPTH OF ANY EXISTING UTILITIES AND SHALL NOTIFY THE ENGINEER OF DISCREPANCIES PRIOR TO BEGINNING WORK.
7. THE CONTRACTOR SHALL NOTIFY "MISS UTILITY" AT 1-800-257-7777 THREE WORKING DAYS PRIOR TO BEGINNING ANY WORK IN THE VICINITY OF EXISTING UTILITIES.
8. THE SITE IS LOCATED WITHIN A REGIONAL PROFESSIONAL AREA. IT IS NOT LOCATED IN A WATERSHED MANAGEMENT AREA.
9. BUILDING AREA: 1,432 SF (1ST FLOOR) 1,000 SF (BASEMENT)
   TOTAL GROSS AREA: 2,432 SF (NOTE 12)
10. FLOOR AREA RATIO REMARKS: 2.0. THE TOTAL BUILDING FLOOR AREA EXCEEDS THE EXISTING TAX CALC. THE BASEMENT WAS NOT THE 1ST INC PURPOSES TOTAL FLOOR AREA WAS NOT IN ACCT.
11. BUILDING HEIGHT: 1-2½ FEET
12. B ZONE BUILDING STANDARDS:

	REQUIRED	PROVIDED
FRONT	15'	30'
REAR SIDE	10'	40'
EAST SIDE	10'	24'
WEST	10'	41'

13. THE SITE IS SERVICED BY PUBLIC SEWER AND STORM DRAIN.
14. THE PARKING REQUIREMENT FOR AUTOMOTIVE SERVICE STATIONS IS 2 PER BAY AND 1 FOR EMPLOYEE UNIT. SEE PARKING CALCULATIONS AND TABLE.
15. THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN. THE PROPERTY IS LOCATED WITHIN AN AREA OF MINIMAL FLOODING AS SHOWN ON FEMA FIRM MAP NO. 24013C0155F. THE PROPERTY MANAGER OF RECORD BETWEEN CARROLL COUNTY MUNICIPAL BUILDING AND THE INTERSECTION WITH A LINE OF CONTRACTOR BY PUBLIC WORKS COMPANY NUMBER 2 (CARROLL COUNTY, MD) AND THROUGH CITY OF WESTMINSTER, MD.
16. THERE ARE NO KNOWN EXISTING WELLS ON PUBLIC FILES WITHIN THIS SITE PROPERTY.
17. THERE ARE NO WETLANDS WITHIN THIS SITE.
18. ANY LIGHT USED TO ILLUMINATE AN OFF-STREET PARKING AREA ON THE SITE SHALL BE OF THE TYPE AS DEFINED IN THE ZONING ORDINANCE.
19. SITE AND BUILDING INFORMATION WAS OBTAINED BY CARROLL COUNTY GIS DATA.
20. THE PARKING AND LANDSCAPING TAKES COMPLY WITH THE CARROLL COUNTY LANDSCAPE MANUAL AND THE CITY WESTMINSTER. ALL PROPOSED LANDSCAPING SHALL BE MAINTAINED IN A HEALTHY, VIGOROUS, WELL KEPT CONDITION. PLANTS THAT DIE SHALL BE REPLACED WITHIN ONE (1) YEAR. ALL LANDSCAPED AREAS SHALL BE PROTECTED BY CURBS OR BOLLARDS TO ENSURE GOOD HEALTH AND VITALITY.



VICINITY MAP

SCALE: 1" = 1,000'

LEGEND

- EX. PROJECT PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- EX. RIGHT OF WAY
- EX. EASEMENT
- EX. BUILDING
- EX. FACADE
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. SIGN ARM
- EX. HYDRO CONTOURS
- EX. HYDRANT
- C-2 / C-3 — EX. ZONING LINE
- EX. DIRECTIONAL TRAFFIC
- PR. CONCRETE
- PR. BUILDING
- PR. CURB
- PR. PARKING LOT STRIPE
- PR. HANDICAP PARKING SYMBOL
- PR. PARKING SPACE NUMBER
- PR. SIGN
- PR. DIRECTIONAL TRAFFIC
- PR. PARKING AISLE STRIPING
- PR. RETAINING WALL

PARKING TABULATION

USE	PARKING RATE	EMPLOYEES OR BAYS AND MAXIMUM OF BAYS	PARKING SPACES REQUIRED
SERVICE STATION	1/1 FOR EMPLOYEE UNIT	3	3
SERVICE STATION	2 PER BAY	4	8
TOTAL PARKING REQUIRED (PER CODE)			12
TOTAL PROVIDED PARKING (REVISED)			13

* BASED ON "MINIMUM NUMBER OF SPACES" SECTION 164-133 OF THE ORDINANCES OF THE CITY OF WESTMINSTER.

Know what's below. Call before you dig.

OWNER

VALVOLINE INSTANT OIL CHANGE, LLC
334 GORSUCH ROAD
WEST WINDSOR, NJ 07017

ENGINEERS CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 24025, EXPIRATION DATE: INDEFINITE.

JOHN SHARON — DATE: 10/27/2020
PRINTED NAME — DATE
MARYLAND REGISTRATION NUMBER NO. 24025
SIGNATURE — DATE: 10/27/2020

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 24025, EXPIRATION DATE: INDEFINITE.

DESIGN IS BASED ON NAD 83 MARYLAND COORDINATE SYSTEM (ADMIN/NAD 83/91/2011 VERSION, NAVD 88

THE COMMITMENTS OF COMPLIANCE OF ENGINEER INFORMATION SHOWN ON THE PLAN, AND THE ENGINEER'S CERTIFICATION, ARE MADE ONLY TO THE EXTENT OF THE ENGINEER OF STORMWATER AND BREAKWATER FACILITIES. IN NO WAY DO OWNER MEMBERS WHATSOEVER DO THE OWNERS REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DETAILS WITH THE LAYOUT OF IMPROVEMENTS. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT FOUND IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 325
TOWSON, MARYLAND 21286
(410) 821-1630
FAX (410) 821-1740

Copyright 2020 Morris & Ritchie Associates, Inc.

VALVOLINE INSTANT OIL CHANGE
334 GORSUCH ROAD

CONCEPT PLAN TO ACCOMPANY SPECIAL EXCEPTION REQUEST

7TH ELECTION DISTRICT
WESTERN RANGE 17-1127
CARROLL COUNTY, MARYLAND

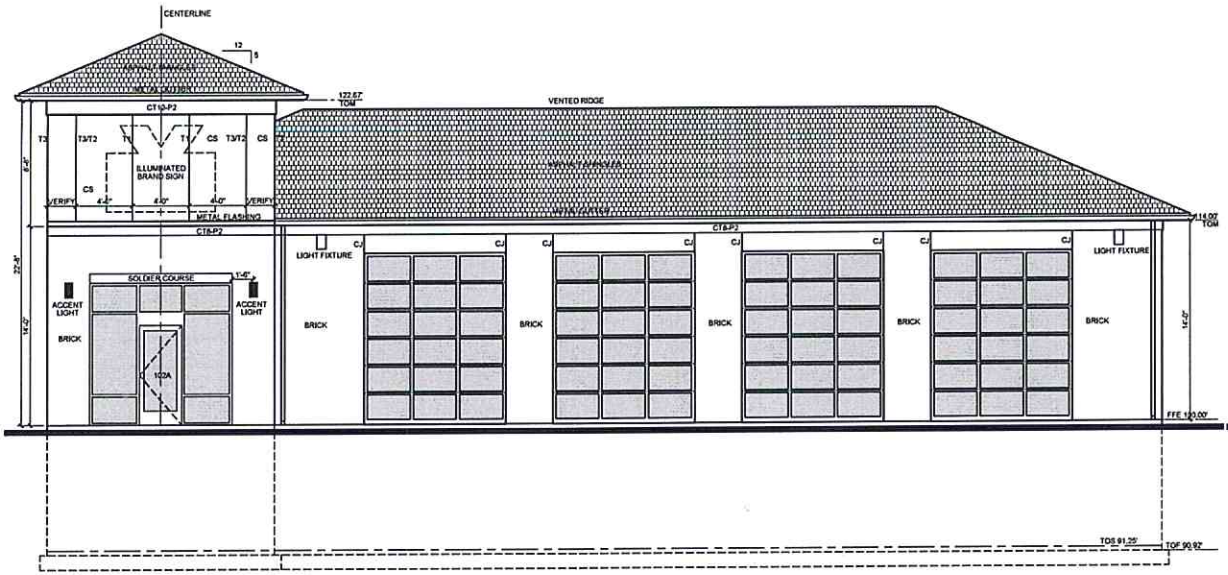
DATE	REVISIONS

JOB NO.	20-160
SCALE:	1" = 30'
DATE:	10/27/2020
DRAWN BY:	MT
DESIGN BY:	JS
REVIEW BY:	JS
SHEET:	1 OF 1

VALVOLINE INSTANT OIL CHANGE

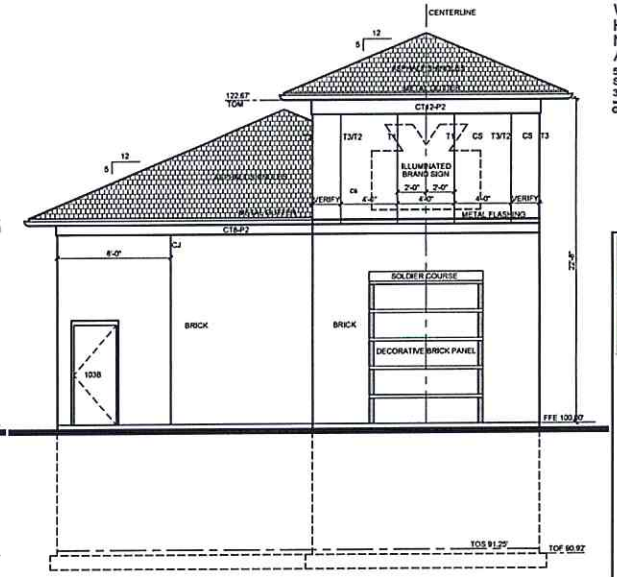
Mid-Atlantic Lubes
50 Jaconnet Street, Suite 100
Newton Highlands, MA 02461
January 2018

Wyatt Howard Nelson
Architecture, PLLC
522 Elm Street
Syracuse, NY 13203



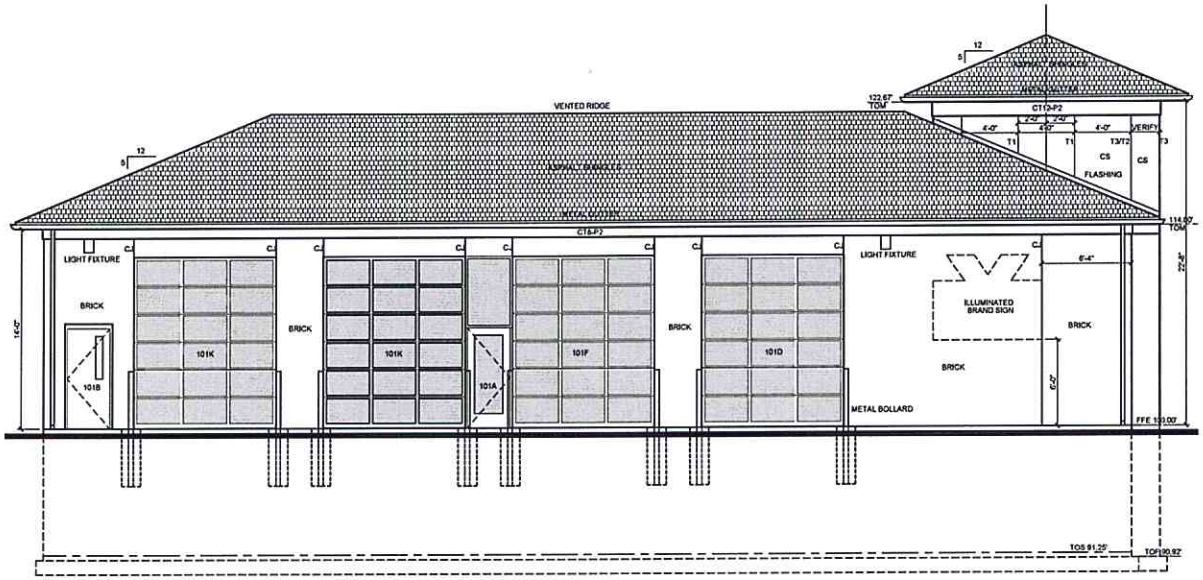
1 A2.1 FRONT ELEVATION

SCALE 1/4" = 1'-0"



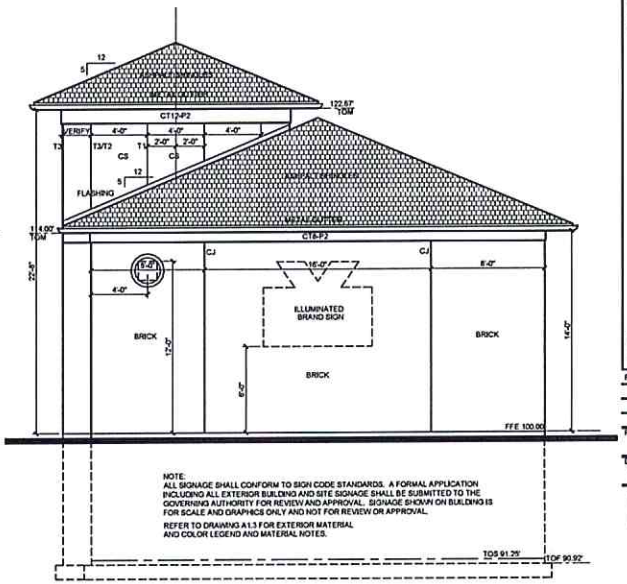
2 A2.1 LEFTSIDE ELEVATION

SCALE 1/4" = 1'-0"



3 A2.1 REAR ELEVATION

SCALE 1/4" = 1'-0"



NOTE:
ALL SIGNAGE SHALL CONFORM TO SIGN CODE STANDARDS. A FORMAL APPLICATION INCLUDING ALL EXTERIOR BUILDING AND SITE SIGNAGE SHALL BE SUBMITTED TO THE GOVERNING AUTHORITY FOR REVIEW AND APPROVAL. SIGNAGE SHOWN ON BUILDING IS FOR SCALE AND GRAPHICS ONLY AND NOT FOR REVIEW OR APPROVAL.

REFER TO DRAWING A1.3 FOR EXTERIOR MATERIAL AND COLOR LEGEND AND MATERIAL NOTES.

4 A2.1 RIGHTSIDE ELEVATION

SCALE 1/4" = 1'-0"

Wyatt
Howard
Nelson
Architecture
522 Elm Street
Syracuse, NY 13203
315.952.2072

© copyright 2014 wyatthoward nelson architect

Valvoline Instant Oil Change

Owner: Mid-Atlantic Lubes, LLC
54 Jaconnet Street, Suite 100
Newton Highlands, MA 02461

Project: Valvoline Instant Oil Change

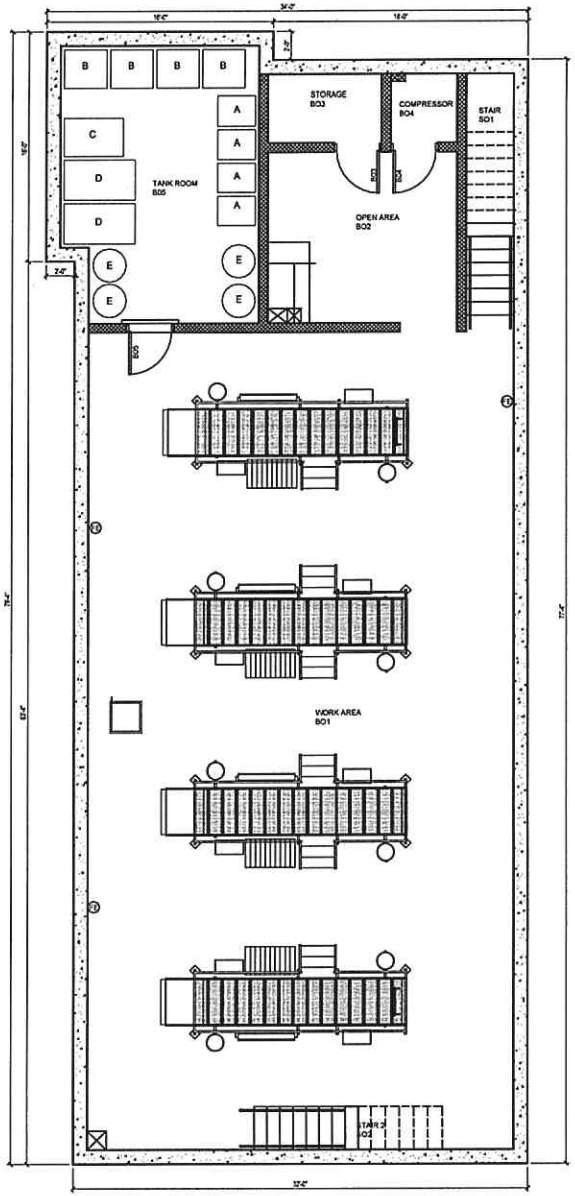
REVISIONS

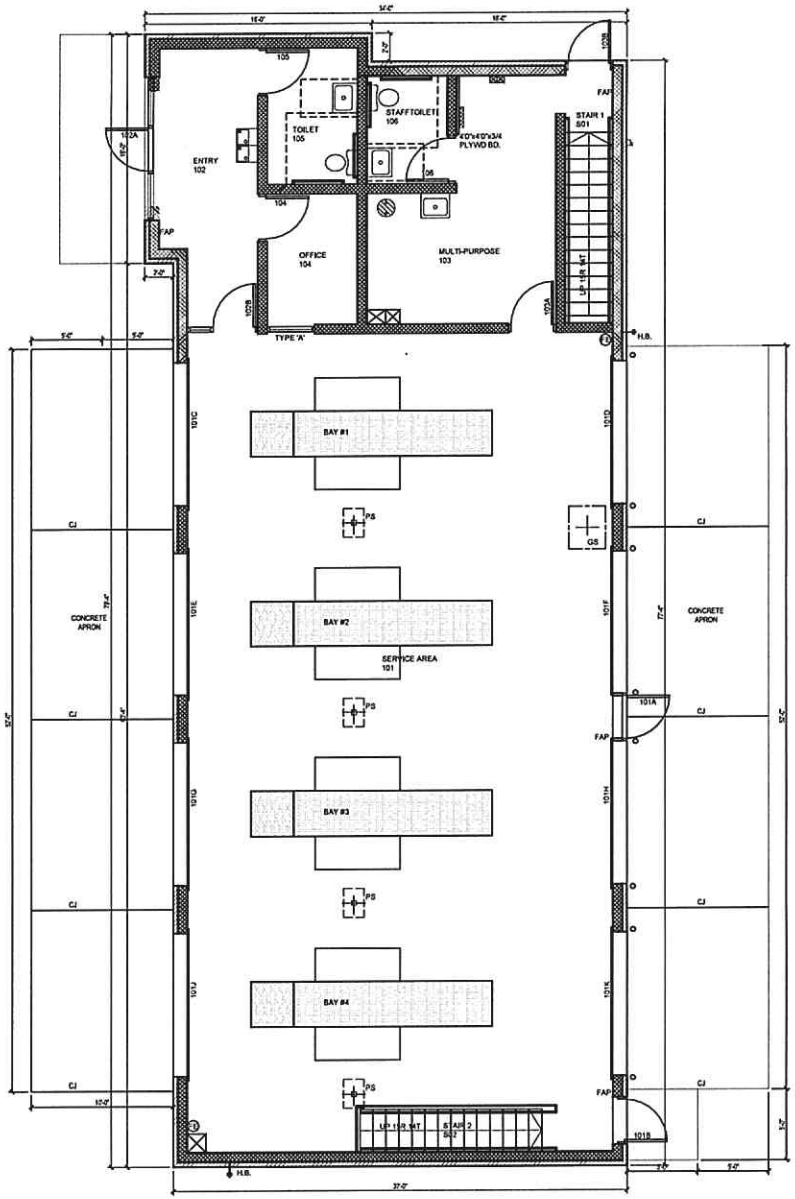
PROJECT NO.

DATE
01.18.18

Exterior Elevations

SP2





Wyatt
Howard
Nelson
Architecture
522 Elm Street
Syracuse, NY 13203
315.952.2072

Owner:
Mid-Atlantic Lubes, LLC
54 Jaconnet Street, Suite 100
Newton Highlands, MA 02461

Project:
Valvoline Instant Oil Change

REVISIONS

PROJECT NO.

DATE
01.18.18

Floor Plan
Lower Level
Main Level

1 SP1.1 LOWER LEVEL PLAN
SCALE 1/4" = 1'-0"

2 SP1.1 MAIN LEVEL PLAN
SCALE 1/4" = 1'-0"

SP1

LAW OFFICES
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CHARTERED
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WESTMINSTER, MARYLAND 21157
WESTMINSTER LINE - 410-848-3133
BALTIMORE LINE - 410-876-3183
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JOHN T. MAGUIRE, II
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SENDERS E-MAIL:
JMAGUIRE@CARROLL-LAWYERS.COM

OF COUNSEL
ROBERT L. SLINGLUFF
(1977-1996)

CHARLES D. HOLLMAN

April 20, 2020

VIA E-MAIL and HAND-DELIVERY

City of Westminster
Board of Zoning Appeals
56 West Main Street
Westminster, Maryland 21158

Re: Case No. 20-20
Mid-Atlantic Lubes, LLC
Special Exception - Service Station
334 Gorsuch Road

Dear Board Members:

In accordance with the prehearing requirements of Section 8 of the Rules of Order and Procedure for the Board of Zoning Appeals, the following information is provided in connection with the above-referenced case.

1. The specific grounds upon which the application is based are set forth more fully in the application itself, including Westminster City Code Section 164-42(S).

2. The Applicant intends to show that there will be no adverse effects from the proposed service station at this location sufficient to overcome the presumption in favor of this use as a special exception as set forth in the City Code. The Applicant will further show that the proposal meets the technical criteria for an automobile service station under City Code Section 164-149, including market need for the public convenience and service. In support thereof, Applicant intends to introduce at hearing all or part of the materials filed with its Application.

3. Randy Kazazian, Applicant's Vice President of Real Estate, will testify about the existing use and proposed use of the subject property, including the scope and nature of the facility and operations. He will produce the publication entitled "Introduction to Henley Enterprises, Inc." which further explains the operations, a copy of which is attached hereto.

4. Joshua Sharon, PE, LSIT, LEED AP, a licensed professional engineer under whose supervision the filed plans were prepared, and/or other qualified representatives from his firm, Morris & Ritchie Associates, Inc., will further testify as to the appropriateness, compatibility, consistency and feasibility of the proposed design and the lack of any appreciable adverse effects at this location.

5. Edward M. Steere, AICP, MSRE, a marketing and valuation expert with the Valbridge Property Advisors, will testify on behalf of the Applicant that there is market need for the proposed quick oil change and other light automotive maintenance services. He will distinguish the subject use from service stations which dispense fuel. He will produce a written report detailing his findings, a copy of which is attached hereto. He will also testify that the use will not cause adverse effects on surrounding property values. Mr. Steere has been qualified as an expert in real estate market analysis and evaluation, and specifically in market need for service stations, before numerous zoning bodies, including the Westminster City Board of Zoning Appeals.

6. Ken Schmid, a traffic expert with Traffic Concepts, Inc., will testify to the minimal amount of new traffic generated and the lack of any appreciable adverse effects at this location. A copy of Traffic Concept Inc.'s written report containing these findings is attached hereto.

7. We anticipate the Applicant's presentation will take about seventy-five (75) minutes.

8. An original and four (4) copies of this prehearing statement, the Introduction to Henley publication, Mr. Steere's market report, Traffic Concept, Inc.'s report and the record plat for the property (Lot 1) are included herewith. There are no other parties of record.

Applicant also intends to call others as witnesses, and introduce at hearing such other drawings and materials as may become appropriate, to the extent that these matters may become relevant as a result of the course of the proceedings.

Very truly yours,

John T. Maguire
Attorney for Applicant

JTM/pae
Enclosure
cc: Randolph L. Kazazian III, Vice President of Real Estate (via e-mail transmission, no enclosure)
Joshua Sharon, PE, LSIT, LEED AP (via e-mail transmission, no enclosure)
Edward M. Steere, AICP, Managing Director (via e-mail transmission, no enclosure)
Mark Keeley, PTP (via e-mail transmission, no enclosure)

Introduction to Henley Enterprises, Inc.

March 2020

HENLEY

Est. 1989

HENLEY
Est. 1989

Valvoline
Instant Oil Change

Business Overview

- Henley Enterprises, Inc., and its affiliates (collectively "Henley") currently operate 214 Valvoline Instant Oil Change ("VIOC") facilities in 10 states – CA, DE, FL, MA, MD, NH, NJ, PA, RI and VA.
- Henley's service centers primarily provide lubrication and preventative fluid maintenance services to cars and light trucks.
- Henley is the largest VIOC franchisee and the third largest independent quick lube operator in the United States.
- Henley has consistently been among the top performing franchises, within the VIOC franchise community, with revenues per service center being approximately 60% higher than the average franchised VIOC center.
- Henley had $290,000,000 in total sales in 2019, with 3.3 million oil changes being performed.
- Henley is privately held and currently employs more than 2,500 individuals.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

HENLEY
Est. 1989

Valvoline
Instant Oil Change

History

Henley Enterprises, Inc. was incorporated in June 1987 specifically to develop and operate VIOC facilities under franchise agreements with Valvoline Instant Oil Change Franchising, Inc. ("VIOCF"), a subsidiary of Valvoline Inc. (NYSE: VVV). Henley is now comprised of several geographic operating companies which operate VIOC service centers.

- *Henley Enterprises, Inc.* Opened its first facility in February 1989 in Somerville, MA. The Somerville location was the first franchised facility in the U.S. for VIOCF. Presently, Henley Enterprises currently operates 52 VIOC's in Eastern New England - Massachusetts, New Hampshire and Rhode Island.

- *Mid-Atlantic Lubes, LLC* Formed in March 2000 and acquired its first service center in April 2000, from an existing VIOC franchisee, in Manassas, VA, a suburb of Washington, D.C. Mid-Atlantic Lubes currently operates 31 facilities in Virginia, Maryland, Delaware, Pennsylvania and New Jersey.

- *Sunshine Lubes, LLC* Formed in 2006 and opened its first six service centers in Southwest Florida (Naples and Ft. Myers) in October 2006, by acquiring the operations of two existing VIOC franchisees. Presently, Sunshine Lubes operates 10 facilities.

- *Henley Pacific LA LLC* Formed in 2011 to acquire and operate 71 service centers primarily located in greater Los Angeles and northern San Diego from EZ Lube, LLC, an independent operator that featured Castrol oil. Henley Pacific LA currently operates 109 service centers as a result of acquisition and consolidation activity.

- *Henley Pacific SF LLC* Formed in 2017 and opened its first two service centers in the San Francisco Bay Area (Antioch and Oakley) in January 2018, by acquiring two existing VIOC service centers. Presently, Henley Pacific SF operates 12 facilities.

In October 2017, Henley Enterprises sold 56 service centers in Michigan and Northern Ohio to Valvoline, Inc. to concentrate on the expansion of its East and West Coast operations, including establishing operations in the San Francisco Bay Area.

Henley expects to add approximately 75 service centers during the next 5 years through acquisition and ground-up development.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

HENLEY
Est. 1989

Valvoline
Instant Oil Change

Core Values

- Be fair and honest with employees and customers
- Make self-improvement and learning a way of life
- Recognize and celebrate achievement
- Make our jobs fun and safe
- Be great at what we do

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

HENLEY
Est. 1989

Valvoline
Instant Oil Change

Strategy

- Position and solidify Henley as the quick lube leader in every market in which we compete through acquisition and ground up development.
- Continual attention to operational efficiency, our people, and the changing profile of the automotive aftermarket.
- Commitment to "speed of service" to differentiate Valvoline Instant Oil Change from its competitors.
- Commitment to service procedures that communicate with the customer while providing a fast and thorough oil change.
- Construct and maintain first-class service centers that exceed customer's expectations and the industry standard.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
Based on a survey of over 250,000 Valvoline Instant Oil Change customers annually.

HENLEY
Est. 1989

Valvoline
Instant Oil Change

Marketing

- Henley has the unique opportunity to leverage the internationally recognized Valvoline brand on a targeted basis for greater effectiveness.
- Valvoline's in-house marketing department, along with their national advertising agency, delivers professionally designed advertising campaigns for implementation in all media types.
- Henley's in-house marketing professionals lead digital, social media and traditional marketing campaigns that augment VIOCF's campaigns.
- Henley leverages Valvoline's purchasing power across all advertising mediums within each market.
- Customer information obtained at the time of service is used to drive future transactions through tailored messages, as well as increase customer retention.
- Henley's fleet sales representatives market to commercial and government fleets and differentiate Henley from the competition by offering individualized billing, which results in Valvoline Instant Oil Change being a preferred vendor among both fleet managers and drivers.
- VIOCF's electronic point of sale system allows Henley to measure the effectiveness of advertising campaigns.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

HENLEY
Est. 1989

Valvoline
Instant Oil Change

Service Center Operations

- VIOC offers the following services:
  - Oil change, filter and lubrication
  - Transmission fluid exchange
  - Power steering fluid exchange
  - Antifreeze/coolant exchange
  - Differential fluid exchange
  - Transfer case fluid exchange
  - Air conditioning check and recharge
  - Windshield washer fluid filling
  - Tire pressure check/inflation
  - Air filter check and replacement
  - Serpentine belt check and replacement
  - Wiper blade check and replacement
  - Light bulb check and replacement
  - Tire rotation
  - Battery test and replacement
  - Cabin filter check and replacement
  - Fuel filter check and replacement
- Hours are typically 7AM - 7PM Monday - Saturday and 9AM to 5PM on Sunday.
- Staffing consists of 13-15 full and part-time team members.
- On-site parking is utilized only by staff as customers stay in their vehicles.
- A Spill Prevention, Control and Countermeasures Plan is developed for the service center.
- Bulk oils, lubricants, antifreeze and washer solution are delivered to the service center by licensed and insured distributors in the same manner as heating oil.
- Used motor oil and lubricants are collected in a waste oil collection tank, located in the basement tank room, where they are stored for recycling.
- Bulk product deliveries and recycling pick-ups are typically scheduled to occur on a weekly basis.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
Based on a survey of over 250,000 Valvoline Instant Oil Change customers annually.

HENLEY
Est. 1989

Valvoline
Instant Oil Change

Instant Oil Change Customer Experience

- Oil changes and other fluid exchanges are completed in approximately 15 minutes.
- Customers are greeted upon entering the lot and asked (i) if they have visited one of our service centers before and (ii) what service(s) brought them here today.
- Customers are guided into an open service bay. In the event all the service bays are occupied, customers are told the approximate waiting time and asked to park in front of the next available service bay. If a customer chooses not to wait, they are directed to the property exit.
- Customers stay in their vehicles throughout the entire service experience.
- Customers are guided through the oil change experience, from oil selection to being shown the dipstick level upon completion, by trained customer service representatives. In addition, customers are made aware of manufacturer's recommended service intervals for other lubrications and fluids.
- Certified technicians on the "top" and "bottom" sides of the vehicle utilize SuperPro, VIOCF proprietary service procedures, to communicate and provide a fast and thorough oil change.
- Service centers are equipped with free Wi-Fi for the customer's use while awaiting completion of their chosen services.
- Upon the completion of the requested service(s) the customer is guided out of the service bay and directed to the property exit.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

HENLEY
Est. 1989

Valvoline
Instant Oil Change

Environmental

- Henley's policy is to meet or exceed federal, state, local and industry standards, for environmental requirements.
- Each service center is equipped with an Employee Health and Safety manual that contains guidance for trainers and employees for waste management; each employee is trained upon hire and recertified annually.
- A Spill Prevention, Control and Countermeasures Plan is developed for each service center.
- Each service center is equipped with a Spill Kit, which can be used to contain and stop the flow of material in the unlikely event of a spill.
- Bulk oils, lubricants, antifreeze and washer solution are delivered to the service center by licensed and insured distributors in the same manner heating oil is delivered to a home.
- All bulk products and used motor oil are delivered and removed through a permanently installed system of black iron pipes. These pipes terminate outside the building in a locked steel box that provides spill protection and security from vandals. All tanks are vented to the outside of the building and are equipped with whistles to let delivery personnel know the tank is full.
- Used motor oil and lubricants are collected in a rolling drain pan beneath the car that is piped directly to a waste oil collection tank, located in the basement tank room, where it is stored for recycling.
- Used motor oil, lubricants and antifreeze are stored in designated containers for such items and collected by a licensed and insured recycler in accordance with federal, state and local requirements and accounted for by manifest.
- Used oil filters and absorbent materials are stored in designated containers for such items, collected by a licensed and insured waste oil hauler and recycled/disposed of appropriately off-site.
- Wastewater pickups and oil/water separator cleanouts are recorded and accounted for by manifest.

CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

- Service centers are constructed with a tank room, located in the basement of the building, which is constructed of noncombustible materials, has a sealed floor and walls, has secondary containment and is equipped with a fire suppression system.

- There are no floor drains in the basement of the building; this provides another level of containment, in addition to the tank room, and allows us to identify a spill more easily in the unlikely event a spill occurs.

- Floor drains located in the first floor of the building are piped into a regularly maintained oil/water separator before entering the sanitary sewer.

HENLEY
Est. 1989

Valvoline
Instant Oil Change

Awards and Acknowledgements

- 2001 – "Operator of the Year" *VIOC Franchising*
- 2001 – "Outstanding Achievement" Award *VIOC Franchising*
- 2004 – "National Operator of the Year" *National Oil & Lube News*
- 2005 – "Outstanding Achievement" Award *VIOC Franchising*
- 2006 – "Star Contributor - Don Smith" *VIOC Franchising*
- 2009 – "First $2 Million Store" Award *VIOC Franchising*
- 2010 – "Operator of the Year" *VIOC Franchising*
- 2012 – "Certified Female Friendly® Retailer" *AskPatty.com*
- 2013 – "William S. Collier Spirit of Franchising Award" *VIOC Franchising*
- 2013 – "Franchisee of the Year" *International Franchise Association*
- 2014 – "William S. Collier Spirit of Franchising Award" *VIOC Franchising*
- 2015 – "King of Cars" *VIOC Franchising*
- 2015 – "Operator of the Year" *VIOC Franchising*
- 2016 – "King of Cars for Large Systems" *VIOC Franchising*
- 2017 – "Developer of the Year" *VIOC Franchising*
- 2017 – "King of Cars for Large Systems" *VIOC Franchising*
- 2017 – "Good Samaritan Award for Large Systems" *VIOC Franchising*
- 2018 – "Operator of the Year" *VIOC Franchising*
- 2018 – "King of Cars for Large Systems" *VIOC Franchising*

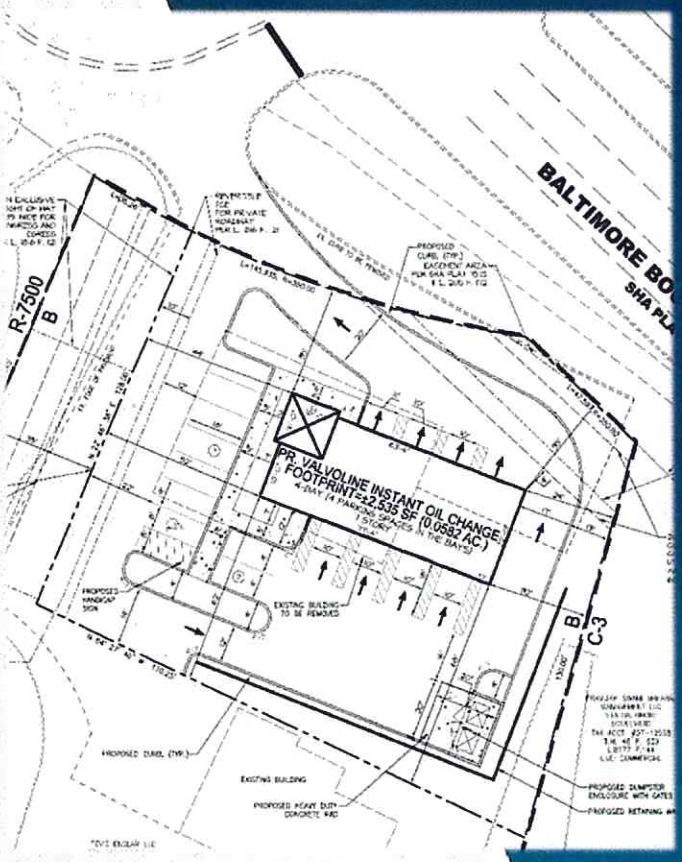
CUSTOMER-RATED
4.6 OUT OF 5 STARS*
*Based on a survey of over 250,000 Valvoline Instant Oil Change® customers annually.

- 2019 – "Developer of the Year" *VIOC Franchising*
- 2019 – "King of Cars for Large Systems" *VIOC Franchising*
- 2019 – "Good Samaritan Award for Large Systems" *VIOC Franchising*
- 2019 – "Sandy McLeod Legacy Award" *VIOC Franchising*
- 2019 – "Celebrating 30 Years as a Franchisee" *VIOC Franchising*

Valbridge
PROPERTY ADVISORS

Need Analysis

Proposed Drive-Through Oil Change Facility
334 Gorsuch Road
Westminster, Maryland



FOR
Mid-Atlantic Lubes LLC
54 Jaconnet Street
Newton Highlands, Massachusetts 02461

Valbridge Property Advisors |
Baltimore Washington Metro

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Marriottsville, Maryland 21104
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BW01-20-0069

Valbridge
PROPERTY ADVISORS

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valbridge.com

April 16, 2020

Mr. Randy Kazazian
Mid-Atlantic Lubes LLC
54 Jaconnet Street
Newton Highlands, Massachusetts 02461

Subject: Proposed Drive-Through Oil Change Facility
Westminster, Carroll County, MD - Need Analysis

Dear Mr. Kazazian

Enclosed please find Valbridge Property Advisor's (Valbridge) analysis of the need for the proposed development of a drive-through automotive quick lubrication vehicle shop to be located at 334 Gorsuch Road in the City of Westminster in Carroll County, Maryland. The analysis has been conducted in connection with your petition for a special exception to permit an automobile service station on that property.

We find that that the proposed drive-through oil change facility will serve an unmet public need for expedient oil change services. The enclosed report summarizes our reasoning process.

It has been a pleasure working with you on this project. Please call me at (443) 333-5521 should you have any questions or comments.

Respectfully submitted,
Valbridge Property Advisors |
Baltimore Washington Metro

Edward M. Steere, AICP
Managing Director

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PROPOSED OIL CHANGE FACILITY NEED ANALYSIS

Executive Summary

Valbridge Property Advisors has been engaged by Mid-Atlantic Lubes LLC in connection with its petition to the Westminster City Board of Zoning Appeals for a special exception permitting the development of a drive-through quick lubrication vehicle shop at the property located at 334 Gorsuch Road. We have examined evidence of the public need for a drive-through oil change facility at this location. Presentation of sufficient evidence of public need for the use is required before a special exception for that use can be granted.

Valvoline Oil Change Facility

The subject will be a redevelopment of a vacant veterinary hospital on the southern side of Baltimore Boulevard (MD-140) in the City of Westminster. The proposed improvements to the site include a new, four-bay drive-through quick lubrication vehicle shop roughly 2,535 sq. ft. in size with appropriate parking spaces.

The Maryland Department of Transportation State Highway Administration published an estimated annual average daily traffic (AADT) count in 2018 on MD-140 passing the subject location as 53,360 AADT. Along Gorsuch Road to Manchester Avenue, AADT was 2,920 in 2018. This site is located in the center of the City of Westminster's primary retail corridor, offering an opportunity to link an expedient visit to the quick lubrication vehicle shop facility with trips to other commercial opportunities in the area.

Supply/Demand Issues

- Trade Area – We have defined the subject fueling station's trade area as the area centered on Westminster and the MD-140 commercial corridor, drawing commuters and consumers from residential communities throughout central Carroll County to the regional center of the County seat of Westminster.

- Trade Area Residents – The trade area is populous and is expected to grow by approximately 1.4% through 2024. Its households are relatively affluent for the Baltimore MSA. The Census Bureau's American Community Survey for 2013-2017 estimates that there are 2.2 vehicles per household on average and more than one-third of workers commute more than 45 minutes to work.

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- Trade Area Demand – The defined trade area extending outwards from the City reasonably contains the majority of commuters and consumers who are likely to travel through or do their shopping in the City of Westminster. Realistically, residents of other areas may also avail themselves of the broad variety of offerings in the City. In 2020, we estimate that trade area households are annually spending an aggregate of approximately $3.6 million on lubrication/oil change services ($143 per household). Our estimate is conservative as it only includes households residing in the trade area and also excludes expenditures attributable to commercial vehicles.

- Competitive Supply –Although there are a variety of businesses which meet the definition of an automobile service station use throughout the City and County, most are not directly comparable to the subject. Modern oil change facilities such as the subject generate their revenue primarily from oil change services and have been designed in a manner which minimizes the time spent working on each vehicle. Dual profit centers such as a full-service garage and tire shop are less likely to see their customers at regular intervals and typically require scheduled appointments and have parking designed to accommodate vehicle drop offs.

    - Westminster Trade Area Supply – Including only those establishments which follow the Institute of Traffic Engineers' (ITE) classification of a Quick Lubrication Vehicle Shop we find that there are three other facilities located throughout Carroll County. All the properties operate under the Jiffy Lube brand and only one of the facilities is located within the trade area boundaries. Given the geographic scale of the County each facility effectively services a different target market.

    - Current Performance – Without exact sales figures or information regarding what proportion of sales are directly attributable to oil change services at each location, we have estimated the overall capacity of the three existing facilities under the assumption that each is operating at maximum efficiency. We find that the one Jiffy Lube within the trade area has the capacity to perform approximately 29,536 per year.

    - Unmet Demand – There are an estimated 25,398 households currently residing in the Westminster trade area. Trade area residents had an average of 2.2 vehicles available per household (55,876 vehicles), more than one-third had commutes in excess of 45 minutes and more than half worked outside of Carroll County. Under any scenario, we believe that the single Jiffy Lube location at 385 N Center Street is unable to accommodate the entirety of public demand for expedient oil change services. Even under the most optimistic performance assumptions which would reduce service times to fifteen minutes per vehicle and double the capacity of this sole facility, there would still be a shortfall of two to four required oil changes by each household annually.

Conclusions

Valbridge concludes, therefore, that the development of the subject will be convenient and serve the needs of households within the City of Westminster as well as those in surrounding areas. As it stands, trade area households are being forced to have their oil change service needs fulfilled at full-service garages and tire shops due to a lack of available capacity at quick lubrication shops. There have been zero quick lubrication shops built in the last decade and the existing locations throughout Carroll County effectively serve different target markets.

The existing capacity for quick oil change services within the trade area is estimated at 29,536 oil changes per year. Capacity doubles under the most optimistic assumptions, however this level of supply still restricts trade area households to one oil change per year if they wish to visit the same location. The subject would be an expedient alternative in comparison to the full-service garages and tire shops which are currently absorbing this unmet consumer demand as the only choice by default. Further, this site is a previously developed commercial corner and the use will not detract from the community or regulatory planning concepts in any way.

Impact on Value

The activity proposed for this land use offers no more inherent adverse impact on the adjacent land uses, than it would at any other location along this strip or anywhere else in this particular zoning district. This use is appropriate for the site based on the 2009 Westminster Comprehensive Plan and also the 2014 Carroll County Master Plan, as amended. This site was previously a commercial use and there are other high-traffic existing commercial uses in the neighborhood (ice cream, gasoline station, restaurants, tobacco store, motel, shopping centers, etc. – there is no means by which it could be discerned that this proposed use would have any more adverse effect than any other existing use in the community.

COVID-19

The global outbreak of a "novel coronavirus" known as COVID-19 was officially declared a pandemic by the World Health Organization (WHO). It is currently unknown what direct, or indirect, effect, if any, this event may have on the national economy, the local economy or the market in which the subject property is located. The reader is cautioned, and reminded, that the conclusions presented in this needs analysis apply only as of the effective date(s) indicated. The analyst makes no representation as to the effect on the subject property of this event, or any event, subsequent to the effective date of the study.

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I. INTRODUCTION

Valbridge Property Advisors has been engaged by Mid-Atlantic Lubes LLC in connection with its petition to the City of Westminster Board of Zoning Appeals for a special exception permitting the development of an oil change facility at the property located at 334 Gorsuch Road at the intersection with Baltimore Boulevard (MD-140) in the City of Westminster, Carroll County, Maryland.

Purpose of Assignment

This site consists of a single half acre parcel currently zoned for commercial use. The proposal is to demolish the existing building on the site and build a four-bay drive-through quick lubrication vehicle shop with appropriate parking spaces. It is assumed that Mid-Atlantic Lubes LLC may prefer a modified site plan, but development will generally be in context with the current concepts.

Valbridge Property Advisors has been engaged to examine evidence of the public need for an oil change facility at this location. Presentation of sufficient evidence of public need for the use is required before a special exception for that use can be granted. In regard to the oil change facility, the City of Westminster Zoning Ordinance – among other provisions – requires that:

> (4) The evidence of record establishes that for the public convenience and service a need exists for the proposed use due to an insufficient number of similar uses presently available to serve existing population concentrations in the City and the use at the location proposed will not result in a multiplicity of proposed uses. In the absence of convincing evidence to the contrary, the following shall constitute lack of probability of a reasonable public need:
>
> (a) An automobile service station within one mile on the same side of the road, except at intersections.
>
> (b) The presence of two service stations within the four quadrants of an intersection, including ½ mile from the center of the intersection in any direction.
>
> (Article XX, §164-149.A.)

For purposes of this analysis, we have considered public need/necessity to mean "expedient of reasonably convenient and useful to the public" (as defined in Lucky Stores, Inc. v. Board of Appeals) and "convenient, useful, appropriate, suitable, proper or conducive to the public in the surrounding area" (as defined in Baltimore County Licensed Beverage Association, Inc. v. Kwon). In this case, we consider a drive-through oil change facility to be accommodating to the public need when it meets the demand of the public living and working within a reasonably defined trade area for oil change services, as analyzed according to standard market research methodologies.

Scope of Work

In conducting this analysis Valbridge has accomplished the following tasks:

- Inspected the subject site and neighborhood;
- Reviewed the subject's site plan;
- Defined the subject's surrounding geographic trade area;
- Consulted demographic and economic data for the trade area produced by ESRI (Environmental Systems Research Institute, Inc.) based on U.S. Census information, and others;
- Inspected similar drive-through oil change facility properties in the trade area;
- Estimated the scale of demand for oil change services within the defined trade area and arrived at certain conclusions.

Organization of Report

Following this Section I, Valbridge's report is organized in three sections as follows: Section II, site and location analysis; Section III, need analysis; Section IV, survey of nearby competitive supply; Section V, conclusions.

Qualifications of Consultant

Valbridge is the largest independent real estate valuation firm in the continental United States, with 70 offices and more than 675 employees, of which more than 200 are MAI appraisers. We have experience and data on all types of real estate, including special purpose and portfolio assignments.

The principal-in-charge of this assignment has been Edward Steere, AICP, Managing Director. He has 30 years of real estate development, finance and consulting experience. Most relevant to this assignment, Steere has successfully completed feasibility assessments for commercial opportunities throughout Maryland. Additional information on the firm and Steere are found in Appendix A at the end of this study.

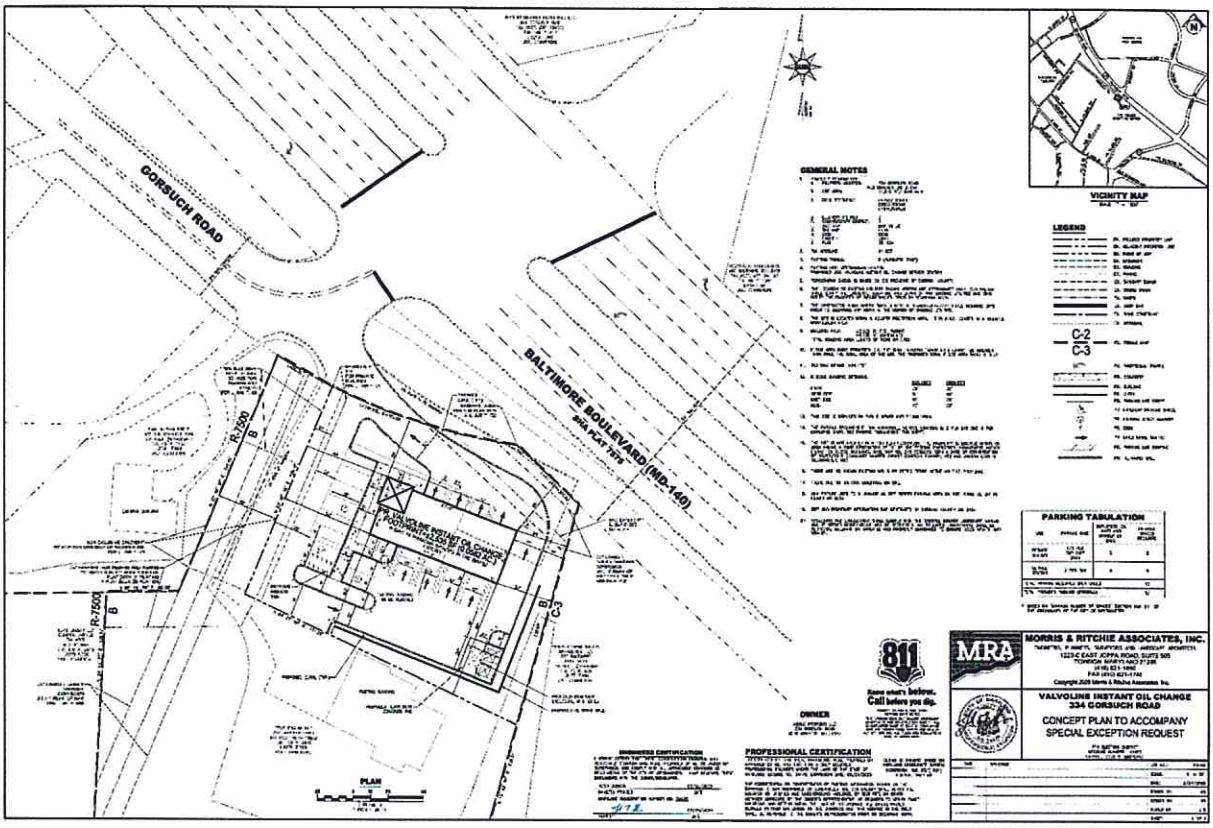
II. SITE LOCATION ANALYSIS

In this section, Valbridge describes the proposed drive-through quick lubrication vehicle shop location, its access and surroundings in order to establish its positioning within its trade area and competitive environment generally.

A. SITE DESCRIPTION

The proposed drive-through quick lubrication vehicle shop is located on a half-acre parcel in the business zone on the southern side of Baltimore Boulevard (MD-140). The property is presently improved with a vacant veterinarian hospital building of approximately 3,621 square feet which was built in 1965 along with sixteen parking spaces. There is a single access point on Gorsuch Road at the northwest corner of the site. The intersection of Gorsuch Road and Baltimore Boulevard is signalized

The proposed improvements to the site include the construction of a four-bay drive-through quick lubrication vehicle shop with appropriate parking spaces. The facility will be 2,535 square feet and will have a small area set aside for office purposes. It is assumed that Mid-Atlantic Lubes LLC may prefer a modified site plan, but development will generally be in context with the current concepts shown on the following page:



Source: Morris & Ritchie Associates, Inc

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The topography of the site is generally sloped where the existing veterinary office is located. The land will be regraded with development to acquire reasonable access and final elevation grades.

B. SITE ACCESS

The subject property has excellent frontage on the south side of Baltimore Boulevard (MD-140), which is a multi-lane highway through this area with a continuous central median. Traveling in both directions on MD-140 to the intersection with Gorsuch Road there are three through lanes, one right-turning lane and one left-turning lane. Gorsuch Road is a two-lane road at the site's existing access point. The existing curb cuts on Gorsuch Avenue will be retained. The Maryland Department of Transportation State Highway Administration published an estimated annual average daily traffic (AADT) count in 2018 on MD-140 passing the subject location as 53,360 AADT. Along Gorsuch Road to Manchester Avenue, AADT was 2,920 in 2018. This site is located in the center of the City of Westminster's primary retail corridor, offering an opportunity to link an expedient visit to the oil change facility with trips to other commercial opportunities in the area.

C. SURROUNDING LAND USES

There is a commercially zoned single-family home abutting the subject to the south which will share a non-exclusive right of way with the oil change facility. Directly adjacent to the subject on the south side of MD-140 is a 117-room hotel which is zoned C-3 (Commercial High Intensity District) as well as the nearly 200,000 sq. ft. 140 Village Shopping Center which is zoned B (Business). Across MD-140 to the north is an Olive Garden restaurant, a McDonald's and two office buildings which all lie within the C-2 zone. Further north of the subject is Winters Mill High School.

The land that is directly west of the subject along Gorsuch Road is zoned R-7 allowing for the highest density of residential development. There are currently three single-family homes immediately adjacent to the subject, however the remainder of the block is unimproved except for one more home across from the 140 Village Shopping Center and a church at the beginning of Manchester Avenue. Most of the area between MD-140 and Main Street is residential or mixed-use. A zoning map illustrating uses surrounding the subject is provided on the following page.

It is important to note that the subject property is surrounded on three sides by unincorporated lands of Carroll County. The zoning mentioned above for the hotel, shopping center, residential homes, and retail sites and high school are all located outside the incorporated City of Westminster.

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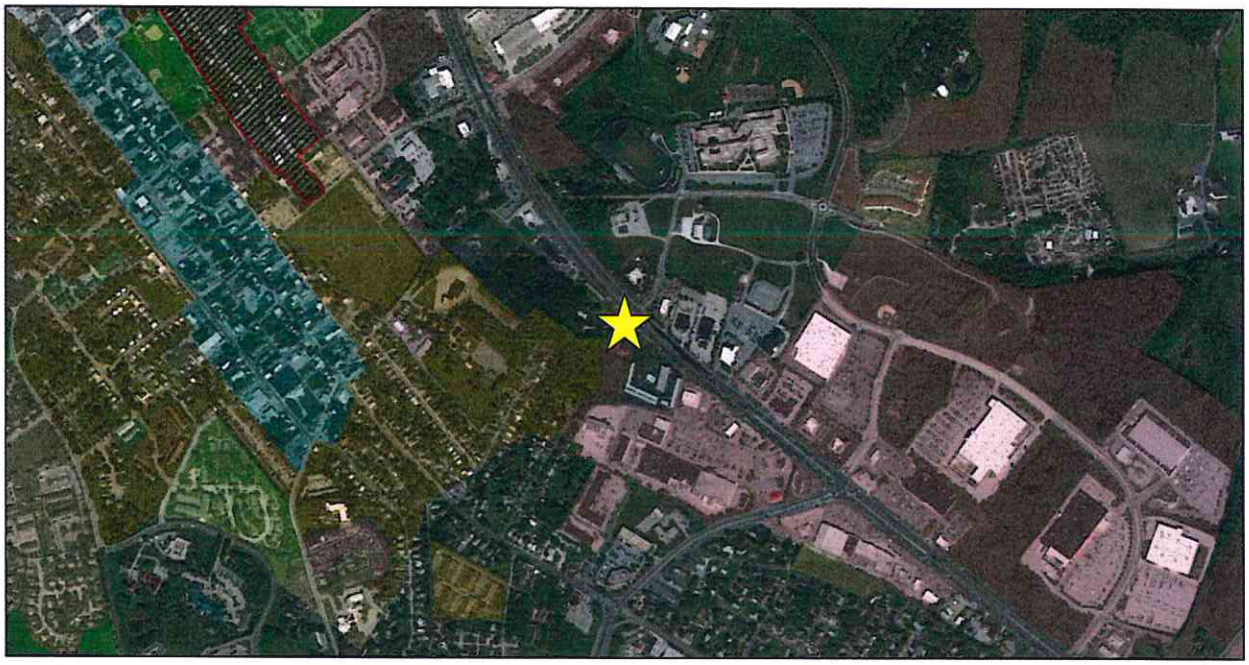
Zoning Map



3/22/2020, 11:34:36 AM

Zoning Overlays

Neighborhood Preservation

Property_Zoning

B, C, C-B, C-C, D-B, I-G, I-R, MUI, N-C, P-I, P-RSC, PD-4, PD-9, R-10,000, R-20,000, R-7,500

1:9,028

0 0.07 0.15 0.3 mi

0 0.13 0.25 0.5 km

CC GIS, FMiddleton, JBrown, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Web AppBuilder for ArcGIS
USDA FSA | CC GIS, Jeremy Brown | CC GIS, FMiddleton, JBrown | Jeremy Brown, Andrew Grey | Esri, HERE, iPC |

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E. SUMMARY

In summary, the subject property is well situated at the intersection of MD-140 and Gorsuch Road. The proposed design will replace the vacant veterinary office that is currently on the site. Site improvements will include a 2,535 sq. ft. four-bay quick lubrication vehicle shop facility with appropriate parking spaces. The facility will be utilized primarily by residents of the City of Westminster as well as those from surrounding Carroll County communities as they combine trips to this regional shopping destination with other errands. MD-140 serves as a major route which connects communities to I-795 and the Baltimore beltway. Traffic volume passing this intersection is strong with 2018 State Highway Administration data showing 53,360 AADT. The site is located in the center of the City of Westminster's primary retail corridor and is generally surrounded by other commercial establishments as well as the residential communities of downtown Westminster and surrounding suburban neighborhoods. This site is on the edge of the incorporated City of Westminster and has no direct access within the City limits. Rather it is oriented to serve the commercial corridor that passes through and along the City on MD-140.

Existing Veterinary Office Building

Gorsuch Road looking Southeast to subject

MD-140 Southeast from Subject

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Three adjacent residences

Retail on opposite side of MD-140

Subject frontage looking Northwest on MD-140

Gorsuch Road looking Southeast from 140 Village Shopping Center

Gorsuch Road looking Northwest from 140 Village Shopping Center

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III. NEED ANALYSIS

In this section, Valbridge reviews certain factors which are determinative of the subject's ability to accommodate public need. We estimate total demand for oil change services within the subject's trade area, estimate the subject oil change facility's usage, then draw conclusions regarding accommodation of public need.

A. WESTMINSTER TRADE AREA

We have defined the subject oil change facility's trade area as the area served by Westminster commercial and civic uses, drawing commuters and consumers from the City of Westminster and from throughout the central portion of Carroll County. Westminster has a premier location as a crossroads in Carroll County's highway network. The trade area has the following boundaries: Pennsylvania line on the North: a line approximately equidistant between MD Routes 140 and 26 on the South; a line approximately equidistant between MD Routes 97 and 30 on the East; and a line east of Taneytown following Big Pipe Creek and other geographic features. The trade area contains the following 14 Carroll County census tracts:

5020	5030	5041	5042.01	5042.02	5075	5076.01
5076.02	5077.02	5077.03	5077.04	5078.01	5078.02	5110

The trade area is depicted on the map on the following page. We have defined the trade area based on two principal factors:

- Commercial Services - The City of Westminster has the highest concentration of commercial services (including vehicle service stations) in Carroll County, serving not only City residents but also residents in surrounding areas. The City is well located within the trade area.

- Highway Network - The City of Westminster is located at a critical crossroads of the northern Carroll County highway network for commuters and consumers. It is served by MD Route 140 (Baltimore Boulevard) running northwest from the Baltimore County line to Frederick County. That route is intersected by MD Routes 27, 31 and 97 in the City. MD-32 links the City to the Eldersburg and Sykesville area to the South.

The Greater Carroll County market area is very attractive for retailers. Focused on the City of Westminster which is the County seat and economic center of the County, the trade area is relatively upscale and has a stable population base. The defined trade area extending outwards from the City reasonably contains the majority of commuters and consumers who are likely to travel through or do their shopping in the City of Westminster. Realistically, residents of other areas also avail themselves of the broad variety of offerings in the City.

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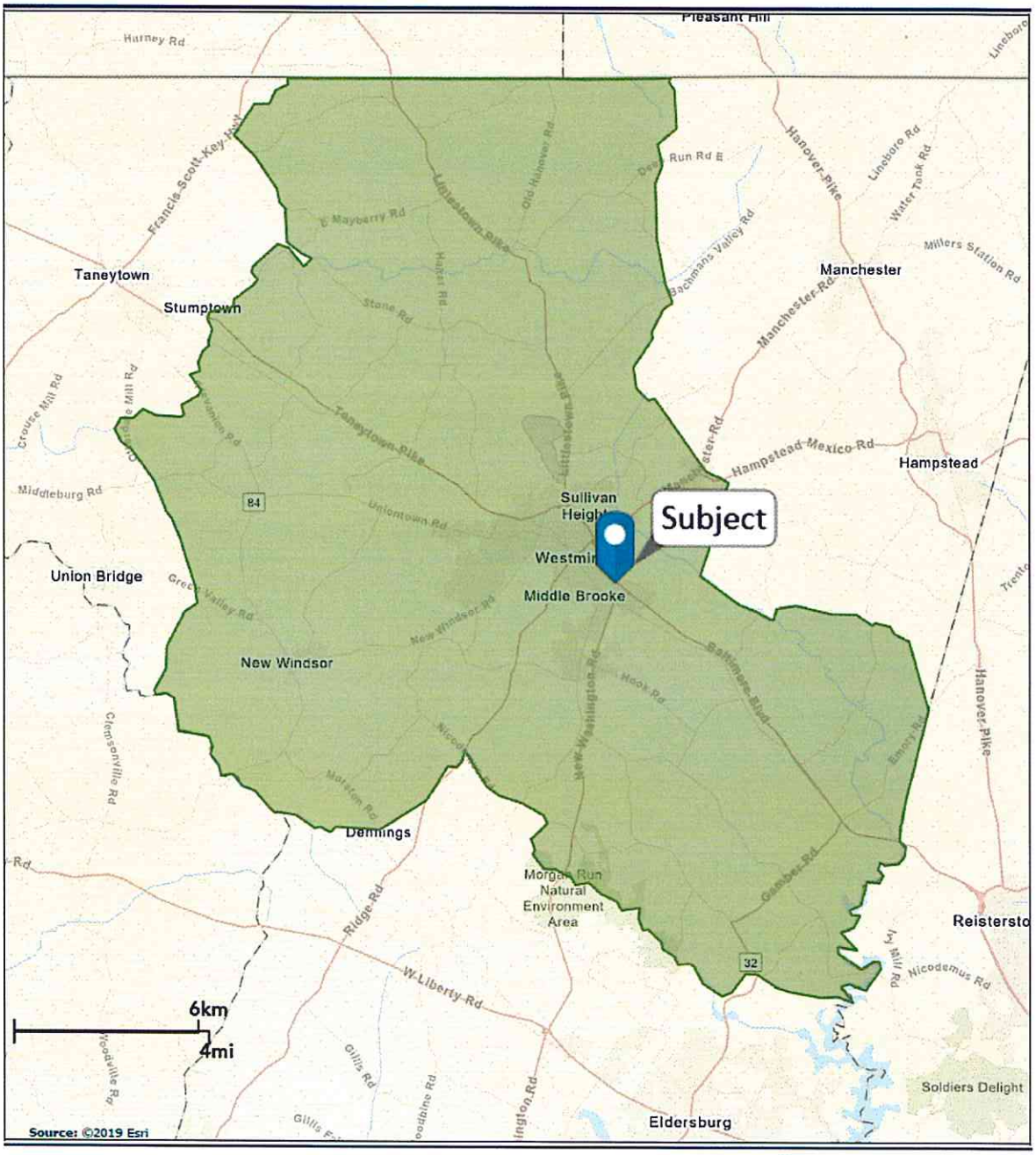
Trade Area Map



B. DEMAND FOR OIL CHANGE SERVICES

Demographic Data

We have compiled data obtained from the U.S. Census and Environmental Systems Research Institute, Inc. (ESRI), a respected national demographic and economic research firm, describing demographic trends and socio-economic characteristics of the trade area. Population trends have been as follows:

Demographic Trends				
	2000	2010	2019	2024
Trade Area:				
Population	62,808	67,511	68,940	69,855
Households	22,599	24,823	25,398	25,764
Carroll County:				
Population	150,897	167,134	172,218	174,865
Households	52,503	59,786	61,760	62,775

Source: 2000 and 2010 Census; ESRI estimate, 2019 and 2024.

Using the demographic statistics, we estimate the number of households in the defined trade area at 25,398 in 2019 — with growth of 2,799 households since 2000. Those households have the following socio-economic characteristics:

	Trade Area	Carroll County
Average Household Income (2019)	$109,828	$119,216
Average Household Size--Persons (2019)	2.64	2.73
Median Owner-Occupied Home Value (2019)	$335,409	$347,730
Estimated Homeownership Rate (2019)	69.2%	74.6%
Average Vehicles per Household (2013-2017)	2.2	2.2
Workers Driving Alone to Work (2013-2017)	84.1%	85.5%
Workers Working outside of Carroll (2013-2017)	42.8%	50.0%
Travel Time to Work 45+ minutes (2013-2017)	36.0%	35.9%

The trade area is populous and is expected to grow by approximately 1.4% through 2024. Its households are relatively affluent for the Baltimore MSA. The Census Bureau's American Community Survey for 2013-2017 estimates that there are 2.2 vehicles per household on average and more than one-third of workers commute more than 45 minutes to work.

Aggregate Household Income

Retail market analysis estimates demand for various goods and services based on the proportion of household income which consumers typically spend on those items. For purposes of our analysis, we have used ESRI's U.S. Consumer Spending data to estimate the average current expenditures by trade area households on lube/oil change services. This data incorporates the latest data from the Consumer Expenditure Surveys (CEX) from the Bureau of Labor Statistics and includes average spending per households for 17 spending categories. The first step is to calculate the aggregate income for the trade area. The trade area's aggregate income is calculated as $2,789,411,544 in 2019 as follows:

25,398 households x $109,828 average income = $2.78 Billion Aggregate Income

Estimated Oil Change Services Expenditures

Using 2019 ESRI data, we find that trade area households typically spent $1,419 annually on vehicle maintenance services while Carroll County households spent an average of $1,506 per year on vehicle maintenance services. This expenditure category is further separated into purchases of lubrication/oil change services which averaged $143 annually for the trade area and $151 for Carroll County. Both these figures align with the overall State average of $144. Valbridge estimates the total expenditures for lubrication/oil change services as follows:

Total Trade Area Households	25,398
Times: Oil Change Expenditure	x $143
Total Expenditures	$3,631,914

This estimate conservatively assumes that each of the estimated 25,398 households used for 2020 are purchasing approximately the same level of oil change services as in 2019. Given the 1.4% expected overall growth in the number of households through 2024 (roughly 73 households per year), we expect the level of demand for oil change services to remain relatively stable. We note that the average number of vehicles per household in the market area is 2.2 and that many trade area residents are long-distance commuters. With recent declines in the price of gasoline, it is also possible that driver behavior could be altered.

In addition, our estimates only include households residing in the trade area and therefore excludes any pass-thru traffic originating from census tracts outside of the defined trade area. Westminster is the principal retail center for northern Carroll County with destinations such as TownMall and a wide variety of big box stores, drawing consumers from beyond the defined trade area for these shopping needs. In particular, the Taneytown, Manchester and Hampstead areas beyond the defined trade area have populations approximately the same as the trade area and certainly patronize Westminster retailers that do not exist in those markets.

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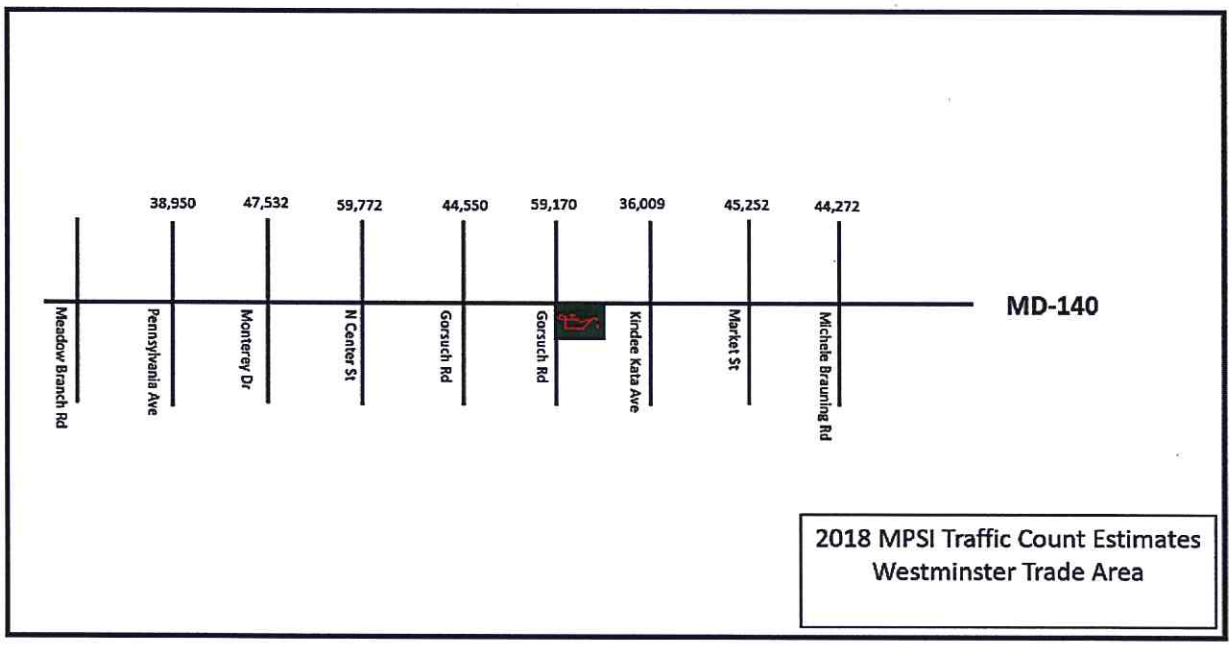
We have also chosen to exclude expenditures attributable to commercial vehicles from our estimates of overall demand given the lack of empirical data regarding the proportion of sales made to these users. We are aware of the presence of this type of demand through our own observations as well as SHA data indicating that approximately 7,060 light trucks pass through this section of MD-140 daily. We assume that small businesses in particular are most likely to use typical oil change facilities such as the subject, since larger construction and trucking companies will more often have their own maintenance locations.

Traffic Volume

We cannot use traffic count data to compute the individual demand impacts of each consumer group because the overall traffic data includes overlap among them. Nonetheless, the table which follows illustrates traffic volumes for various points along the MD-140 corridor to put into perspective the number of vehicles utilizing this route. Data estimates are provided by MPSI (Market Planning Solutions). It is reasonable to assume that there is sufficient traffic to accommodate the proposed subject site based on the provided traffic volume.



C. SUMMARY

The size and shape of the Westminster trade area has been determined based principally on demand for commercial services and the shape of the highway network serving Carroll County. The City of Westminster is a regional retail center and demand for quick lubrication services will realistically draw a number of customers from beyond the trade area boundaries. Trade area households are relatively affluent for the Baltimore Metropolitan area and are for the majority long-distance commuters with more than one-third commuting more than 45 minutes. Nearly half of all trade area households have workplaces outside of Carroll County

In 2020, we estimate that trade area households are annually spending an aggregate of approximately $3.6 million on lubrication/oil change services ($143 per household). With a forecasted growth in trade area households of 1.4% through 2024, we expect demand to remain stable going forward. We note that the average number of vehicles per household in the market area is 2.2 and that many trade area residents are long-distance commuters. With recent declines in the price of gasoline, it is also possible that driver behavior could be altered.

Although residents of the Westminster trade area will account for a significant majority of demand, we believe our estimate of $3.6 million to be conservative as it only reflect households residing within the trade area and excludes any pass-thru traffic originating from census tracts outside of the defined trade area. Our estimate of overall demand also excludes expenditures attributable to commercial vehicles given the lack of empirical data regarding the proportion of sales made to these users. Regardless, we find that there is strong demand within the Westminster trade area for quick lubrication vehicle services.

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IV. TRADE AREA SUPPLY

In this section Valbridge evaluates the proposed quick lubrication vehicle shop operation in the context of its competitive environment—in Carroll County generally and also within the defined Greater Westminster trade area. The primary trade area is defined as 14 census tracts that represent the local residential and commercial community associated with the City of Westminster and the MD-140 corridor. In addition to our observations, we have consulted various sources including the Maryland Department of Assessments & Taxation (SDAT), CoStar Realty Group's commercial multiple list system and others to better describe the competitive supply in the Westminster area.

A. AUTOMOBILE SERVICE STATIONS

Westminster zoning regulations define an automobile service center as, "Any area of land, including buildings and other structures, that is used to dispense motor vehicle fuels, oil and accessories at retail, where minor repair service is incidental and where no storage or parking space is offered for rent."[1] The special exception standards also state that a lack of probability of a reasonable public need exists if:

(a) An automobile service station within one mile on the same side of the road, except at intersections.

(b) The presence of two service stations within the four quadrants of an intersection, including ½ mile from the center of the intersection in any direction.[2]

The definition of an automobile service center in the Westminster zoning code is very broad, when considering the wide variety of specific automobile related service and parts retailers. This proposed use is very narrow, in that the quick-lube oil change facility does not do traditional auto repair, that requires appointments, vehicle drop-offs and tow truck operations. This use is designed to support the consumer with the convenience of stopping through to get an oil change and/or other incidental services while on the way to other destinations. The use is principally a retail operation in that regard. Customers are typically in the service bay for approximately 12-15 minutes, and do not leave their car to go to a waiting room. Consumer behavior is similar to a drive-through restaurant, wherein if they have time and a need to get the service, they will stop through, and if there is a line, they will stop by at another time. At the national average of 13,500

[1] §164-3. Definitions and word usage, Zoning and Subdivision of Land, City of Westminster, p14.
[2] §164-149.A.(4) Automobile service stations, Zoning and Subdivision of Land, City of Westminster, p184.

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miles per year driven, the typical customer will stop through two to three times per year, per automobile (based on an oil change interval of 4,500 miles).[3]

Therefore, Valbridge chose to analyze only those facilities which are in direct competition with the subject for customers seeking expedient oil change services. Although performing oil changes is the main service being offered at the subject, the large variety of vehicle makes and models on the road today requires business owners to stock thousands of dollars' worth of inventory including multiple oil types, oil filters, windshield wipers, light bulbs and other fluids. All the services offered at Valvoline are done with the customer remaining in the car. These services include filter replacements, wipers, light bulbs and tire rotation. These services are not available to all makes and models, based on the specific requirements of some brands and the preservation of the "quick" component of the service model at these facilities.

While we have observed full-service garages in the trade area offering oil change services, most customers intentionally visit those shops seeking particular repairs or to purchase an entire set of new tires, both of which are big-ticket items that require an appointment and dropping of the vehicle for some time or days. Oil change services at full-service garages are often loss-leaders designed to attract new customers and provide an opportunity for a garage to do an inspection of a car and recommend other necessary repairs. Quick lubrication facilities are more likely to see a customer at least twice per year while a full-service garage or tire shop could wait three or more years before making another sale to the same person. Modern quick lubrication vehicle oil change facilities have been designed to minimize the time spent servicing each vehicle and extensively highlight this in their advertising. Many locations now feature basement construction so that routine maintenance services such as inflating tires, adjusting fluids, changing filters and replacing light bulbs can be completed while another employee works from below. Full-service garages and tire shops frequently require scheduled appointments and have adequate parking to accommodate customers who wish to drop off their vehicles.

B. WESTMINSTER AREA

Considering that the subject will not dispense motor vehicle fuels, provide major repair services or maintain retail floorspace dedicated to the sale of auto parts and accessories, we have included only those establishments which fall under the Institute of Transportation Engineers' (ITE) classification of a Quick Lubrication Vehicle Shop. The ITE description of a Quick Lubrication Vehicle Shop is as follows:

> *"...a business where the primary activity is to perform oil change services for vehicles. Other ancillary services provided may include preventative maintenance, such as fluid and filter changes. Automobile repair service is generally not provided."*

[3] Valvoline Instant Oil Change System.

We have included facilities from throughout Carroll County to provide context of the overall need for expedient oil change services. The competitive supply within the trade area is considered core facilities as they are important for serving demand derived from throughout the County. As available, the areas of each Quick Lubrication Vehicle Shop improvements and parcels have been taken from SDAT assessment records for the sake of consistency. We find that there are three other existing facilities located throughout Carroll County:

- Jiffy Lube – 385 N Center Street, Westminster – located in the Cranberry Square shopping plaza, this is the closest competitor to the subject. Built in the early 1990s, this facility originally had three service bays and a car wash. The car wash has been converted to an additional service bay. This is the only facility located within the subject's trade area.

- Jiffy Lube – 1951 Dickenson Road, Eldersburg – this facility is located at the intersection of Liberty Road and Monroe Avenue across from a Weis supermarket. The facility was constructed in 1997 and is approximately 2,070 sq. ft. with two service bays and a waiting area.

- Jiffy Lube – 1001 Twin Arch Road, Mount Airy – located in the Twin Arch Shopping Center off Route 27, this facility is adjacent to a High's gasoline station and was built in 1989. The facility has two service bays and a carwash.

Evaluation

Of the surveyed facilities, only one was within the boundaries of the defined trade area. None of the facilities were built in the last decade and all adhere to the same Jiffy Lube franchise design format which requires customers to exit their vehicles. Two of the facilities have two service bays while the Jiffy Lube in Westminster has four. The facilities are either positioned as pad sites within a shopping center or are proximate to a concentrated retail corridor. Given the geographic scale of the County each facility effectively services a different target market and are located on major roadways which extend radially outwards from Baltimore City. Additionally, our research did not find any Quick Lubrication Vehicle Shops between the City of Westminster and the Pennsylvania border.

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385 N Center Street, Westminster
Cranberry Square Shopping Center

1001 Twin Arch Road, Mount Airy
Twin Arch Shopping Center

1951 Dickenson Road, Eldersburg

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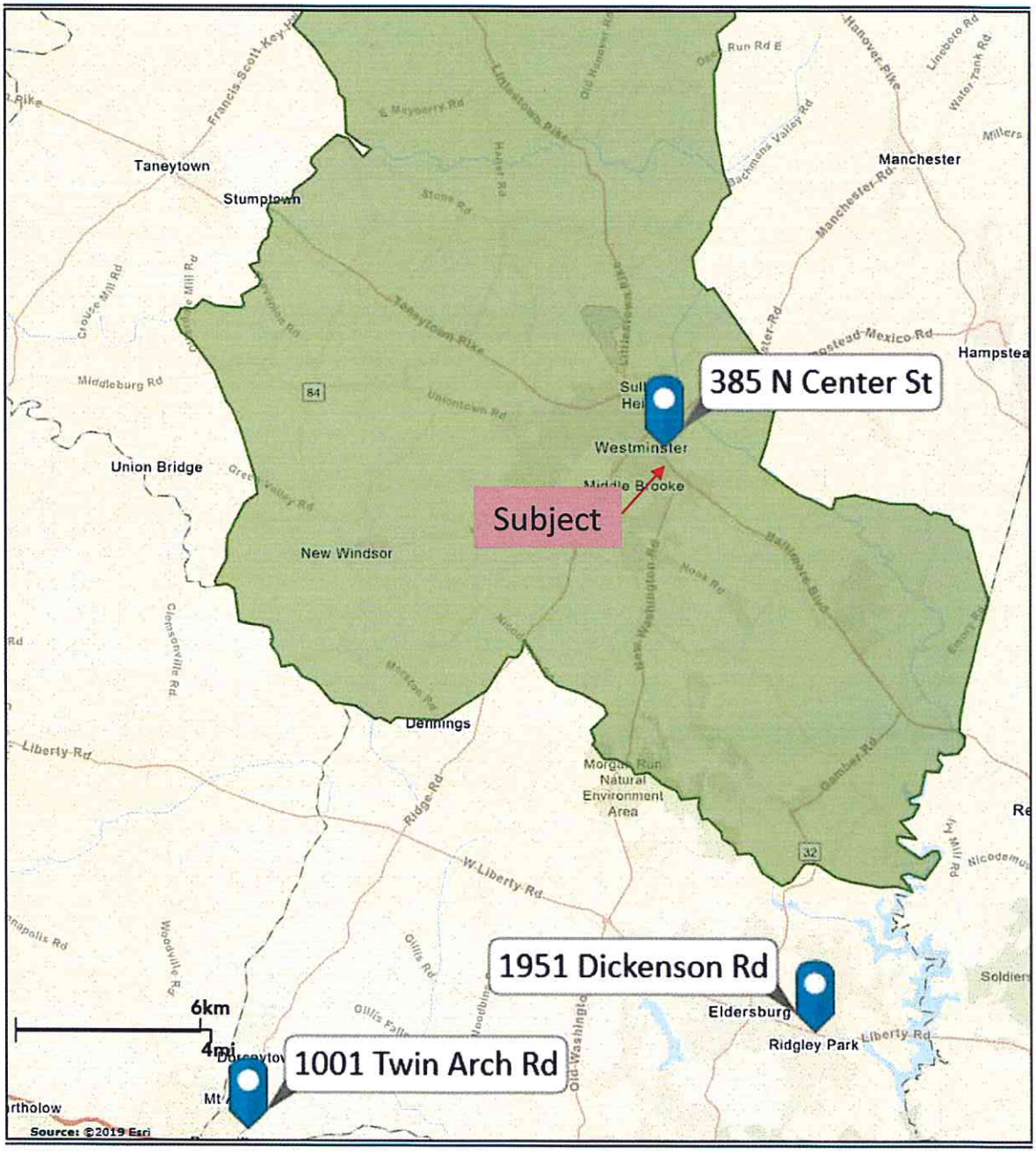
Existing Supply



C. CURRENT PERFORMANCE

Without exact sales figures or information regarding what proportion of sales are directly attributable to oil change services from each competitor, we have estimated the total capacity of these three existing stations using the assumption that each is operating at maximum efficiency. The typical Jiffy Lube location surveyed was open 71 hours per week which consisted of 11 hours per day on weekdays and seven to nine hours on the weekends. An extremely optimistic view that all service bays will have a non-stop flow of customers and will take an average of 15 minutes to complete an oil change, then each bay can complete 284 oil changes per week or roughly 40 per day. If the vehicle turnover time is increased to 30 minutes to account for wait times, then a typical bay can complete 142 oil changes per week or 568 oil changes per month. This figure is more realistic and aligns with national industry data which indicates that typical facilities perform about 1,200 oil changes per month. We have calculated the capacity for each facility under this more realistic conservative approach are as follows:

385 N Center Street – 4 service bays x 142 oil changes per week x 52 weeks = 29,536 per year

1951 Dickenson Road – 2 service bays x 142 oil changes per week x 52 weeks = 14,768 per year

1001 Twin Arch Road – 2 service bays x 142 oil changes per week x 52 weeks = 14,768 per year

Total capacity = 59,072 oil changes per year

Based on household data as provided in the previous chapter, we know that there are approximately 25,398 households (55,876 vehicles) currently residing within the Westminster trade area and around 62,775 households (138,105 vehicles) within Carroll County. There is one quick lubrication shop within the defined trade area at 385 N Center Street. Under performance assumptions which most closely align with national industry data, this facility is estimated to have a total capacity of 29,536 oil changes per year. Dividing this single facility's capacity by the total number of trade area households restricts each household to slightly more than one visit to this facility per year. Knowing that trade area households possess 2.2 vehicles on average and each vehicle will require an oil change between two to three times per year based on a 4,500-mile service interval demonstrates an overwhelming volume of unmet demand. Even under the most optimistic performance assumptions which would reduce service times to fifteen minutes per vehicle and double the capacity of this sole facility, there would still be a shortfall of two to four required oil changes by each household annually. It is clear, then, that trade area households are fulfilling their oil change needs at the various full-service garages, tire dealers, dealerships or DIY self-service.

D. SUMMARY

Trade area households are being forced to have their oil change service needs fulfilled at full-service garages and tire shops due to a lack of capacity. These establishments are often less convenient and are not intentionally visited unless the customer is seeking vehicle repairs or to purchase an entire set of new tires, both of which are big-ticket items that require an appointment and vehicle drop off. Oil change facilities such as the subject are more likely to see a customer at least twice per year while a full-service garage or tire shop could wait three or more years before making another sale to the same person.

We consider the subject to be a "Quick Lubrication Vehicle Shop" with features such as basement construction and minimal parking spaces. This design highlights the businesses' emphasis on expedient service in contrast to a full-service garage and tire shops which frequently require appointments and allow customers to drop off their vehicles. There are only three facilities throughout Carroll County which we believe are directly comparable with the subject and only one of these is located within the Westminster trade area. All three facilities operate under the Jiffy Lube brand name and given the geographic scale of the County each facility effectively services a different geographic target market.

The existing capacity for quick oil change services within the trade area is estimated at 29,536 oil changes per year, yet there are approximately 56,000 vehicles possessed by these households requiring two to three annual service visits per vehicle. Even under the most optimistic performance assumptions which would effectively double trade area capacity, households are still restricted to slightly more than two annual oil changes per year in contrast to the necessitated four to six oil changes.

We therefore find that the addition of the subject will be convenient and serve the needs of households within the City of Westminster and surrounding areas. There have been zero quick lubrication shops built in the last decade throughout Carroll County and the subject would be an expedient alternative in comparison to the full-service garages and tire shops which are currently absorbing this unmet consumer demand.

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V. POTENTIAL IMPACT ON PROPERTY VALUES

The subject site is a unique property located in a unique setting:

- ✓ On a mixed-use road at an intersection with a divided commercial highway;
- ✓ Surrounded on three sides by unincorporated lands of both commercial and residential zoning;
- ✓ Designation as housing for older persons in the City Comprehensive Plan, but zoned completely business;
- ✓ No direct access to incorporated City streets or uses.

This site is located on the southwest side of MD-140, a divided, multi-lane arterial highway with signalized intersections at all cross streets in the approximately 5.5-mile length through the City of Westminster. The MD-140 corridor through the City is decidedly commercial especially between the interchange of Westminster Crossing shopping center in the North and the used car dealership south of the City at 1203 Baltimore Blvd – a stretch of approximately 3.1 miles. The subject site is located slightly north of the midpoint of this commercial strip.

The 2009 Westminster Comprehensive Plan identifies the site as Housing for Older Persons[4], assuming an assemblage with the larger parcel uphill and to the rear of this frontage lot. However, zoning is designated Business and the housing for older persons comprehensive plan designation has no commensurate zoning designation other than high density residential, making it too narrow to be legally implemented on a specific property. The future land use of potentially annexed land calls for Urban Residential, high-density residential uses on the lands northwest of the subject site, as well as the continuation of the commercial land uses to the South and across MD-140.

Valbridge has analyzed the corridor and determined that there is a total of five single family homes proximal to the highway. Four on Gorsuch Road just northwest of the site and four on the opposite side of MD-140 on Old Gorsuch Road, between the high school and MD-140. None of these homes front directly on MD-140 and all are surrounded by non-residential or vacant land uses.

Our conclusion is that this use is consistent with the land uses prevalent on the MD-140 strip

[4] "Land within the Housing for Older Persons designation is generally located in existing neighborhoods where there is adequate vacant land available for high-density senior housing. This type of development will afford older persons the opportunity to live in a convenience-driven community that provides larger housing units and preserves personal independence in the home environment." 2009 Westminster Comprehensive Plan, p85.

through Westminster. The activity proposed for this land use offers no more inherent adverse impact on the adjacent land uses, than it would at any other location along this strip or anywhere else in this particular zoning district. This use is appropriate for the site based on the 2009 Westminster Comprehensive Plan and also the 2014 Carroll County Master Plan, as amended. This site was previously a commercial use and there are other high-traffic existing commercial uses in the neighborhood (ice cream, gasoline station, restaurants, tobacco store, motel, shopping centers, etc. – there is no means by which it could be discerned that this proposed use would have any more adverse effect than any other existing use in the community.

APPENDIX A
Consultant Qualifications

Valbridge Property Advisors

Valbridge is the largest national commercial real estate valuation and advisory services firm in North America with more than 675 professionals in 70 offices. We are a multifaceted, independent real estate consulting and appraisal firm covering all property types, including special-purpose and services from site acquisition to market feasibility to valuation. Our Marriottsville, Maryland office employs 13 professionals, of which three hold the MAI designation and other advanced degrees. Professional licenses are held by various members of the firm in Maryland, District of Columbia, Pennsylvania, Delaware and Virginia. Academic degrees and professional designations are combined with hands-on real estate investment, development and ownership expertise--offering our clients many decades of accumulated counseling and valuation experience.

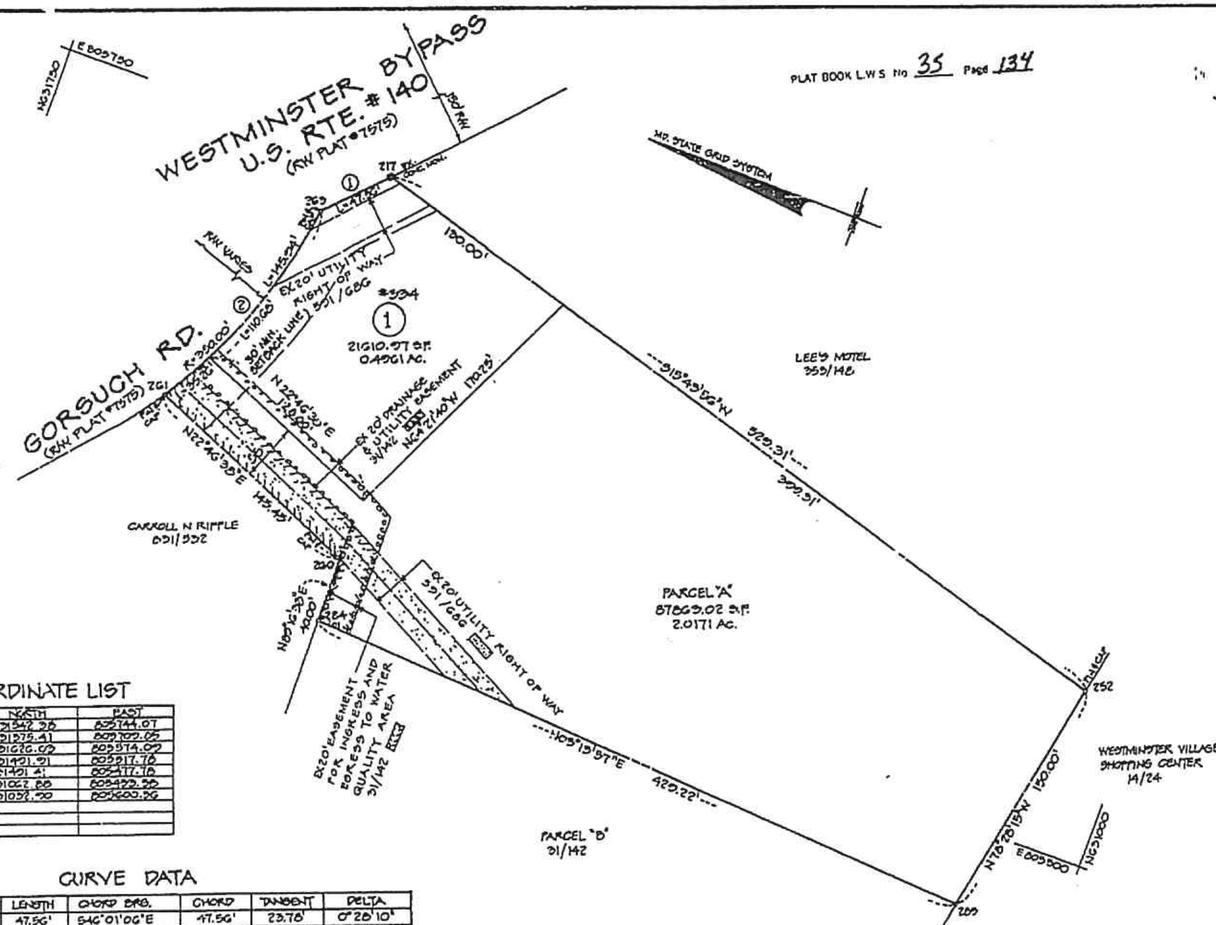
We provide clients with objective advice and practical assistance at every stage of decision-making on the development, use or reuse of all types of real estate. Our clients include corporations, institutions, real estate owners, builders, developers, and government entities. Our professional staff has an exceptional capability to use a vast array of information and resources to assist clients in making sound, timely decisions through the real estate planning, financing and development process.

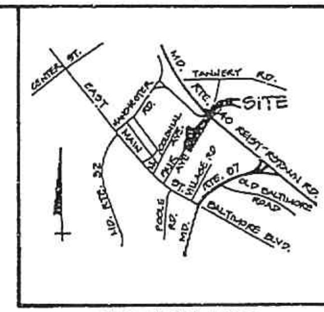
Edward M. Steere, AICP

Edward M. Steere, AICP is the senior consultant who completed this assignment. Mr. Steere has a broad professional background in planning and real estate acquired over 30 years in the industry including: site design, entitlement, research, sales and marketing, development, financing and appraisal. His advisory assignments have encompassed: market and financial feasibility analyses of major real estate projects; land acquisition and marketing for residential development; tax-motivated and conventional financing for single family and multifamily residential projects; and advising public, non-profit and private clients concerning real estate decision-making. Mr. Steere is qualified in analyzing the multitude of issues relating to residential and commercial real estate development, including: demographic and economic trends, financial analysis and property valuation, economic and fiscal impacts. Mr. Steere has conducted real estate and market feasibility analyses throughout the Washington-Baltimore region. He has testified before administrative bodies concerning the public need for various kinds of commercial facilities and other planning issues in many of the jurisdictions in the Washington-Baltimore region.

PLAT BOOK L.W.S. No 35 Page 134

MC





VICINITY MAP

SCALE: 1" = 2000'

GENERAL NOTES

1. BEARINGS AND COORDINATES SHOWN ON THIS PLAT ARE BASED ON THE MARYLAND STATE GRID SYSTEM.
2. ZONING : "B" - BUSINESS
3. NOTHING SHOWN OR STATED ON THIS PLAT SHALL CREATE A COVENANT OR RESTRICTION OF TITLE.
4. A FIVE FOOT UTILITY AND DRAINAGE EASEMENT IS RESERVED ALONG ALL NON-FRONTAGE LOT LINES.
5. PUBLIC WATER AND SEWER WILL BE AVAILABLE TO ALL LOTS OFFERED FOR SALE.
6. NO GRADING, FILLING, OR CONSTRUCTION SHALL BE PERMITTED WHICH OBSTRUCTS OR INHIBITS THE SURFACE FLOW OF WATER WITHIN DRAINAGE AND UTILITY EASEMENTS AS SHOWN HEREON.
7. ANY MODIFICATION OR PLAT REASSEMBLY SHALL BE SUBJECT TO APPROVAL BY THE CITY OF WESTMINSTER, PLANNING AND ZONING COMMISSION.
8. COUNTY MASTER PLAN FOR WATER AND SEWERAGE
   WATER - EX. SERVICE AREA
   SEWER - EX. SERVICE AREA
   NO INDIVIDUAL WATER AND SEWERAGE SYSTEMS SHALL BE PERMITTED.
9. DEED REFERENCE : 547/490, DATED JULY 11, 1973. CURRENT TITLE, DAVID L. BOOTH AND SARAH S. BOOTH. GRANTOR, IRENE C. KERN.
10. ⊡ DENOTES CONCRETE SURVEY MARKERS THAT HAVE BEEN SET AS SHOWN.
11. NO DIRECT ACCESS TO MD 140 TO OR FROM THE SUBJECT SITE WILL BE ALLOWED. ALL ACCESS WILL BE VIA GORSUCH ROAD.
12. DEVELOPER IS TO BE AWARE OF POSSIBLE RESTRICTIONS RELATED TO UTILITY EASEMENTS.
13. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 1 FROM PARCEL "A".

COORDINATE LIST

POINT	NORTH	EAST
217	631542.38	805744.07
263	631575.41	805709.05
261	631626.02	805574.09
260	631491.91	805517.76
284	631491.41	805477.78
265	631062.88	805422.58
252	631052.90	805600.56

CURVE DATA

NO	RADIUS	LENGTH	CHORD BRG.	CHORD	TANGENT	DELTA
①	5801.58'	47.56'	S46°01'06"E	47.56'	23.78'	0°28'10"
②	350.00'	145.94'	S65°33'08"E	144.88'	74.05'	23°53'26"

DATA TABULATION

1. TOTAL AREA OF LOT 1 = 21610.97 S.F. OR 0.4961 AC.
2. TOTAL AREA OF PARCEL "A" = 87863.02 S.F. OR 2.0171 AC.
3. TOTAL AREA OF PLAT = 109473.99 S.F. OR 2.5132 Ac.
4. NUMBER OF BUILDING SITES = 1

OWNER/DEVELOPER
DR. DAVID L. & SARAH S. BOOTH
334 GORSUCH ROAD
WESTMINSTER, MD. 21157

AMENDED PLAT OF PARCEL "A"
"BOOTH PROPERTY"
(PREVIOUSLY RECORDED IN PLAT BOOK 31, FOLIO 142)

ELECTION DISTRICT 7 — CARROLL COUNTY, MARYLAND
SCALE: 1" = 50' — CITY OF WESTMINSTER — MARCH 24, 1992

CITY OF WESTMINSTER

REVIEWED & RECOMMENDED FOR APPROVAL
DIRECTOR OF PLANNING & PUBLIC WORKS
BY [signature] 7/16/92 DATE

ZONING ADMINISTRATOR
BY [signature] 7/13/92 DATE

ACKNOWLEDGED
[signature] 7/16/92
MAYOR DATE

WESTMINSTER PLANNING AND ZONING COMMISSION APPROVED
[signature] DATE

CARROLL COUNTY HEALTH DEPARTMENT APPROVAL

BY [signature] DATE 7/13/92

COMMUNITY WATER AND/OR SEWERAGE SYSTEMS ARE IN CONFORMANCE WITH CARROLL COUNTY MASTER PLAN FOR WATER AND SEWER (89-00).

MARYLAND DEPARTMENT OF THE ENVIRONMENT
WATER CONTRACT NO. ~ ISSUED: EXISTING
SEWER CONTRACT NO. ~ ISSUED: EXISTING

SURVEYOR'S CERTIFICATION

I, CHARLES A. PHILLIPS JR., A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT PREPARED IN COMPLIANCE WITH SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE PREPARATION OF RECORD PLATS.

[signature] 6/24/92
CHARLES A. PHILLIPS JR. PROPERTY LINE SURVEYOR #463 DATE

CERTIFICATION

I (WE), OWNER(S) OF THE PROPERTY SHOWN HEREON, AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE BUILDING LINES AS SHOWN, AND CERTIFY THAT THE REQUIREMENTS OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND (1974) AS AMENDED PERTAINING TO THE PREPARATION OF RECORD PLATS, AND SUBSEQUENT ACTS, IF ANY, AMENDATORY THERETO AS FAR AS THEY RELATE TO THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH. NEW STREETS, ROADS, OPEN SPACES, AND THE MENTION THEREOF IN DEEDS, ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE LAND SO SHOWN IS EXPRESSLY RESERVED IN THE PRESENT OWNER(S) SHOWN ON THIS PLAT, THEIR SUCCESSORS, HEIRS, AND ASSIGNS. NO MORE THAN ONE PRINCIPAL BUILDING SHALL BE PERMITTED ON ANY RESIDENTIAL LOT AND NO SUCH LOT MAY EVER BE RE-SUBDIVIDED SO AS TO PRODUCE A BUILDING SITE OF LESS AREA OR WIDTH THAN THE MINIMUM REQUIRED BY APPLICABLE HEALTH, ZONING, OR OTHER REGULATIONS. COMMUNITY WATER AND SEWERAGE FACILITIES WILL BE AVAILABLE TO ALL LOTS OFFERED FOR SALE.

OWNER [signature] DATE
OWNER [signature] 6/24/92 DATE
WITNESS [signature] 6/26/92 DATE

STATE OF MARYLAND PROPERTY LINE SURVEYOR

KCI TECHNOLOGIES, INC.
ENGINEERS AND PLANNERS
1020 CROMWELL BRIDGE ROAD
BALTIMORE, MARYLAND 21204
(410) 321-5500

COMPUTED: A.P. — DRAWN: J.V.K. — CHECKED: C.

FILE No. T-92-017F

TRAFFIC CONCEPTS, INC.

Traffic Impact Studies • Feasibility • Traffic Signal Design • Traffic Counts •Expert Testimony

April 17, 2020

Mr. Randolph L. Kazazian III
Vice President of Real Estate
Henley Enterprises
54 Jaconnet Street
Newton Highlands, MA 02461

RE: Traffic Exemption Statement
Valvoline – 334 Gorsuch Road
Westminster, Maryland
T/C 3638

Dear Mr. Kazazian:

Traffic Concepts, Inc. has conducted a comparative trip generation analysis for the proposed Valvoline quick lubrication vehicle service shop with four (4) service bays and a 3,620 gsf veterinary clinic that previously operated on the subject site. The site address is 334 Gorsuch Road, Westminster and is situated on the southeast quadrant of MD 140 (Baltimore Boulevard) and Gorsuch Road. The site has a direct full movement access to Gorsuch Road.

The weekday peak hour trip generation data for both the proposed Valvoline Shop and the former veterinary clinic were determined with the *Institute of Transportation Engineers; Trip Generation Manual, 10th Edition* (ITE). Additional data generated by the Valvoline Corporate Office is also provided to show the actual number of vehicle services completed on a weekday at an existing Valvoline Shop, which offers similar services as the proposed Westminster Shop. This Valvoline shop is located in Howard County at 4215 MD 103 (Montgomery Road).

The ITE trip generation data for a Quick Lubrication Vehicle Shop (LUC 941) was applied to the proposed Valvoline Shop in order to determine the new site generated weekday peak hour trips. The independent variable used to determine the new site trips are the four (4) proposed service bays. The former veterinary clinic weekday trips were generated using the Animal Hospital/Veterinary Clinic land use (LUC 640) with a floor area of 3,620 gross square feet. The ITE forecasted weekday peak hour trips are provided on the following page.

7525 Connelley Drive • Suite B • Hanover, MD 21076 • Phone (410) 760-2911 • Fax (410) 760-2915

Table I: Trip Generation

Weekday Peak Hour New Site Trips	AM			PM		
	IN	OUT	Total	IN	OUT	Total
Quick Lubrication Vehicle Shop (941) Per Four (4) Service bays	8	4	12	11	8	19
Animal Hospital/Veterinary Clinic (640) Per 1,000 SQ. FT. GFA – 3.620 GFA	9	4	13	5	8	13
Difference	-1	0	-1	+6	0	+6

Source: *Institute of Transportation Engineers; Trip Generation Manual, 10th Edition*

According to the ITE data provided on Table I, the proposed Valvoline shop when compared to the veterinary clinic would generate one (1) fewer weekday AM peak hour trip and six (6) additional weekday PM peak hour trips. The additional six trips generated during the weekday PM peak hour would have a minimal impact to the existing site access point at Gorsuch Road and at the nearby intersections when compared to the existing traffic volumes.

The data shown on Table II, was collected from a Howard County Valvoline shop and represents the actual number of vehicles serviced at the shop each day. As previously stated, the Howard County shop provides the same vehicle service proposed at the Westminster Valvoline shop. The complete data set for the year 2017 is provided as an attachment.

The data for this shop shows an average of 51 vehicles serviced each weekday. A vehicle trip is defined as a one directional movement that is either entering or exiting from the driveway. Therefore, the number of weekday average daily trips at the proposed Valvoline driveway is 102.

Table II: Valvoline Data (Vehicles Serviced per day Year: 2017)

Valvoline Store # BA0009	Day of the Week	Vehicles Serviced per Day
BA0009	**Monday**	**55**
BA0009	**Tuesday**	**44**
BA0009	**Wednesday**	**47**
BA0009	**Thursday**	**49**
BA0009	**Friday**	**62**
Total Vehicles Serviced (Weekday)		**257(Visits) / 5 (Days) = 51**

Source: Valvoline 2017 Service Data

The project developer expects the proposed Westminster shop, after a period of time, would service 50 vehicle per day that would also generate 102 average weekday trips. We would expect the weekday peak hour trips would be no more than fifteen percent of the average daily trips. Using the actual Valvoline data, the expected weekday peak hour trips generated by the proposed Westminster Valvoline Shop are 15. This finding compares well to the 12 AM peak hour trips and the 19 PM peak hour trips generated with the ITE data. Therefore, we believe the actual Valvoline data validates the ITE data in terms of the weekday peak hour driveway volume.

Based on this generation analysis, Traffic Concepts, Inc. concludes the proposed use would generate weekday peak hour trips that are similar to the previous animal clinic. With this finding, we also conclude the proposed Valvoline Shop with four service bays would have a minimal impact on the existing commercial access and on the surrounding roadway network.

We also note that the MDOT SHA threshold for conducting a traffic impact analysis is fifty (50) weekday peak hour trips. As shown with this analysis using ITE traffic data, the proposed Valvoline shop would generate 12 AM weekday peak hour trips and 19 PM weekday PM peak hour trips. Therefore, from a MDOT SHA standpoint, this project would not meet the 50-weekday peak hour trip threshold that initiates the requirements to conduct a full Traffic Impact Study. However, during the site plan review period, we would expect to provide the City of Westminster and MDOT SHA with detailed site access information that would include intersection controls and peak hour volume.

If you have any questions or require additional information, please feel free to contact our office at your convenience.

Sincerely,

TRAFFIC CONCEPTS, INC.

Mark Keeley

Mark Keeley, PTP
MKeeley@traffic-concepts.com

Attachment: ITE 10th edition Trip Information
Valvoline Corporate Vehicle Service Data

Quick Lubrication Vehicle Shop
(941)

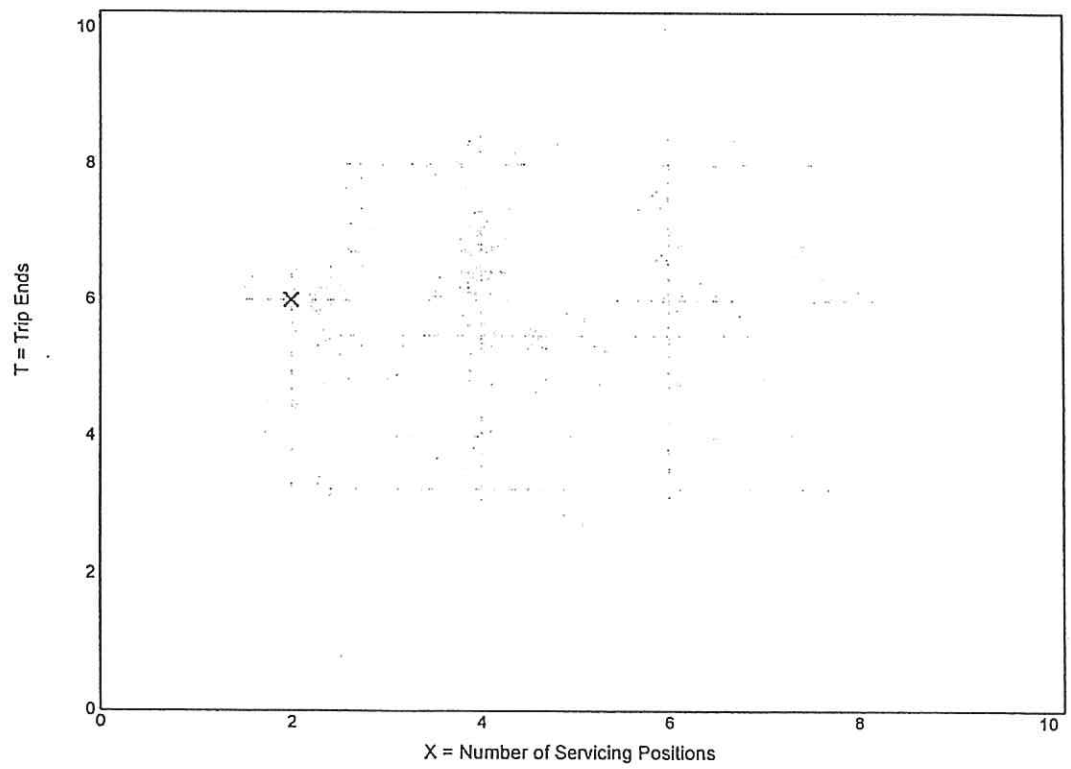
Vehicle Trip Ends vs:	Servicing Positions
On a:	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.
Setting/Location:	General Urban/Suburban
Number of Studies:	1
Avg. Num. of Servicing Positions:	2
Directional Distribution:	67% entering, 33% exiting

Vehicle Trip Generation per Servicing Position

Average Rate	Range of Rates	Standard Deviation
3.00	3.00 - 3.00	*

Data Plot and Equation

Caution – Small Sample Size



X Study Site

- - - - Average Rate

Fitted Curve Equation: Not Given

R^2= ****

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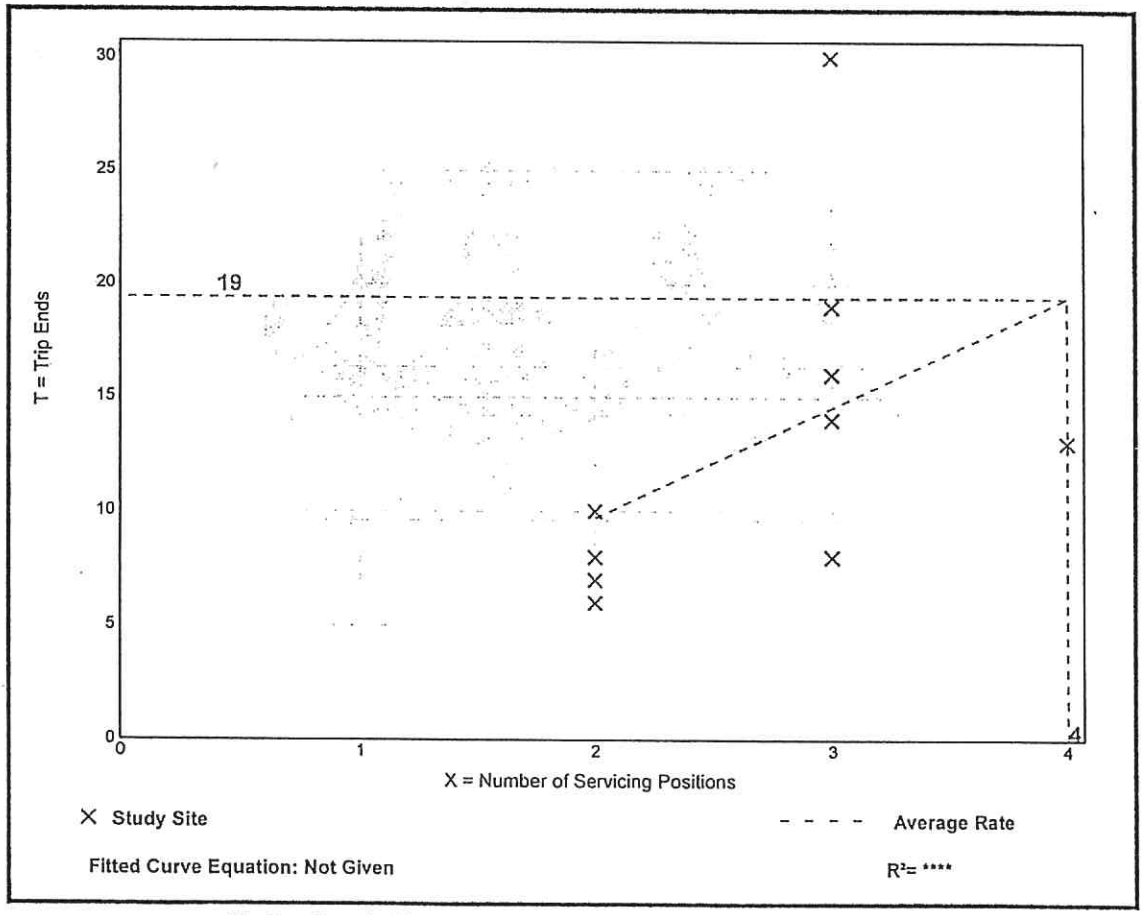
Quick Lubrication Vehicle Shop
(941)

Vehicle Trip Ends vs:	Servicing Positions
On a:	Weekday,
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 4 and 6 p.m.
Setting/Location:	General Urban/Suburban
Number of Studies:	10
Avg. Num. of Servicing Positions:	3
Directional Distribution:	56% entering, 44% exiting

Vehicle Trip Generation per Servicing Position

Average Rate	Range of Rates	Standard Deviation
4.85	2.67 - 10.00	2.25

Data Plot and Equation



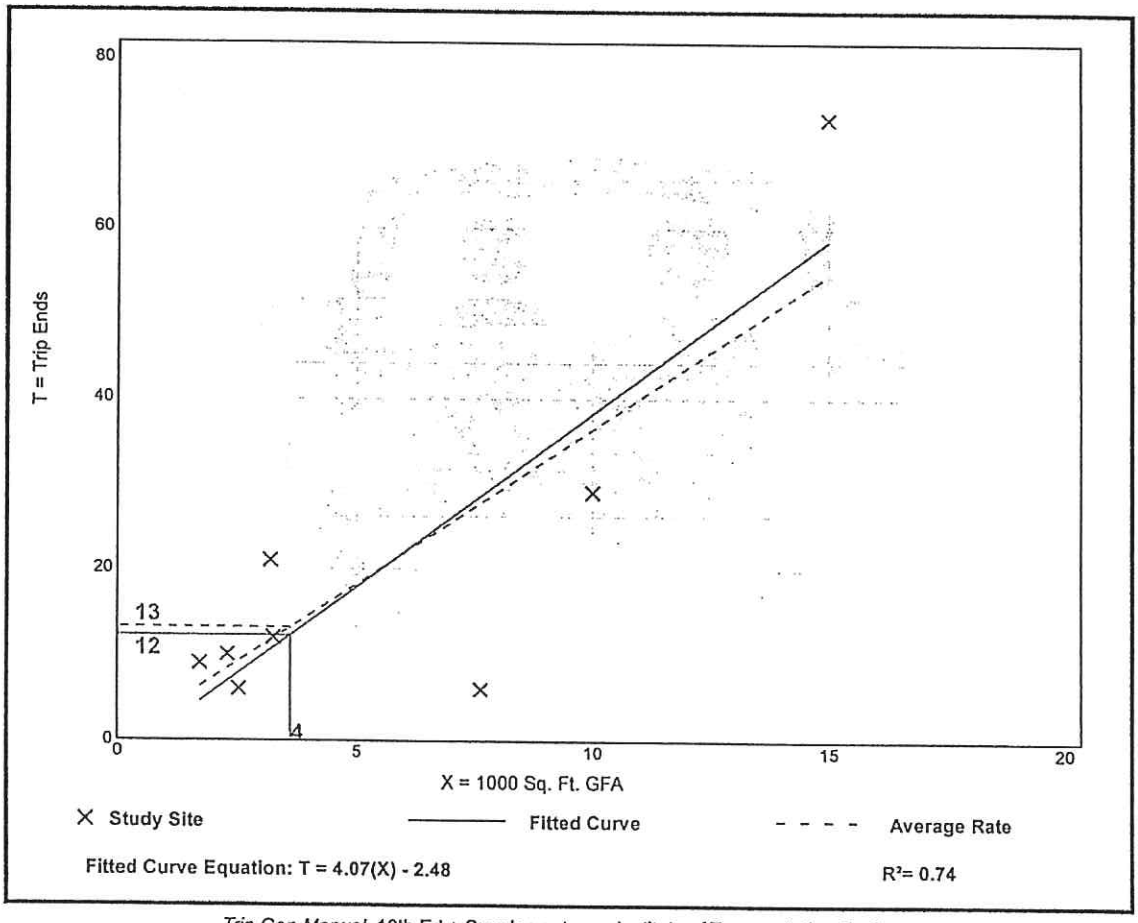
Animal Hospital/Veterinary Clinic
(640)

Vehicle Trip Ends vs:	1000 Sq. Ft. GFA
On a:	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.
Setting/Location:	General Urban/Suburban
Number of Studies:	8
Avg. 1000 Sq. Ft. GFA:	6
Directional Distribution:	67% entering, 33% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
3.64	0.79 - 6.56	1.78

Data Plot and Equation



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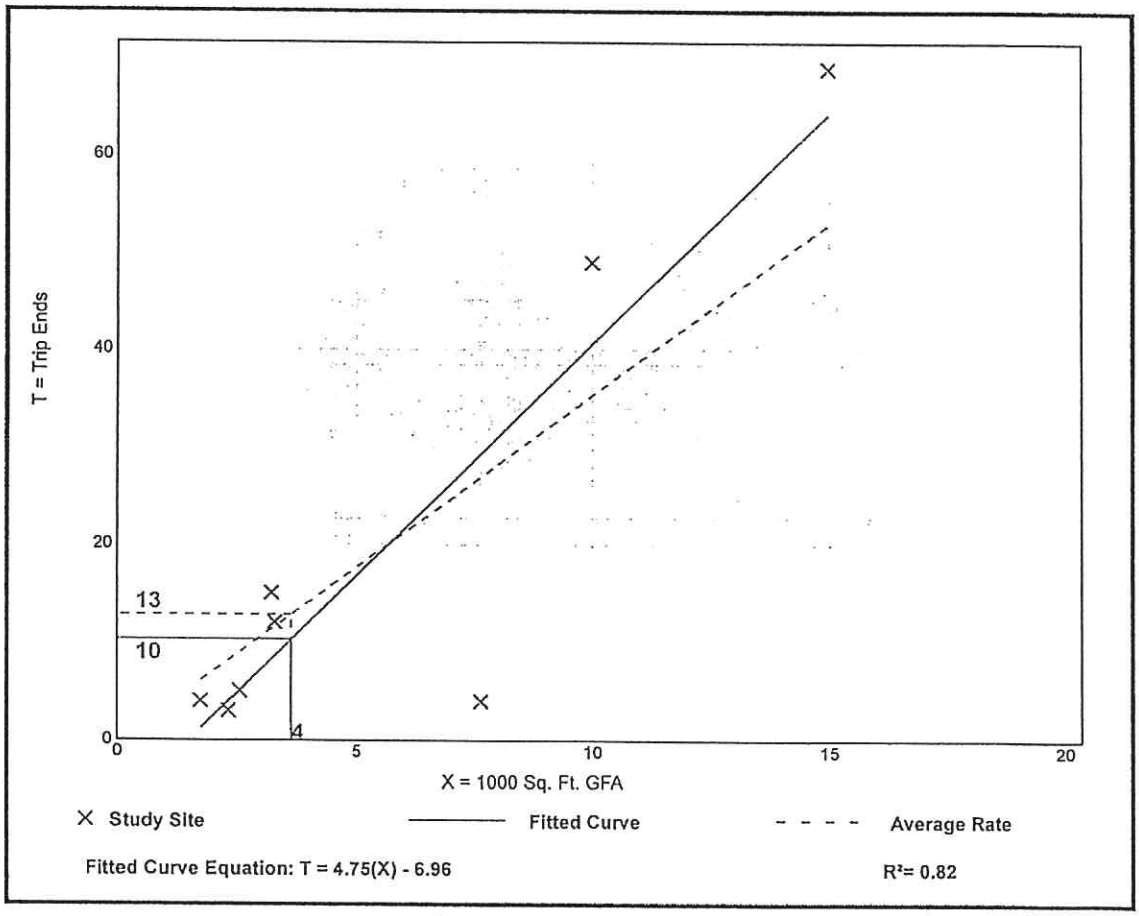
Animal Hospital/Veterinary Clinic
(640)

Vehicle Trip Ends vs:	1000 Sq. Ft. GFA
On a:	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.
Setting/Location:	General Urban/Suburban
Number of Studies:	8
Avg. 1000 Sq. Ft. GFA:	6
Directional Distribution:	40% entering, 60% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
3.53	0.53 - 4.90	1.80

Data Plot and Equation



Trip Gen Manual, 10th Ed + Supplement • Institute of Transportation Engineers

Site Location: 4215 Montgomery Road, Ellicott City MD

Date	Store	Total Oil Changes
02-Jan-17	BA0009	56
03-Jan-17	BA0009	30
04-Jan-17	BA0009	34
05-Jan-17	BA0009	40
06-Jan-17	BA0009	34
07-Jan-17	BA0009	33
08-Jan-17	BA0009	40
09-Jan-17	BA0009	61
10-Jan-17	BA0009	53
11-Jan-17	BA0009	50
12-Jan-17	BA0009	34
13-Jan-17	BA0009	51
14-Jan-17	BA0009	63
15-Jan-17	BA0009	42
16-Jan-17	BA0009	70
17-Jan-17	BA0009	38
18-Jan-17	BA0009	53
19-Jan-17	BA0009	38
20-Jan-17	BA0009	45
21-Jan-17	BA0009	67
22-Jan-17	BA0009	42
23-Jan-17	BA0009	41
24-Jan-17	BA0009	38
25-Jan-17	BA0009	42
26-Jan-17	BA0009	47
27-Jan-17	BA0009	47
28-Jan-17	BA0009	67
29-Jan-17	BA0009	40
30-Jan-17	BA0009	48
31-Jan-17	BA0009	42
01-Feb-17	BA0009	45
02-Feb-17	BA0009	38
03-Feb-17	BA0009	46
04-Feb-17	BA0009	68
05-Feb-17	BA0009	54
06-Feb-17	BA0009	49
07-Feb-17	BA0009	40
08-Feb-17	BA0009	37
09-Feb-17	BA0009	39
10-Feb-17	BA0009	48
11-Feb-17	BA0009	53
12-Feb-17	BA0009	47
13-Feb-17	BA0009	57
14-Feb-17	BA0009	50
15-Feb-17	BA0009	35
16-Feb-17	BA0009	35

17-Feb-17	BA0009	56
18-Feb-17	BA0009	81
19-Feb-17	BA0009	34
20-Feb-17	BA0009	62
21-Feb-17	BA0009	35
22-Feb-17	BA0009	29
23-Feb-17	BA0009	26
24-Feb-17	BA0009	74
25-Feb-17	BA0009	70
26-Feb-17	BA0009	52
27-Feb-17	BA0009	50
28-Feb-17	BA0009	50
01-Mar-17	BA0009	44
02-Mar-17	BA0009	53
03-Mar-17	BA0009	50
04-Mar-17	BA0009	69
05-Mar-17	BA0009	51
06-Mar-17	BA0009	52
07-Mar-17	BA0009	41
08-Mar-17	BA0009	36
09-Mar-17	BA0009	39
10-Mar-17	BA0009	53
11-Mar-17	BA0009	75
12-Mar-17	BA0009	45
13-Mar-17	BA0009	63
14-Mar-17	BA0009	3
15-Mar-17	BA0009	30
16-Mar-17	BA0009	41
17-Mar-17	BA0009	56
18-Mar-17	BA0009	89
19-Mar-17	BA0009	60
20-Mar-17	BA0009	33
21-Mar-17	BA0009	44
22-Mar-17	BA0009	52
23-Mar-17	BA0009	48
24-Mar-17	BA0009	64
25-Mar-17	BA0009	72
26-Mar-17	BA0009	56
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29-Mar-17	BA0009	41
30-Mar-17	BA0009	40
31-Mar-17	BA0009	50
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02-Apr-17	BA0009	50
03-Apr-17	BA0009	42
04-Apr-17	BA0009	41

05-Apr-17	BA0009	37
06-Apr-17	BA0009	36
07-Apr-17	BA0009	65
08-Apr-17	BA0009	73
09-Apr-17	BA0009	46
10-Apr-17	BA0009	39
11-Apr-17	BA0009	46
12-Apr-17	BA0009	40
13-Apr-17	BA0009	48
14-Apr-17	BA0009	74
15-Apr-17	BA0009	56
17-Apr-17	BA0009	62
18-Apr-17	BA0009	41
19-Apr-17	BA0009	53
20-Apr-17	BA0009	39
21-Apr-17	BA0009	60
22-Apr-17	BA0009	48
23-Apr-17	BA0009	42
24-Apr-17	BA0009	58
25-Apr-17	BA0009	51
26-Apr-17	BA0009	40
27-Apr-17	BA0009	43
28-Apr-17	BA0009	71
29-Apr-17	BA0009	55
30-Apr-17	BA0009	50
01-May-17	BA0009	46
02-May-17	BA0009	44
03-May-17	BA0009	46
04-May-17	BA0009	35
05-May-17	BA0009	50
06-May-17	BA0009	69
07-May-17	BA0009	43
08-May-17	BA0009	49
09-May-17	BA0009	40
10-May-17	BA0009	52
11-May-17	BA0009	39
12-May-17	BA0009	55
13-May-17	BA0009	72
14-May-17	BA0009	26
15-May-17	BA0009	60
16-May-17	BA0009	45
17-May-17	BA0009	48
18-May-17	BA0009	49
19-May-17	BA0009	59
20-May-17	BA0009	62
21-May-17	BA0009	52
22-May-17	BA0009	65

23-May-17	BA0009	50
24-May-17	BA0009	53
25-May-17	BA0009	57
26-May-17	BA0009	65
27-May-17	BA0009	76
28-May-17	BA0009	35
29-May-17	BA0009	39
30-May-17	BA0009	38
31-May-17	BA0009	53
01-Jun-17	BA0009	62
02-Jun-17	BA0009	56
03-Jun-17	BA0009	65
04-Jun-17	BA0009	53
05-Jun-17	BA0009	54
06-Jun-17	BA0009	55
07-Jun-17	BA0009	43
08-Jun-17	BA0009	69
09-Jun-17	BA0009	74
10-Jun-17	BA0009	79
11-Jun-17	BA0009	37
12-Jun-17	BA0009	55
13-Jun-17	BA0009	43
14-Jun-17	BA0009	61
15-Jun-17	BA0009	63
16-Jun-17	BA0009	79
17-Jun-17	BA0009	76
18-Jun-17	BA0009	35
19-Jun-17	BA0009	48
20-Jun-17	BA0009	68
21-Jun-17	BA0009	60
22-Jun-17	BA0009	53
23-Jun-17	BA0009	76
24-Jun-17	BA0009	70
25-Jun-17	BA0009	51
26-Jun-17	BA0009	50
27-Jun-17	BA0009	51
28-Jun-17	BA0009	38
29-Jun-17	BA0009	66
30-Jun-17	BA0009	87
01-Jul-17	BA0009	68
02-Jul-17	BA0009	39
03-Jul-17	BA0009	86
05-Jul-17	BA0009	56
06-Jul-17	BA0009	69
07-Jul-17	BA0009	74
08-Jul-17	BA0009	55
09-Jul-17	BA0009	41

10-Jul-17	BA0009	53
11-Jul-17	BA0009	56
12-Jul-17	BA0009	61
13-Jul-17	BA0009	47
14-Jul-17	BA0009	72
15-Jul-17	BA0009	69
16-Jul-17	BA0009	54
17-Jul-17	BA0009	40
18-Jul-17	BA0009	44
19-Jul-17	BA0009	59
20-Jul-17	BA0009	60
21-Jul-17	BA0009	66
22-Jul-17	BA0009	75
23-Jul-17	BA0009	56
24-Jul-17	BA0009	69
25-Jul-17	BA0009	45
26-Jul-17	BA0009	62
27-Jul-17	BA0009	57
28-Jul-17	BA0009	65
29-Jul-17	BA0009	56
30-Jul-17	BA0009	44
31-Jul-17	BA0009	63
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02-Aug-17	BA0009	47
03-Aug-17	BA0009	47
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05-Aug-17	BA0009	81
06-Aug-17	BA0009	48
07-Aug-17	BA0009	51
08-Aug-17	BA0009	34
09-Aug-17	BA0009	52
10-Aug-17	BA0009	49
11-Aug-17	BA0009	61
12-Aug-17	BA0009	64
13-Aug-17	BA0009	50
14-Aug-17	BA0009	51
15-Aug-17	BA0009	42
16-Aug-17	BA0009	58
17-Aug-17	BA0009	57
18-Aug-17	BA0009	60
19-Aug-17	BA0009	68
20-Aug-17	BA0009	53
21-Aug-17	BA0009	43
22-Aug-17	BA0009	38
23-Aug-17	BA0009	64
24-Aug-17	BA0009	46
25-Aug-17	BA0009	69

26-Aug-17	BA0009	62
27-Aug-17	BA0009	50
28-Aug-17	BA0009	51
29-Aug-17	BA0009	29
30-Aug-17	BA0009	38
31-Aug-17	BA0009	57
01-Sep-17	BA0009	58
02-Sep-17	BA0009	55
03-Sep-17	BA0009	42
04-Sep-17	BA0009	42
05-Sep-17	BA0009	38
06-Sep-17	BA0009	43
07-Sep-17	BA0009	47
08-Sep-17	BA0009	64
09-Sep-17	BA0009	59
10-Sep-17	BA0009	38
11-Sep-17	BA0009	53
12-Sep-17	BA0009	35
13-Sep-17	BA0009	47
14-Sep-17	BA0009	45
15-Sep-17	BA0009	67
16-Sep-17	BA0009	52
17-Sep-17	BA0009	53
18-Sep-17	BA0009	50
19-Sep-17	BA0009	43
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21-Sep-17	BA0009	52
22-Sep-17	BA0009	58
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24-Sep-17	BA0009	36
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26-Sep-17	BA0009	41
27-Sep-17	BA0009	54
28-Sep-17	BA0009	49
29-Sep-17	BA0009	77
30-Sep-17	BA0009	65
01-Oct-17	BA0009	60
02-Oct-17	BA0009	48
03-Oct-17	BA0009	49
04-Oct-17	BA0009	46
05-Oct-17	BA0009	45
06-Oct-17	BA0009	72
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08-Oct-17	BA0009	51
09-Oct-17	BA0009	64
10-Oct-17	BA0009	51
11-Oct-17	BA0009	35

12-Oct-17	BA0009	63
13-Oct-17	BA0009	59
14-Oct-17	BA0009	68
15-Oct-17	BA0009	40
16-Oct-17	BA0009	47
17-Oct-17	BA0009	47
18-Oct-17	BA0009	51
19-Oct-17	BA0009	55
20-Oct-17	BA0009	74
21-Oct-17	BA0009	65
22-Oct-17	BA0009	53
23-Oct-17	BA0009	52
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25-Oct-17	BA0009	41
26-Oct-17	BA0009	45
27-Oct-17	BA0009	58
28-Oct-17	BA0009	65
29-Oct-17	BA0009	48
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04-Nov-17	BA0009	69
05-Nov-17	BA0009	54
06-Nov-17	BA0009	49
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08-Nov-17	BA0009	48
09-Nov-17	BA0009	41
10-Nov-17	BA0009	76
11-Nov-17	BA0009	72
12-Nov-17	BA0009	55
13-Nov-17	BA0009	40
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15-Nov-17	BA0009	44
16-Nov-17	BA0009	49
17-Nov-17	BA0009	73
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22-Nov-17	BA0009	67
24-Nov-17	BA0009	52
25-Nov-17	BA0009	52
26-Nov-17	BA0009	45
27-Nov-17	BA0009	47
28-Nov-17	BA0009	47

29-Nov-17	BA0009	38
30-Nov-17	BA0009	45
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02-Dec-17	BA0009	67
03-Dec-17	BA0009	43
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15-Dec-17	BA0009	46
16-Dec-17	BA0009	76
17-Dec-17	BA0009	43
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21-Dec-17	BA0009	57
22-Dec-17	BA0009	73
23-Dec-17	BA0009	63
24-Dec-17	BA0009	27
26-Dec-17	BA0009	66
27-Dec-17	BA0009	69
28-Dec-17	BA0009	65
29-Dec-17	BA0009	82
30-Dec-17	BA0009	63
31-Dec-17	BA0009	31
		18863

Valvoline Store # BA0009	Day of the Week	ADT per Weekday
BA0009	Monday	55
BA0009	Tuesday	44
BA0009	Wednesday	47
BA0009	Thursday	49
BA0009	Friday	62
BA0009	Saturday	66
BA0009	Sunday	45

Real Property Data Search

Search Result for CARROLL COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Special Tax Recapture: None

Account Identifier: **District -** 07 **Account Number -** 111657

Owner Information

Owner Name:	ABBEC PROPERTY LLC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	334 GORSUCH RD WESTMINSTER MD 21157-0000	**Deed Reference:**	/04783/ 00001

Location & Structure Information

Premises Address:	334 GORSUCH RD WESTMINSTER 21157-0000	**Legal Description:**	LT 1 - 21610 SF 334 GORSUCH RD 35-134 BOOTH PROP AMND

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0108	0008	2910	70000.07	0000			1	2018	**Plat Ref:**	0035/ 0134

Town: WESTMINSTER

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1965	3,621 SF		21,610 SF	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		VETERNARIAN HOSPITAL	/	C4			

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2019	As of 07/01/2020
Land:	212,800	212,800		
Improvements	353,500	395,300		
Total:	566,300	608,100	594,167	608,100
Preferential Land:	0			0

Transfer Information

Seller: BURBELO FAMILY LIMITED	**Date:** 03/02/2006	**Price:** $714,560
Type: ARMS LENGTH IMPROVED	**Deed1:** /04783/ 00001	**Deed2:**
Seller: BUBRELO GREGORY B	**Date:** 04/30/2002	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /02892/ 00046	**Deed2:**
Seller: BOOTH DAVID L	**Date:** 06/28/1996	**Price:** $340,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /01816/ 00129	**Deed2:**

Exemption Information

Partial Exempt Assessments:	**Class**	07/01/2019	07/01/2020
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

ARTICLE XVI
Off-Street Parking and Loading

§ 164-111. General provisions and requirements.

A. For the following uses of buildings hereinafter erected or increased from the size existing at the time of the adoption of this chapter, off-street parking facilities which are outside the public right-of-way shall be required as provided herein.

B. Parking standards. Off-street parking facilities shall be provided for uses in zones, must not be more than 300 feet in distance from an entrance to said uses, shall accommodate normal parking requirements and shall meet the standards listed below.

C. Parking facilities in Central Business Zone; benefit assessment charge and annual maintenance fee. As to all construction or uses, including residential uses, commenced in the Central Business Zone after the effective date of this section, to the extent that the Planning Director determines that the size, configuration or other physical characteristic of the site of the planned use makes it impossible for the user to meet the standards in this section, thereby creating a hardship, the Planning Director may, in the Planning Director's discretion, upon application from the user, allow a reduction in the number of spaces; provided, however, that the user shall pay the City a one-time benefit assessment charge and an annual maintenance fee for each space the user is not able to provide under the standards in this section as provided in the General Fee Ordinance.[18] **[Amended 2-27-1995 by Ord. No. 594; 4-14-1997 by Ord. No. 617; 9-24-2001 by Ord. No. 672; 7-12-2004 by Ord. No. 718; 1-28-2008 by Ord. No. 774; 11-24-2008 by Ord. No. 792]**

Type of Use	**Parking Standards (number of spaces)**
Residential	
Single-family detached and semidetached	2 per dwelling unit, minimum of 9 x 18 feet in size per space
Single-family attached	3 per dwelling unit, minimum of 9 x 18 feet in size per space
Multiple-family units	1 per efficiency unit; 1 1/2 per 1-bedroom unit; 2 for 2- or more-than-2-bedroom units
Multiple-family housing for older persons	1 1/2 per dwelling unit up to 2 bedrooms, 2 per dwelling unit with more than 2 bedrooms
Nonresidential	

18. Editor's Note: See Ch. A175, Fees, Art. I, General Fees.

Type of Use	Parking Standards (number of spaces)
Airparks, airports and fields requirements. Land uses incidental to air flights are subject to other parking standards contained in this chapter.	Subject to state and federal site
Animal hospitals, veterinary clinics and kennels	1 per employee, plus 1 per business vehicle, plus 1 for each 300 square feet of floor space used for hospital, clinic, office, storage or other purposes
Automobile service stations	2 per bay and 1 per employee shift
Barbershops and beauty shops	1 per employee, plus 2 per each chair
Bowling centers	4 per lane and 1 per employee
Commercial establishments devoted to retail sales, trade, merchandising or similar uses not otherwise specified herein	1 for each 250 square feet of floor area used for retail sales, trade or merchandising, and 1 for each 300 square feet of floor space used for office, storage or other purposes
Convents and monasteries	1 for each 250 square feet of floor space, plus 1 per institutional vehicle
Country clubs, private clubs, social clubs and fraternal organizations	1 per 4 persons of estimated facility capacity, plus 1 per employee and 1 per facility vehicle and piece of mobile equipment
Fire stations, rescue stations and ambulance services	1 per 1 1/2 employees on a major shift, plus 1 per facility vehicle, plus 1 per piece of mobile equipment, plus 1 for visitor's use per 5 employees on the maximum shift
Food stores, supermarkets and roadside stands	1 per 200 square feet of floor area devoted to customer service
Funeral homes and mortuaries	1 for each 100 square feet of floor area devoted to assembly room purposes, plus 1 per 2 employees, plus 1 for each vehicle used in connection with the business
Furniture and appliance stores and repair shops	1 per 500 square feet of floor area, plus 1 for each employee

Type of Use	Parking Standards (number of spaces)
Government buildings and public buildings	1 for each 250 square feet of floor area or 2 per office, whichever is greater
Home occupations	1 in addition to spaces devoted to use by the residents
Hospitals, nursing, care or retirement homes	1 for every 4 beds or 1 per 600 square feet of floor area, exclusive of basement area not devoted to patients, whichever is greater
Hotels, motels, lodging houses and boarding- (lodging) or rooming houses	1 for each rental room or suite. In addition, if a restaurant in connection with such use is open to the public, the off-street parking facilities for such restaurant shall be those required for a restaurant use.
Indoor shooting ranges	1 per employee and 2 per each shooting and 1 for each 250 square feet of floor area used for accessory retail sales
Manufacturing establishments not otherwise specified herein	1 per 1 1/2 employees on a major shift, plus 1 per company vehicle and piece of mobile equipment
Medical and dental offices and clinics	4 per doctor, plus 1 per employee or 1 for each 200 square feet of office space, whichever is greater
Nightclubs and taverns	1 per 4 seats or 1 per 75 square feet of floor area devoted to customer service, plus 1 per employee, whichever is greater
Offices: business, professional or financial	1 for each 250 square feet of floor area or 2 per office, whichever is greater

Type of Use	Parking Standards (number of spaces)
Places of worship	1 for each 3 fixed seats, provided that the number of spaces required may be reduced by up to 50% if the place of worship is within 500 feet of any public parking lot or commercial parking lot where sufficient spaces are available, by permission of the owner(s) without charge, during the time of services to make up the additional spaces required
Radio and television studios	1 for each 250 square feet of floor area or 2 per office, whichever is greater
Recreation facilities and centers	1 per 4 persons of estimated facility capacity, plus 1 per employee and 1 per facility vehicle and piece of mobile equipment
Research and development establishments, including laboratories	1 per 1 1/2 employees based on the occupancy load, plus 1 per company vehicle
Restaurants and lunchrooms	1 per 4 seats, plus 1 per 2 employees
Schools	Subject to State Board of Education site requirements
Sport centers or arenas, auditoriums not associated with schools, theaters, private assembly halls and community meeting halls	1 per 3 seats or similar accommodations provided, plus 1 per 2 employees
Swimming pools, commercial	1 per 4 persons of estimated pool maximum capacity, plus 1 per employee
Swimming pools, community	1 per 7 persons of estimated pool maximum capacity, plus 1 per employee
Taxi stations	1 for every 3 taxis using the station

Type of Use	Parking Standards (number of spaces)
Truck and motor freight terminals	1 per motor vehicle to be serviced by the facility, plus 1 per employee. With the exception of parking spaces for employees, all motor vehicle spaces shall be of a size adequate for the type of vehicle serviced by the terminal.
Utility facilities, including telephone offices and service centers	1 per 1 1/2 employees on a major shift, plus 1 per company vehicle and piece of mobile equipment, plus 1 for visitors use per 25 employees on the maximum shift, or 1 per 1,000 square feet of gross floor area
Warehouses, heavy equipment storage yards, lumber- and building materials yards and all other industrial uses	1 per 1 1/2 employees on a major shift, plus 1 per company vehicle and piece of mobile equipment, plus 1 for visitor's use per 25 employees on the maximum shift,or 1 per 1,000 square feet of gross floor area
Wholesale establishments	1 per 2 employees

D. [19]Parking facilities in Downtown Parking Area; benefit assessment charge and annual maintenance fee. As to all construction or uses, including residential uses, commenced in the Downtown Parking Area after the effective date of this section, to the extent that the Planning Director determines that the size, configuration or other physical characteristic of the site of the planned use makes it impossible for the user to meet the standards in this section, thereby creating a hardship, the Director may, in the Director's discretion, upon application from the user, allow a reduction in the number of spaces; provided, however, that the user shall pay the City a one-time benefit assessment charge of and an annual maintenance fee for each space the user is not able to provide under the standards in this section as provided in the General Fee Ordinance.[20] Additionally, there is hereby granted a reduction in the number of required parking spaces of 25% for all construction or uses, commenced in the Downtown Parking Area after July 1, 2004. The Downtown Parking Area shall be designated on a map adopted by resolution of the Mayor and Common Council. **[Added 7-12-2004 by Ord. No. 718; amended 1-28-2008 by Ord. No. 774; 11-24-2008 by Ord. No. 792]**

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19. Editor's Note: Former Subsections D, E and F were redesignated as Subsections E, F and G to accommodate the addition of a new Subsection D.

20. Editor's Note: See Ch. A175, Fees, Art. I, General Fees.

E. All off-street parking and loading facilities required by this article for any use shall be located on and entirely within the same record lot with that use, unless otherwise provided for in this article.

F. Requirements for the provision of parking facilities with respect to two or more property uses of the same or different types may be satisfied by the permanent allocation of the requisite number of spaces for each use in a common parking facility, cooperatively established and operated. The number of spaces so designated may not be less than the sum of the individual requirements for each use, except as hereinafter provided, and all design requirements contained in this article must be met. A common parking facility so established must be located so that a major point of pedestrian access to such common facility is within a five-hundred-foot walking distance of the entrance to each use served thereby.

G. Required off-street parking spaces may be reduced in area by providing designated parking spaces for bicycles, motorbikes or motorcycles, but in no event shall such a reduction in area be permitted on more than 5% of the total number of required spaces.

§ 164-112. Compliance required.

A. No land shall be used or occupied, no structure shall be designed, erected, attached, used or occupied and no use shall be operated unless the parking and loading facilities herein required are provided in at least the amounts and in accordance with the design standards set forth in this article.

B. No automobile off-street parking area shall be reduced in area or encroached upon by buildings, vehicle storage, loading or unloading or any other use where such reduction or encroachment will reduce the area below that required by this article.

C. Parking facilities for one use shall not be considered as providing the required parking facilities for any other use, except as provided in this article.

D. No parking area or loading space shall be used for the storage, sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies.

E. For the purpose of this article, the number of employees for a use shall be computed on the basis of the maximum number of persons to be employed at any one time, other than at changes of shifts.

F. All garage or other space allocated for parking of vehicles within buildings or in basements or open spaces on the roofs of buildings shall be considered part of the required off-street parking facilities and may be included as such in computing the area requirements outlined in this article.

G. Off-street parking and loading facilities for commercial or industrial uses that make it necessary for vehicles to back out directly into a public road are prohibited.

H. All off-street parking and loading facilities required by this article for any use shall be established in accordance with all design standards and maintained throughout the operation of that use; any additional off-street parking and loading facilities required as a result of an expansion of or a change in any use shall be likewise established and maintained.

I. In all residential zones, off-street parking of motor vehicles shall be limited to passenger cars, recreational vehicles and trucks not exceeding a maximum gross weight of 18,000 pounds, which are not truck tractors, trailers or truck-trailer combinations, as defined in the Transportation Article of the Annotated Code of Maryland.

J. Parking facilities shall be provided for the physically handicapped and aged as specified in Article 41, § 257JK of the Annotated Code of Maryland, entitled "Building code making buildings usable by handicapped persons," or as that section may be hereinafter amended.[21] Such parking facilities may be counted in computing the number of spaces required under this article.

§ 164-113. Location and landscaping.

Every off-street parking area, except where the public street is the approved drive aisle, for more than five vehicles shall be located at least five feet from any public walkway, 10 feet from any street or curb and five feet from every residential lot line. The edges of the parking area shall be curbed or buffered, and the space between the parking area and street or lot line shall be landscaped and maintained in a sightly condition. Where adjoining a street, such landscaping shall consist of grass and low shrubs or ornamental trees. Where adjoining a residential lot, it shall include a hedge of sufficient type and height, not less than 30 inches, to protect and screen the adjoining property. If an ornamental wall or fence is installed in lieu of such hedge and accomplishes the same purpose, then the five-foot strip may be reduced to three feet. In parking areas containing 12 or more parking spaces, the total area of said parking area shall be a minimum of 10% of landscaped islands. Said landscaped islands shall be planted with a minimum of one two-and-one-half-inch-caliper shade tree for each 350 square feet of such island.

§ 164-114. Maintenance and lighting.

A. Any off-street parking area, including any commercial parking lot, for more than five vehicles shall be surfaced or kept treated in such a manner as may be necessary to prevent any dust or nuisance to the neighboring property or the general public and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of self-propelled vehicles.

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21. Editor's Note: See now § 6-102 of Art. 83B of the Annotated Code of Maryland.

B. Adequate lighting shall be provided for all parking facilities used at night. Lighting of off-street parking facilities shall be installed and maintained in a manner not to reflect or cause glare into abutting or facing residential premises nor to cause reflection or glare which adversely affects safe vision of operators of vehicles moving on roads and highways.

§ 164-115. Design standards.

A. Approval. Designs and plans for areas to be used for automobile off-street parking, including but not limited to the design of aisle widths, stall lengths and widths, turning radii, flow patterns and paving, shall be subject to approval by the Planning Director in accordance with the purposes and requirements set forth in this section and Article XXV of this chapter.

B. Objectives of designs and plans. Said designs and plans shall accomplish the following objectives:

(1) The protection of the health, safety and welfare of those who use any adjoining land or public road that abuts a parking facility. Such protection shall include but shall not be limited to the reasonable control of noise, glare or reflection from automobiles, automobile perimeter, landscaping, plantings, walls, fences or other natural features or improvements.

(2) The safety of pedestrians and motorists within a parking facility.

(3) The optimum safe circulation of traffic within the parking facility and the proper location of entrances and exits to public roads so as to reduce or prevent traffic congestion.

(4) The provision of appropriate lighting, if the parking is to be used after dark.

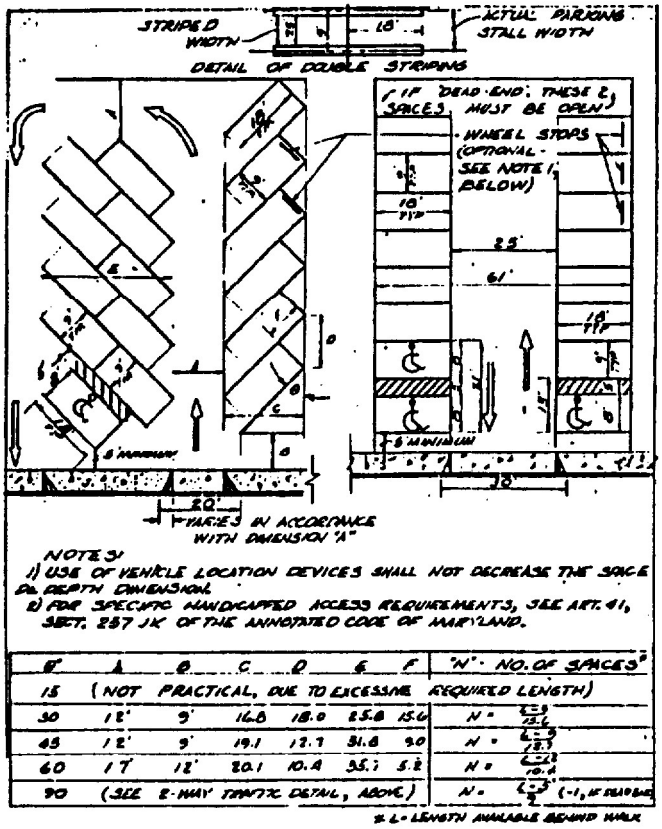
C. Arrangement and marking. All off-street parking areas shall be arranged and marked so as to provide for orderly and safe loading, unloading, parking and storage of vehicles. All nonparallel parking spaces shall be striped to indicate parking areas. Standard parking spaces less than 10 feet in width shall be double-striped between each space to indicate the car width. Compact parking spaces shall be striped around their entire perimeter. Individual parking spaces shall be clearly defined, and directional arrows and traffic signs shall be provided as necessary for traffic control.

D. Size of spaces.

(1) Each standard-size parallel parking space shall have minimum dimensions of seven feet by 21 feet. A "parallel parking space" is defined as one in which the long side of the space parallels the travel lane.

(2) Each standard-size perpendicular or angled parking space shall be a rectangle having minimum dimensions of nine feet by 18 feet.

(3) The size, clearance, area and other dimensional requirements of off-street parking areas and parking places shall be determined by the type of parking arrangement in accordance with the parking chart and table stated below:



E. Additionally, all off-street parking and loading areas shall be so graded, drained and paved or surfaced as to prevent damage to abutting properties or public streets and shall be approved by the Planning Department. **[Amended 1-28-2008 by Ord. No. 774]**

F. Modification by Planning Director. The Planning Director may approve the use of compact parking spaces with minimum dimensions of eight feet by 16 feet due to extraordinary situations or conditions peculiar to a specific parcel of property. Any such compact parking spaces shall not exceed 30% of the total number of spaces. The Director may also approve changes in the dimensions of parking spaces in parking garages consistent with nationally recognized design standards for parking garages. No space in a parking garage shall have less than the minimum dimensions of eight feet by 16 feet. **[Amended 8-10-1998 by Ord. No. 629; 1-28-2008 by Ord. No. 774]**

§ 164-116. Off-street loading.

A. Off-street loading and unloading spaces with appropriate and safe access from a street or alley shall be provided on each lot where it is deemed necessary by the Zoning Administrator to adequately serve the uses within the proposed structure.

B. Where off-street loading spaces are provided cooperatively for two or more uses, all required off-street loading spaces shall be located on the same lot as the use served.

C. No loading space or berth shall be located within 40 feet of the nearest point of intersection of the rights-of-way of two streets or roads.

D. No loading space or berth shall be located in a required front yard.

E. No loading area shall be located so as to interfere with the circulation of vehicles in any off-street parking area.

	*	
IN THE MATTER OF:	*	**BOARD OF ZONING APPEALS**
Applicants: Mid-Atlantic Lubes, LLC and ABBEC Property LLC	*	**CITY OF WESTMINSTER, MD**
	*	
Property: 334 Gorsuch Road Westminster, MD 21157	*	**Case No. 20-02**
Application for Special Exception	*	

* * * * * * * * * * * *

RESOLUTION AND ORDER OF THE BOARD OF ZONING APPEALS OF WESTMINSTER GRANTING A SPECIAL EXCEPTION PURSUANT TO THE ZONING ORDINANCE OF THE CITY OF WESTMINSTER, MARYLAND

WHEREAS, Application No. 20-02 was duly filed with the Board of Zoning Appeals of the City of Westminster, Maryland (the "Board of Appeals" or the "Board") on March 2, 2020, by Mid-Atlantic Lubes, LLC and ABBEC Property LLC (jointly referred to in the singular as the "Applicant" unless otherwise noted), developer and owner (respectively) of the property located at 334 Gorsuch Road, Westminster, Maryland 21157, the parcel being identified as Carroll County Tax Map 108, Parcel 2910 (Tax Acct. 07-111657) (hereinafter referred to as the "Property"), for a special exception pursuant to §164-42S, §164-149 and §164-170A of the Zoning Ordinance of City of Westminster, Maryland (the "Zoning Ordinance") for a quick-lube automobile service station in the B Business Zone; and

WHEREAS, after due notice, a public hearing was held via a video conference (Zoom) due to the limitations on in-person social interactions caused by the covid-19 pandemic (and broadcast live via Facebook) by the Board of Appeals on May 5, 2020, to consider Application No. 20-02. At the conclusion of the May 5, 2020 hearing, the record was closed; and

WHEREAS, at said public hearing the Applicant made a presentation with respect to Application No. 20-02 and all those who desired to be heard were heard and their testimony electronically recorded; and

NOW, THEREFORE, BE IT RESOLVED and ORDERED by the Board of Zoning Appeals of Westminster, Maryland, in response to Application No. 20-02, that a special exception to allow the use of the Property for an quick-lube automobile service station is hereby **GRANTED.**

BE IT FURTHER RESOLVED by the Board of Appeals that this decision is based upon the following findings:

Procedural Findings:

1. The application for special exception was filed on March 2, 2020.
2. In anticipation of the May 5, 2020 hearing, the Property was posted with a sign notice of hearing on April 20, 2020, notice was published in the Carroll County Times newspaper on April 12th and April 19, 2020, and a notice of hearing was sent via certified mail to the adjoining property owners and the subject property owner on April 16, 2020. The agenda for the meeting included a reference to Case 20-02 and was posted on the City's website on April 24, 2020. The Board finds that the notice requirements of §164-166 have been met.
3. No request for inspection of the Property in accordance with §164-166E was received.
4. The Board held the May 5, 2020 hearing via Zoom teleconference, with a simulcast to the City of Westminster's Facebook page at:

   https://www.facebook.com/westminstermd/videos/3387756004585570/

   Public participation in the meeting was permitted and encouraged and the notices on the City website indicated the means of signing up to be a participant in the teleconference.

5. The Board of Appeals takes notice of the Zoning Map of Westminster and that map is hereby adopted and incorporated by reference as a part of the record and these findings.
6. The Applicant offered evidence at the hearing in favor of the special exception request. No others testified in favor or against the special exception request.

Substantive Findings:

7. The Property is located in the B Business Zone of the City of Westminster.
8. The Applicant Mid-Atlantic Lubes, LLC is the developer of the Property that consists of approximately 21,610.97 sq. ft. (0.4961 AC) (See Exhibit 10) for the subject use. The owner of the Property is ABBEC Property LLC and has joined in and consented to the application for a special exception.
9. The Property is currently developed with a one-story commercial building that is vacant and which the Applicant intends to demolish to build the proposed structure. The current building was previously operated as a veterinary clinic. The prior use did not offer gasoline products or otherwise constitute a service station use.
10. The Property is located at the corner of Baltimore Blvd. (MD Route 140) and Gorsuch Road and will have vehicular access via Gorsuch Road. There is a significant grade along Gorsuch Road at the intersection. The entrance will be an entrance/exit right of way and is approximately 35 feet west from Baltimore Blvd. At the Property's location, Baltimore Blvd. is a split multiple-lane, high-traffic roadway. Gorsuch Road is an undivided road. The Applicant is negotiating to amend an existing joint access easement (See Exhibit 6) to facilitate its entrance along with access to the Tevis property to the south of the Property, currently developed with a single-family residence but planned for a future potential commercial use. The easement currently provides non-exclusive vehicular access (and

utilities) for the first 50 feet from Gorsuch Road. The easement is 35 feet wide. The current driveway is along the easement but encroaches onto the western boundary of the Property. The Applicant will identify the drive easements on the future site plan when it seeks site plan approval.

11. The Property is within a highly developed commercial neighborhood. North of the Property is the C-2 Commercial Medium Intensity District of Carroll County (outside of Westminster) and to the South is the B-Business District. To the east is the C-3 Commercial High Intensity District of Carroll County and to the west is the Commercial Intensity District of Carroll County and both the County and the City's R-7,500 Residential Districts. The R-7500 Residential District of Carroll County is to the immediate west of the vehicle access drive of the Tevis property. The City's R-7,500 Residential District is to the southwest of the Tevis Property.

12. The neighborhood is typified by development consistent with a business district, with residential neighborhoods located to the south and southwest of the Property, some of which are outside the territorial limits of the City of Westminster. North along Gorsuch Road (approximately 1,000 feet) after it crosses Baltimore Blvd. is a high school. The Tevis property is to the south of the Property (but it is within the B Business District except for the western boundary, which is within the R-7500 Residential District). It is developed with an existing residence. To the immediate east of the Property is the Boston Inn. To the north (across Baltimore Blvd.) is a McDonalds restaurant. To the west there are single family residences along Gorsuch Road with commercial uses along Baltimore Blvd.

13. The Applicant proposes the complete demolition of the existing veterinary clinic structure to replace it with a Valvoline Quick-Lube service center of 12,535 sq. ft., nine dedicated off-

street parking spaces and Applicant proposes that each queuing lane be considered one parking space for a total of 13 parking spaces. The proposed use is to provide drive-through lubrication and other limited preventative maintenance to automobiles, but not general vehicle repair. No vehicle storage is proposed on the Property. The proposed use is to be open 7 a.m. to 7 p.m. Monday through Saturday and 9 a.m. to 5 p.m. on Sundays. The Applicant expects there to be 12 to 15 full and part-time employees, 8 at most at any one time, with typically only 5 to 6 employee vehicles parked on the Property.

14. The structure to be built on the Property is a one-story commercial structure comprised of four service bays. Vehicles enter a service bay one at a time. Customers are to enter the Property from Gorsuch Road, proceed south to the rear of the structure and turn left (east) where they are to be greeted by employees who direct them into an open bay. The Applicant proposes to stack cars in the lane and expects typical stacking to be four vehicles, with up to eight on the holidays. There is a relief lane proposed for customers wishing to exit the queuing lane and drive east and then around the building to the exit. There is a retaining wall on the southern boundary of the property that will be replaced by the Applicant in its same approximate location, as its structural integrity is questionable. Applicant will propose a sign on the gable end of the tower (See Exhibit 7) and a monument sign along the northern boundary with Baltimore Blvd.

15. Oil delivery for the proposed use is to be serviced by home heating oil-sized trucks, and typically would occur every other week, with peak driving period between Memorial Day and Labor Day being three times a month. The improvements will include a 2,700-gallon epoxy-coated oil tank. Up to 500 gallons of waste oil is stored which will be the largest tank. Disposal is typically on a two-week cycle and it typically takes 10 minutes for the truck to

empty the tank. The other deliveries are three to four times a week for standard automobile parts.

16. The proposed structure will have the four service bays, an employee bathroom, a customer bathroom, a small vestibule and parts and materials storage.

17. The Property is not in direct proximity to any churches or cultural centers.

18. As set forth in § 164-42S, the service station portion of the proposed use on the Property is a special exception use in the B Business Zone.

19. Pursuant to §164-3A, Service Station, such a use is defined as:

> "Any area of land, including buildings and other structures, that is used to dispense motor vehicle fuels, oil and accessories at retail, where minor repair service is incidental and where no storage or parking space is offered for rent." §164-3A.

20. Based upon the findings above, the Applicant's proposed use of the Property qualifies as a service station use under the definition of §164-3A.

21. To qualify for a special exception for service station, the Applicant must prove by a preponderance of the evidence that the proposed use meets the requirements of §164-149 and the general requirements for special exceptions in §164-170. The distance requirements of §164-140 are also applicable to the proposed special exception use.

22. §164-149 requires findings that:

> "A. An automobile service station may be permitted upon a finding by the Board, in addition to the findings required in Article XXII of this chapter, that:
>
> (1) The use will not constitute a nuisance because of noise, fumes, odors or physical activity in the location proposed.
>
> (2) The use at the proposed location will not create a traffic hazard or traffic nuisance because of its location in relation to similar uses, necessity of turning movements in relation to its access to public roads or intersections or its location in relation to other buildings or proposed buildings on or near the site and the traffic pattern from such buildings or by reason of its location near a vehicular

or pedestrian entrance or crossing to a public or private school, park, playground or hospital or other public use or place of public assembly.

(3) The use at the proposed location will not adversely affect nor retard the logical development of the general neighborhood or of the industrial or commercial zone in which the station is proposed, considering the service required, the population, character, density and number of similar uses.

(4) The evidence of record establishes that for the public convenience and service a need exists for the proposed use due to an insufficient number of similar uses presently available to serve existing population concentrations in the City and that the use at the location proposed will not result in a multiplicity of proposed uses. In the absence of convincing evidence to the contrary, the following shall constitute lack of probability of a reasonable public need:

(a) An automobile service station within one mile on the same side of the road, except at intersections.

(b) The presence of two service stations within the four quadrants of an intersection, including 1/2 mile from the center of the intersection in any direction.

(5) The proposed use will be conducted upon a lot having a minimum area of 20,000 square feet, provided that this size is adequate to meet the necessary services and the setback and buffering requirements, and a minimum lot frontage of 120 feet on a public road shall be required for each automobile service station site.

(6) The lot shall contain landscaping on a minimum of 10% of the site area.

B. In addition, the following requirements shall be met:

(1) When such [use] abuts a residential zone or institutional premises not recommended for reclassification to commercial or industrial zone on an adopted Master Plan and is not effectively screened by a natural terrain feature, the use shall be screened by a solid wall or a substantial, sightly, solid fence not less than five feet in height, together with a three-foot planting strip on the outside of such wall or fence, planted in shrubs and evergreens. Screening shall not be required on street frontage.

(2) Signs, products displays, parked vehicles and other obstructions which adversely affect visibility at intersections or to station driveways shall be prohibited.

(3) Lighting shall be designed and controlled so that any light source, including the interior of a building, shall be so shaded, shielded or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises nor adversely affect safe vision of operators of vehicles moving on public or private roads, highways or parking areas. Such lighting shall not shine on or reflect on or into residential structures.

(4) All gasoline service station developments shall meet City off-street parking standards to ensure the safe movement of vehicles and pedestrians. The arrangement of structures, islands, driveways, parking and landscaping shall be designed so as to ensure maneuvering ease, to serve the community and not to adversely affect adjacent properties.

(5) Driveways shall be designed and located to ensure a safe and efficient movement of traffic on and off the site from the lane of traffic nearest the curb. The design, location and construction of all vehicular access driveways shall be in accordance with the applicable specifications and standards of the Department of Public Works.

(6) Gasoline pumps or other service appliances shall be located on the lot at least 10 feet behind the building line, and all service storage or similar activities in connection with such use shall be conducted entirely within the building. There shall normally be at least 20 feet between driveways on each street, and all driveways shall be perpendicular to the curb- or street line unless the Planning Director determines that those configurations would present an unreasonable risk to vehicular and pedestrian traffic and grants a modification of those requirements which would eliminate or minimize such risks. [Amended 1-28-2008 by Ord. No. 774]

(7) Vehicles shall not be parked so as to overhang in the public right-of-way."
§164-149.

23. Joshua Sharon, a civil engineer and a land planning and design specialist, was accepted as an expert by the Board. Mr. Sharon testified that he was familiar with the proposed use and plan and opined that there would be no nuisance in the nature of noise, fumes, odors or physical activity by the proposed service station use. The Planning Director's staff report noted the absence of any concerns related to the health and safety associated with the proposed special exception use. The Board finds that the proposed service station use will not constitute a nuisance because of noise, fumes, odors or physical activity and that any potential for

adverse impacts, if any, are no greater or more detrimental on the subject Property that would be expected on other locations within the B Business Zone. There is one residential use immediately adjacent to the Property (the Tevis property) and the Board finds that the required landscaping will screen any de minimis noise, odors, fumes or physical activity from the service station use. Therefore, the Board finds that the requirement of §164-149A(1) has been satisfied.

24. The Applicant provided the testimony of Mark Keeley of Traffic Concepts, Inc., a professional transportation planner who testified about the traffic impacts of the proposed quick-lube service station use on the Property and provided a comprehensive comparative trip generational analysis and report (See Exhibit 13) for the proposed use. The Board accepted Mr. Keeley as an expert in traffic engineering and analysis. Mr. Keeley compared the projected peak hour trips to the proposed use with the existing veterinary facility to identify potential increased loads, traffic hazards or traffic nuisances, as well as a comparison to a typical Valvoline use. The peak hour analysis disclosed less traffic in the morning (by one trip) and 6 more in the evening for the proposed use. The additional evening trips are marginal relative to the total existing volume of traffic in the area and what would be expected in the business district. Using a standard Valvoline facility as an alternative projection, the proposed use is expected to generate an average of 51 vehicles per day being serviced with 102 trips effecting the Gorsuch Road entrance and the travel volume of Gorsuch Road and the existing heavy traffic volume and capacity of Baltimore Blvd. In Mr. Keeley's expert opinion, there will be no negative traffic impacts presented by the proposed development on the Property.

25. Considering the location of the quick-lube service station use on the Property and its relation to the entrance to Gorsuch Road, the proposed entrances are adequate. Town planning staff raised concerns regarding the traffic impacts of the proposed use, including the details of site access to Gorsuch Road and the vehicular access point's proximity (35') to the intersection of Baltimore Blvd. and Gorsuch Road. Staff requested a traffic impact study but the expert noted that a traffic impact study would not be required by the Maryland Department of Transportation in this context because the 12 a.m. and 9 p.m. peak weekday trips is below the threshold of 50 peak weekday trips. The Board finds that a traffic impact study is not required for the purposes of granting a special exception, but does not opine on whether it will be necessary for future site plan approvals or approvals from the State Highway Administration. The Board finds that there is sufficient evidence that the proposed use will not create a traffic hazard or traffic nuisance. The turning movements, though close to the intersection, appear viable and the traffic patterns of ingress mitigate against any stacking concerns. The evidence provided by the Applicant was that exiting vehicles are designed to occur one at a time so it would be rare that any stacking concerns for exiting vehicles would be present. The proposed plan offers safe and efficient delivery of fuel and other goods. Therefore, the Board finds that the requirements of §164-149A(2) have been met.

26. The proposed service station use on the Property will be located within areas developed with other business uses and will offer services needed by those surrounding uses. The proposed use will not create any adverse impacts on the logical development of the general neighborhood, or the B Business Zone (commercial) in which the Property is located, but instead is consistent with the development of the neighborhood and the B Business Zone. As described in Findings 11 and 12, the Property is in close proximity with a diversity of zones,

some inside the City of Westminster and others in Carroll County. There was no evidence offered to establish an adverse impact on the surrounding uses in these types of zones. Therefore, based upon the findings, the Board finds that the requirements of §164-149A(3) have been met.

27. The Applicant offered substantial and persuasive testimony and documentation that there is a public convenience and service need for the proposed quick-lube service station use. The Applicant offered Edward Steere, AICP, of Valbridge Property Advisors who prepared a market need analysis (Exhibit 15) for the proposed use on the Property. The Board accepted Mr. Steere as an expert in market needs analysis. To analyze the supply and demand issues, Mr. Steere defined the trade area as being centered in the Westminster communities and the MD-140 commercial corridor, drawing customers from throughout central Carroll County to the regional center of the County seat of Westminster. He identified the residents in the trade area, their income and homeownership characteristics, average vehicle miles per household and commuting characteristics. There are 14 census tracts included within the trade area so defined. Due to the nature of the proposed use, the trade demand also includes commuters and consumers who are likely to travel through or do shopping within the trade area. The estimated total demand within the Westminster trade area was $3.6 million dollars per year ($143 per household) on automobile lubrication and oil change services. Evaluating the current supply was more nuanced. Although there are many service stations offering automobile lubrication and oil changes as part of a more comprehensive automobile servicing, Applicants and Mr. Steere submit that a quick-lube service station use as they propose is qualitatively different and meets a different market, though acknowledging some inevitable overlap. The Applicant's proposed use is a form that is designed to quickly work

on a vehicle and get it out the door, whereas the comprehensive service station is more likely to have an oil change request as part of additional work or when completed alone, in a cue of vehicles that include substantial servicing such that the vehicle must be left at the facility. The Board accepts this more limited definition of the competition as the different business models generate a qualitatively different use of the properties on which they occur.

28. The supply that forms the comparison in the Valbridge analysis comes from 3 competing quick-lube stations in the entire County. Mr. Steele opines that they meet different markets. Only one Jiffy Lube services the defined trade area (it is located in Westminster) and provides a current capacity for the trade area of 29,536 vehicles per year. The Valbridge Report identifies the total need in the trade area at 55,876 vehicles. The average commute time in the trade area is 45 minutes, so there is a substantial vehicle per mile average on a yearly basis. Mr. Steere and the Valbridge Report opines that even with some of the need being met by comprehensive services stations, there would be a shortfall of two to four required oil changes by each household and therefore there was a substantial unmet need for the Applicant's proposed use. The Board accepts the definition of the applicable market and the conclusions of Mr. Steere and the Valbridge Report (Exhibit 15).

29. Section 164-149A(4)(a) and (b) provides two standards upon which the Board must evaluate the probability of a lack of reasonable public need. The Applicant asserts that both conditions are met, as there is no active service station use within one mile and on the same side of the road as the Property and is not at an intersection, and there are not two service stations within the four quadrants of an intersection within ½ mile from the center of the intersection in any direction. With respect to the presumption standard, Applicant relies upon the Jiffy Lube being on the opposite side of Baltimore Blvd., using the main traffic pathway as the road for

comparison despite the Property being accessed via Gorsuch Road. There are no other service stations at this intersection. The Board notes that the presumption standards in §164-149A(4)(a) and (b) are only relevant when there is insufficient evidence of reasonable public need. The Board finds that even if a probability of public need under subsections (a) and (b) had been presented, convincing evidence was nonetheless presented in the Valbridge market analysis that a public need exists based upon unmet annual need within the trade established by the study.

30. In addition, the Board finds that competition between suppliers of quick-lube service station uses is good for customers and is a relevant consideration as part of the public convenience and need. Competition will benefit consumers as far as convenience, price, and the range or services available. The Applicant's proposed quick-lube service station use will provide added competition without providing a multiplicity of uses that would cause an adverse impact to the public. Based upon the findings in paragraphs 27 through 29 above, the Board finds that the Applicant has established that the proposed use will meet a need (of the public convenience and service), and therefore the requirements of §164-149A(4) have been met.

31. The Property for the proposed use exceeds 20,000 S.F. (21,610.97 S.F.). The proposed frontage on both Baltimore Blvd. and Gorsuch Road exceed 120 feet in length (See Exhibit 10). The proposed total building floor ratio does not exceed twice the total lot area, so the dimensional requirements of §164-45A(1) will be met. The landscaping buffering requirements can be met. Based upon the foregoing, the dimensional and buffering requirements can be met for the size of the Property, and therefore the requirements of §164-149(5) have been met.

32. There is enough land on the Property to meet the 10% landscaping requirement and the Applicant will need to establish sufficient plantings to meet this requirement and the requirements of the City's Landscape Manual as part of the site plan approval process. The Applicant's plan shows significant perimeter landscape plantings (See Exhibit 9, Landscaping Plan). Although there is no landscaping on the west side where the Tevis easement and the proposed drive aisle is proposed, there is existing vegetation on that western boundary of the adjacent property (See Exhibit 11). The Board finds that the Applicant has met the requirements of §164-149(6).

33. The Property does not directly abut the R-7500 residential zone, but the proposed site plan uses that portion of the Tevis property that does directly abut the R-7500 Residential Zone for the proposed drive aisle (including the current easement area), so the requirements of §164-149B(1) for effective screening are triggered. Applicant provided evidence on the western boundary of the adjacent property (See Exhibit 11) that provides sufficient screening. Nonetheless, Applicant proposes to rebuild the existing wall between the properties which will add some degree of screening effect. The Board finds that the requirements of §164-149B(1) have been met.

34. Applicant proposes two signs, one on the building and one a monument sign along Baltimore Blvd. on the corner of the Property. The Board finds that the signs and the five parking spaces on the west side of the building do not create any adverse impacts on the visibility at the intersection or the driveway access point. The Board notes that the signs must still meet the requirements of the sign regulations of the City, including within the zoning ordinance. The Applicant shall meet these requirements during the site plan approval process or via administrative review for a zoning permit.

35. There was insufficient evidence for the Board to evaluate the adverse impacts of lighting on surrounding or facing premises or the safe vision of operators of vehicles moving on Baltimore Blvd, and Gorsuch Road said adverse impacts being prohibited by §164-149B(3). The Planning Director's staff report notes that a photometric plan will be evaluated during the site plan review process. The Applicant shall meet this requirement during the site plan approval process.

36. Applicant's site plan proposes nine dedicated off-street parking spaces and Applicant proposes that each of the four queuing lanes inside the structure be considered one parking space for a total of 13 parking spaces. The proposed use is to provide drive-through lubrication and other limited preventative maintenance to automobiles, but not general vehicle repair. No vehicle storage is proposed on the Property. The Board finds that it is reasonable for the Applicant's intended use to consider the four bays as each providing one parking space to meet the parking requirements. The Zoning ordinance requires 13 parking spaces and the Board finds that the requirements of §164-149B(4) have therefore been met by the Applicant.

37. The Applicant's plan and testimony established that the design and location of driveways ensure safe and efficient movement of traffic on and off the site from the lane of traffic nearest the curb and that the design, location and construction of the vehicular access driveways are in accordance with the applicable specifications and standards of the Department of Public Works, as required by §164-149B(5).

38. The Applicant does not propose any gasoline pumps on the Property and all service appliances would be located inside the proposed building (and thus at least 10 feet behind the

building line). The Board finds that the Applicant's proposed use meets the requirements of §164-149B(6).

39. There is no planned parking area which would overhang in the public right-of-way, so the requirement of §164-149B(7) has been met. Section 164-171B requires that the parking requirements of § 164-111C be met. A service station use requires 2 spaces per bay and 1 space per employee shift. There will be four service bays and 7 parking spaces on the west of the building and two on the south. Due to the nature of the proposed use, the four service bays will by definition hold one parking space each for customers, so the total of 13 required off street parking are met. It is anticipated that an administrative adjustment would be requested to count the four service bays as a parking space. The Board finds that for the purposes of the special exception review, the Applicant meets the parking requirements of §164-111.

40. §164-140 imposes a distance requirement that reads:

    "Any uses of buildings subject to compliance with this section shall be located at least 100 feet from any other lot in a residential zone or in any other zone which contains a dwelling, school, place of worship or institution for human care."

41. Planning staff (See Exhibit 2) raised the question of whether the Applicant can meet the requirements of §164-140. The Applicant proposes to move the building eastward so the distance between the building and the Carroll County R-7500 residential zone to the west of the Property will be increased when compared to the existing veterinary use. However, it will be less than 100' from that Carroll County zoning. To the southwest of the Property, the Town's R-7,500 residential zone starts but it appears that the building is over 100 feet from that zone. The proposed automobile service station use will be 68' (less than the required 100

feet) from the Tevis property to the south which, while in the B-business district, contains a dwelling. Therefore, the proposed use may not meet the requirements of §164-140 of the Zoning Ordinance and therefore may require either a variance or, if available, an administrative adjustment. By this order the Board does not rule on the availability of either option for the Applicant as that issue was not sufficiently noticed or presented to the Board for resolution.

42. §164-170A requires a finding that:

> "1. The proposed use does not adversely affect the general plan for the physical development of the district, as may be embodied in this chapter and in any Master Plan or portion thereof adopted by the Commission;
>
> 2. The proposed use at the location selected will not:
>
> (a) Adversely affect the health and safety of residents or workers in the area;
>
> (b) Overburden existing public services, including water, sanitary sewer, public roads, storm drainage and other public improvements; or
>
> (c) Be detrimental to the use or development of adjacent properties or the general neighborhood or change the character of the general neighborhood in which the use is proposed, considering the service required, at the time of the application, the population, density, character and number of similar uses; and
>
> 3. The standards set forth for each particular use for which a special exception may be granted have been met." §164-170A.

43. As described in the 2009 Comprehensive Plan, the B Business Zone along Maryland Route 140 (Baltimore Blvd.) is typified by "...significant commercial activity during both day and evening hours, including weekends. MD 140 is a divided, multi-lane highway with good vehicular access. See Chapter 9, Economic Development, Part 1 Business Patterns, Section 2: Maryland Route 140. The 2009 Comprehensive Plan sets goals including Goal E2, Objective 3, which reads: "Support the retention and expansion of existing businesses, while exploring opportunities for new business development." The 2009 Comprehensive Plan also discusses

the type of infill development proposed by the Applicant on this Property, which remains vacant, when it states: "There are many opportunities for redevelopment and infill along MD 140. The Property is located in a commercial area which has design criteria necessary to accommodate automobile access and high traffic volumes. The Board finds that the proposed quick-lube service station use is consistent with the typical uses of the B Business Zone and is consistent with, and will not adversely affect, the general plan of development of the B Business Zone.

44. There was no evidence of any adverse impacts to the health and safety of residents or workers in the area caused by the proposed service station use and the Board finds that it would not create such adverse impacts. The redevelopment of the current veterinary clinic will improve the layout of Property in the context of the commercial neighborhood. There was no evidence that noise, fumes, or other nuisances would be created by the use. There was evidence that the plan would improve the use of the Property over the current use and its configuration.

45. There was no evidence that the proposed service station use would overburden existing public services, including water, sanitary sewer, public roads, storm drainage and other public improvements and the Board finds that it would not. The number of people living in the area will not change. The road serving the Property appears to be adequate to handle volume of traffic that would utilize the proposed service station use, though the impact of traffic on the roads, along with storm drainage, stormwater management, and related development issues will remain a consideration during site plan review by the Planning & Zoning Commission. The Planning Director staff noted concerns about any increased water demand from the proposed use. Over the last twelve quarters, the veterinary clinic used

282,765 gallons (261.82 gallons/day). The Applicant could not provide comparable water usage for similar uses but acknowledged that it will need to address public water allocations in the permitting process for its proposed use.

46. The Board finds that there was no evidence that the proposed service station use would be detrimental to the use or development of adjacent properties or the general neighborhood. There was testimony that the use would not create noise or other health and safety adverse impacts over and above a use commonly expected by a service station use on this Property. The Board finds that the proposed service station use is consistent with the overall neighborhood and the commercial development pattern in the B Business Zone and will not change the character of the general neighborhood, considering the services required, at the time of the application, the population, density, character and number of similar uses.
47. The Board finds that the proposed service station use will be consistent with the orderly growth of the community, a factor which may be considered by the Board pursuant to §164-169B(2).
48. Therefore, based upon all the previous findings, the Board finds that the Applicant has met its burden of proof and is entitled to an approval of its application for a special exception.

IT IS SO ORDERED.

AS CERTIFIED by the Chairman's signature below, the Board of Zoning Appeals has adopted this Resolution and Order after the public hearing held on May 5, 2020. After said public hearing, the Board voted in favor of granting the special exception, by a vote of 2 votes in the affirmative and 1 vote in the negative. The Board has adopted the findings herein and approved the passage of this Resolution and Order granting the Applicant's special exception

request, this 23 day of June, 2020. This Resolution and Order shall become effective upon its passage.

Board of Zoning Appeals,
City of Westminster, Maryland

Ed Cramer, Chairman

	*	
IN THE MATTER OF:	*	BOARD OF ZONING APPEALS
Applicants: Mid-Atlantic Lubes, LLC and ABBEC Property LLC	*	CITY OF WESTMINSTER, MD
	*	
Property: 334 Gorsuch Road Westminster, MD 21157	*	Case No. 20-02
Application for Special Exception	*	

* * * * * * * * * * * *

ORDER SUSPENDING THE JUNE 23, 2020 ORDER OF THE BOARD OF ZONING APPEALS OF WESTMINSTER AND GRANTING A REHEARING IN THE CASE, LIMITED TO THE QUESTION OF THE APPLICABILTY OF SECTION 164-140 OF THE ZONING ORDINANCE TO APPLICANTS SPECIAL EXCEPTION REQUEST AND IF SECTION 164-140 IS DEEMED APPICABLE, THE EFFECT ON APPLICANTS' PROPOSED USE.

WHEREAS, the Board of Appeals issued a Resolution, Order and Findings dated June 23, 2020 in Case 20-02, granting a special exception to the Applicants. By an email request from Applicant's counsel dated June 26, 2020, Applicants seek clerical and non-clerical changes to the text of said Resolution, Order and Findings;

WHEREAS, the Board has deemed the first three requests related to clerical errors and the Board is willing to amend those findings administratively;

WHEREAS, Applicants' fourth request is to remove the findings in Paragraph 40 and 41 with respect to the potential applicability of §164-140 to the Applicants' special exception request and proposed use and the Board finds that a rehearing on that issue is required; and

WHEREAS, the Board finds that the Applicant's request for modification of the June 23, 2020 order was timely and with respect to the fourth request described above, shall be resolved pursuant to Section 18(d) of the Rules of Order and Procedure for the board of Zoning Appeals of Westminster.

NOW, THEREFORE, BE IT RESOLVED and ORDERED by the Board of Zoning Appeals of Westminster, Maryland that the Resolution, Order and Findings of June 23, 2020 are hereby suspended pending disposition of Applicant's request for modification and the Case shall be set in for a rehearing, limited to the issue of the applicability of §164-140 to the Applicants' request for a special exception and if the Board determines during said hearing that §164-140 is applicable to the special exception request in the case, to take further testimony from all interested parties on the Applicants' ability to meet the requirements of §164-140.

IT IS SO ORDERED.

AS CERTIFIED by the Chairman's signature below, the Board of Zoning Appeals has adopted this Order this 16th day of July, 2020.

Board of Zoning Appeals,
City of Westminster, Maryland

Ed Cramer, Chairman