



CITY OF WESTMINSTER
PLANNING AND ZONING COMMISSION
MEETING SUMMARY

Thursday, March 14, 2019, at 7 PM
City Hall, 1838 Emerald Hill Lane

A meeting of the Westminster Planning and Zoning Commission was held at City Hall, 1838 Emerald Hill Lane in Westminster, Maryland 21157, on March 14, 2019, at 7 PM.

Chair Kevin Beaver, Vice-Chair Ross Albers, Commissioner Tiombe Paige, and Commissioner Tom Rio were present. City staff members Andrew Gray, Bill Mackey, and Samantha Schlitzer were also present.

The following were present and signed in: John McAlister.

Chair Beaver opened the meeting at 7:00 PM.

Vice-Chair Albers made a motion to approve the minutes from January 10, 2019. Commissioner Rio seconded. The motion passed.

Chair Beaver opened New Business Item A – Public Hearing – LMA 19-01 Petition for Compatible Neighborhood Overlay Zone. Mr. Mackey provided the Commission with background information and a brief overview of the staff report.

Chair Beaver recognized Kelly Shaffer, representing the applicant, who described the background of the project and the necessity of the CN Zone Overlay. She emphasized that the request for the Commission was that the overlay zone be applied to the specified properties, and it was not for a specific project or site plan. If the overlay zone request is approved, the applicant will proceed with a full site plan to come before the Commission at a later date. Ms. Shaffer provided the Commission members with an aerial photo of the property location, which bordered West Main Street and the Safeway store. Ms. Shaffer described the envisioned future project as a multi-family residential building, opining that it would be compatible with R-10,000, and, as in-fill development, and also compatible with surrounding commercial and residential zones.

Ms. Shaffer introduced Mr. Kyle Speece, on behalf of Conifer Reality, to speak about the proposed future site plan. Mr. Speece explained that an envisioned project could feature 35 apartments, with a mix of one-, two-, and three-bedroom units. A minimum of five percent would be planned as ADA accessible units, spread over the different unit sizes. Conifer directly manages its buildings and works with applicants to verify occupancy, income, and background check requirements. Conifer also uses affordable housing grants from the federal government by offering financing through low-income tax credits via Maryland Housing and Community Development. Under this program. All but six units would require an income restrictions of no more than \$57,000 per household.

Chair Beaver asked if renters could lose their apartments, if their income increased above the maximum allowed. Mr. Speece replied renters could disqualify from the program, if their incomes were significantly high for an extended period of time.

Vice-Chair Albers asked about the suitability of the specific site for the proposed future development. Ms. Shaffer replied that the *2009 Comprehensive Plan* maps show that the growth area boundary and priority funding area include this location as an appropriate site for multi-family housing.

Vice-Chair Albers asked if the proposed site development fit with the *older neighborhoods*, as outlined in Section 164-45.14 of the City Code. Ms. Shaffer replied that the area is mixed commercial and residential uses and the term *older neighborhood* is generic in terms of its purpose. The property in question borders an intensely utilized commercial area, which is compatible with a high-density residential structure being near amenities with pedestrian access to them.

Vice-Chair Albers asked how a potential multi-family residential building could be integrated with the single-family homes already in the area. Ms. Shaffer replied that the architect would follow the City's Development Design Preferences manual, in addition to Section 164-45.21, which outlines in extensive detail various building requirements.

Commissioner Rio asked if Western Maryland Corporation would remain the property owner. Ms. Shaffer replied that Conifer Realty is the contract purchaser of the property.

Ms. Shaffer introduced Mr. Eduardo Intriago to provide design and core rendering visuals. He explained that traffic will have two-way access from West Main Street. There will also be two retention walls built, and all Stormwater Management requirements have been met.

Ms. Shaffer introduced Mr. Bruce Zavos from Zavos Architecture and Design, to describe potential building components. Mr. Zavos stated that the funding eligibility requirements require 70% long-lasting construction materials be used. The building would be three stories to 40 feet in the front, with a drop off in the back to an underground parking area for tenants. Ms. Shaffer asked Mr. Zavos to describe the building materials that could be used. Mr. Zavos replied that 70% of the materials must be high-level, low-maintenance, such as brick, hardy panel, and vinyl siding. There is a 15-year minimum age requirement on the materials, but the developer hopes to achieve up to 30 years. The construction materials for these kinds of buildings are focused on maintenance and are not market rate-driven; they are inspected annually by the federal government.

Ms. Shaffer introduced Mr. Bruce Preston, President of Western Maryland Development Corporation, Trustee of McDaniel College, and Chair of the Building and Grounds Committee at McDaniel College. Mr. Preston stated that the site had been difficult to sell for use as individual lots for single-family homes. The realtor was approached by Conifer Realty, and Mr. Preston stated that he is excited to see high-quality development next to the shopping center, also owned by Western Maryland Development Corporation.

Ms. Shaffer noted that the total number of available apartments is small in comparison to other high-density, multi-family residential buildings. This will aid in the transition from commercial to single family residential. Ms. Shaffer recapped that the verticality also helps to maintain the existing green space, since a multi-story building could have a smaller footprint. The applicant requests a favorable recommendation by the Planning and Zoning Commission to the Mayor and Common Council to apply the Compatible Neighborhood Overlay Zone on the subject properties.

Mr. John McAlister, 1004 Washington Road, owns the adjoining two lots to the proposed site. He requested clarification on the stormwater management requirements. Mr. Intriago provided additional information pertaining to the stormwater management plan.

Mr. McAlister asked if there would be any improvements to traffic ingress or egress. Ms. Shaffer replied that the Planning and Zoning Commission will review the future site plan, including traffic control.

Mr. McAlister asked if the property had been surveyed for correct boundaries. Ms. Shaffer replied in the affirmative.

Mr. Mackey stated that a written report and recommendation will be made available for approval at the next meeting of the Planning and Zoning Commission. Staff will proceed with the appropriate notices for a public hearing before the Mayor and Common Council.

Chair Beaver closed the public hearing at 7:49pm. Vice-Chair Albers motioned to recommend approval of the petition for the Compatible Neighborhood Overlay Zone to be applied to property located at Tax Map 101, parcels 1958, 1957, 1955, 1953, and 1952, having physical addresses of 322, 314, and 312 West Main Street. Commissioner Paige seconded. The motion passed unanimously.

Chair Beaver opened New Business Item B – Proposed Signage for Caples Car Care at 97 South Cranberry Road. Mr. Gray provided background on the item and staff recommendation to approve one building and one freestanding sign with added landscaping to screen the existing sign pole.

Vice-Chair Albers asked about the landscaping requirement. Mr. Gray stated that when there is an application to modify the sign, it must conform to current Design Preferences Manual landscaping requirements.

Vice-Chair Albers motioned to approve the proposed signage at Caples Car Care for one building and one freestanding sign, to include added landscaping to screen the existing sign pole. Commissioner Rio seconded. The motion passed.

Chair Beaver opened New Business Item C – Proposed Ordinance No. 907 to Delete Rooming Houses as a Use. Mr. Mackey provided the Commission with background information and a brief overview of the staff report. He added that the written report and recommendation will be available for approval at the next meeting of the Planning and Zoning Commission. Staff will proceed with appropriate advertisement for a public hearing by the Mayor and Common Council.

Chair Beaver asked what options owners of existing rooming houses would have for conforming to the requirements. Mr. Mackey replied that property owners have options to redevelop properties as conversion dwellings or possibly to commercial uses. Chair Beaver asked approximately how many properties would be affected by this change. Mr. Mackey replied that the City's Housing Department was working on an inventory of affected properties, and this would be provided to the Mayor and Council at their next meeting.

Vice-Chair Albers motioned to recommend approval of Ordinance No. 907 to delete rooming houses as a use. Commissioner Rio seconded. The motion passed.

Chair Beaver opened New Business Item D – Approval of Proposed Chapters Three and Four of the 2019 Carroll County Bicycle and Pedestrian Master Plan. Mr. Gray provided background on the item, including the City's request to add bike trails. Staff recommends the Planning and Zoning Commission certify that proposed chapters for the 2019 County Bike/Ped Plan are consistent with the *2009 Comprehensive Plan*.

Ms. Clare Stewart, Comprehensive Planner for Carroll County, noted that the final edit to the plan replaced the last sentence with “The County is reviewing the final design drawings and cost estimates for construction. The SHA has issued an access permit for the project.”

Vice-Chair Albers motioned to approve the requested certification, moving that the proposed chapters, with the final edit as provided by Ms. Stewart, are consistent with the City of Westminster’s 2009 *Comprehensive Plan*. Commissioner Rio seconded. The motion passed.

Chair Beaver requested a motion to approve the letter to the County certifying that proposed chapters three and four of the 2019 County Bike/Ped Plan are consistent with the 2009 City Comprehensive Plan. Vice-Chair Albers motioned; Commissioner Rio seconded. The motion passed.

Chair Beaver opened New Business Item E – Proposed Annual Report Materials for Submittal to Carroll County. Mr. Gray provided background on the item and a staff recommendation to approve the 2018 City Planning Annual Report information. Ms. Moser congratulated Mr. Gray on his hard work in reviewing the information for the Commission to review. Mr. Gray noted that County Planner Sen has done an excellent job preparing the materials, adding that Mr. Sen does the same for the County and all the municipalities.

Commissioner Rio motioned to approve the 2018 City Planning Annual Report information. Vice-Chair Albers seconded. The motion passed.

Chair Beaver opened New Business Item F – Carroll County Liaison Report. Ms. Moser provided status updates on the Carroll County Master Plan implementation. Letters have been sent to property owners outlining what new zoning will be applied to individual properties based on the new zoning classifications. Two public outreach meetings are scheduled for March to help the public understand the rezoning effort.

Chair Beaver opened the floor for Planning Commission and Public Comments. Mr. Mackey introduced Mr. Thomas Sterner, the artist creating the sculpture at 45 West Main Street. Mr. Sterner presented a scale model of the sculpture and described how he envisioned it would look with applied landscaping and lighting. He concluded by stating that the Maryland Arts Council was providing matching grant funds for the project.

Mr. Gray summarized for the Commission’s information, a building permit application for Wendy’s to refresh its building façade. Since the site layout would not be changing, a site plan review would not be required.

Mr. Mackey shared an invitation from the Maryland Planning Commissioners Association (MPCA) to attend a training workshop held in Hagerstown. All the Westminster Commissioners are members of the MPCA.

Mr. Gray highlighted the sign permit approval process with the Commission and provided current City Code information. Staff reviews and approves permits based on the Development Design Manual requirements as well. Mr. Mackey added that different zoning districts have different requirements, and the City attorney is consulted when necessary, especially since signage tends to be regularly litigated in the United States.

Mr. Gray updated that the Commission on that Board of Zoning Appeals. The Board had recently voted for the continuance of BZA Case \$ 19-01 to await expert testimony. The Board will reconvene on April 2, 2019.

Vice-Chair Albers moved to adjourn. Commissioner Rio seconded. The Commission was adjourned at 8:32 PM.