



**CITY OF WESTMINSTER
PLANNING AND ZONING COMMISSION
MEETING SUMMARY**

**November 17, 2016, at 7 PM
John Street Quarters, 28 John Street**

A meeting of the City of Westminster Planning and Zoning Commission was held at the John Street Quarters, 28 John Street in Westminster, Maryland 21157, on November 17, 2016, at 7 PM.

Chair Peggy Bair, Council Member Suzanne Albert, Commissioner Kevin Beaver, Commissioner Lori Welsh-Graham and Commissioner Thomas J. Rio were present. City staff Bill Mackey and Andrew Gray were present. City Attorney representative Patrick Thomas of Funk & Bolton was present. Carroll County Planning Liaison and Comprehensive Planner Scott Graf was present.

The following were present and signed-in: Kevin Carter, Jody Braun, Alyssa Selig, Jeff Selig, Daniel Strickler, Jeanne Mueller, Gabrielle Bongers, Theresa Mulieri, Ed Cramer, Becca Sirinakis, Taylor Spencer, Mary Beth Kepler, Chuck Brown, Jason Devnew, Gary Wagner, Eric Boyer, Sherry Botsford, Fred Botsford, Mary Diehlman, Kelly Marques, Joseph DaVia, Pauline Coker, Diane Berry, Pauline Curtis, and James Stoneberger.

Chair Peggy Bair opened the meeting at 7:03 PM. Commissioner Welsh-Graham moved approval of the minutes of the October 13, 2016 meeting and the continuation meeting on October 20, 2016. Council Member Albert seconded. The motion passed.

Chair Peggy Bair opened Old Business with Item E, the public hearing closure on the proposed amendment to Wakefield Valley to allow 53 new houses on Parcel W. Chair Peggy Bair briefed those in attendance that the Commission received over 100 comments from the public and that the decision by the Planning and Zoning Commission is a recommendation to the Mayor and Common Council. The Chair also announced that the Mayor and Common Council would be holding a public hearing on December 12, 2016, beginning at 7 PM at the John Street Quarters.

Chair Peggy Bair opened Commission Member discussion on the matter.

Commissioner Beaver inquired as to whether or not the transfer of Parcel X (16.0695 acres) to Carroll Lutheran Village (CLV) had been completed. Mr. Clark Shaffer, representative for the applicant, responded that the transfer would only be completed, if and when the applicant's subdivision were to be finalized by the City.

Adopted on December 8, 2016

Commissioner Beaver asked where the three existing density rights were assigned. Mr. Shaffer responded that the density rights stay with the land. Mr. Marty Hackett noted that Parcel M2 had the rights. These rights were to be for Parcel W, leaving no rights on other parcels (X,Y,Z).

Commissioner Beaver asked why Parcel X (16.0695 acres) was being given to CLV and not to the City. Mr. Shaffer responded that it is intended to provide a buffer for CLV. CLV would not have density rights on the 16 acres. This would be accomplished by restrictions included in the deed.

Commissioner Beaver asked why such restrictions were not included for parcels deeded to the City. Mr. Shaffer replied that the applicant could have included similar restrictions but did not.

Commissioner Beaver asked what would happen, if the applicant were not to utilize all of the water rights reserved for the proposal (53 houses) and Stonegate (225 houses)? Mr. Mackey responded that water rights appear to be reserved by the applicant. Mr. Shaffer responded that this is not addressed directly. Mr. Shaffer also opined that unused water rights would revert to the City for use by the City as water allocations that would be generally available.

Commissioner Beaver asked about water rights for the Griswold property. Mr. Shaffer stated that the applicant for the Griswold property would have to use the regular allocation process.

Commissioner Beaver noted the 1989 amendment that removed 160 units and 10 commercial acres. Mr. Shaffer confirmed the 1989 amendment had lowered overall density and removed commercial, stating the general development plan had contemplated changes and fluctuations.

Commissioner Welsh-Graham expressed feeling responsibility and concern for the Wakefield Valley community, especially regarding the potential for piecemeal approval of development in the absence of knowing how both the CLV-owned and City-owned parcels would be developed.

Commissioner Welsh-Graham asked if there had been any collaboration between Pinkard Properties and Mr. Kress. Mr. Shaffer responded that the applicant had not had conversations with Pinkard Properties, citing that this was a matter to be decided by the City for its property.

Commissioner Welsh-Graham asked what would happen to Parcel X, which is slated for transfer to CLV, if the proposal for Parcel W (53 houses) were not approved. Mr. Shaffer responded that CLV would not need a buffer, if there were no proposed houses to be constructed on Parcel W.

Council Member Albert expressed concern about the potential loss of open space on Parcel W.

Chair Peggy Bair agreed with comments by other Commissioners, mentioning CLV submitted a letter indicating their intention to keep Parcel X in a natural state. The Chair mentioned that the developer should be in contact with the City about future connections to the walking paths, once a final plan is in place. The Chair also noted that most of the homes immediately surrounding the proposal are one-acre, which is much larger than the proposed lots which are ½-acre. The Chair expressed that the proposed lots on Parcel W should mirror the existing neighborhood lot sizes.

Commissioner Beaver noted the Chair's opinion is similar to his own regarding the application submitted in 2006, stating that Wakefield Valley has changed and that it is transforming into something unknown. Commissioner Beaver noted a compromise could be made; however, in order to raise the density, there would need to be community support. Commissioner Beaver suggested that providing more amenities might increase support. Commissioner Beaver noted that there were three lots agreed to for this property in 1989, when the density was lowered. Commissioner Beaver reiterated that more support from the community is needed.

Commissioner Beaver made a motion to deny the application as presented. Council Member Albert seconded. The motion passed unanimously.

Chair Peggy Bair opened New Business. Mr. Scott Graf informed the Commission about the new Carroll County Bicycle Pedestrian Survey. The survey is posted online on the County's website.

Chair Peggy Bair opened discussion on a proposed amendment to the 2014 Water & Sewer Master Plan. The Chair recognized Ms. Andrea Gerhard, Comprehensive Planner from Carroll County. Ms. Gerhard presented the master plan amendment for a minor, 7.8-acre expansion.

Ms. Gerhard requested the Commission to certify that this amendment is consistent with the City's *2009 Comprehensive Plan*. Mr. Mackey noted specific goals that support the amendment.

Commissioner Welsh-Graham made a motion to approve the amendment to both the water and sewer service areas. Council Member Albert seconded. The motion passed.

Chair Peggy Bair opened discussion on the three, proposed, same-size replacement signs for The Home Depot at 835 Market Street. Mr. Gray reviewed the staff report including Ord 870. Staff recommended approval of the replacement building signs at the same size as the existing.

Council Member Albert made a motion to approve the signage. Commissioner Welsh-Graham seconded. The motion passed.

Chair Peggy Bair opened discussion on the two, proposed, additional signs for Katana Japanese Cuisine at 410 Meadow Creek Drive. Mr. Gray reviewed the staff report including the existing signage. Staff recommended approval. Council Member Albert raised concern that some of the neighboring tenants already have signage on the rear of the building. A member of the public spoke in support, stating that pick-up service was planned and would utilize the rear entrance. Chair Peggy Bair had concerns regarding commercial signs and infrastructure being visible to the Neighborhood from a Neighborhood Commercial site.

Council Member Albert made a motion to approve the signage. Commissioner Welsh-Graham seconded. The motion passed 4-1.

Chair Peggy Bair opened Planning Commission and Public Comments. Chair Peggy Bair opened the discussion of potentially including a consent category on future agendas. Mr. Mackey noted that some routine items such as signage could be handled efficiently using a consent calendar.

Chair Peggy Bair mentioned concerns that using consent calendar would take away from the transparency of the meeting for the public. Commissioner Beaver mentioned that the past few months had been busy. Council Member Albert made a motion that use of a consent calendar be at the discretion of the Chair. Commissioner Welsh-Graham seconded. The motion passed.

Chair Peggy Bair opened discussion on the recap of the Board of Zoning Appeals hearing on FR Conversion's application for a new restaurant use at 1231 Tech Court. Mr. Mackey provided an overview of the results including the use of existing on-site parking and new directional signage.

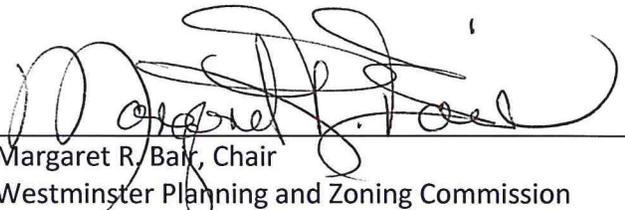
Chair Peggy Bair opened the board elections for Chair. Commissioner Welsh-Graham made a motion to elect Peggy Bair as Chair. Commissioner Beaver seconded. Peggy Bair did not vote. The motion passed.

Chair Peggy Bair opened the board elections for Vice-Chair. Commissioner Welsh-Graham made a motion to elect Kevin Beaver as Vice-Chair. Commissioner Rio seconded. Commissioner Beaver did not vote. The motion passed.

Chair Peggy Bair opened the discussion of Commissioner Comments. Commissioner Welsh-Graham encouraged everyone to shop downtown and bring their children to the Miracle on Main Street parade. Chair Peggy Bair mentioned the City did a wonderful job replacing the playground equipment.

Council Member Albert made a motion to adjourn the meeting. Commissioner Rio seconded. The motion passed.

The Commission adjourned at 8:12 p.m.



Margaret R. Bair, Chair
Westminster Planning and Zoning Commission