

MINUTES
Baltimore County Planning Board
September 20, 2007

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Suspend meeting for Public Hearing

Public Hearing**
by the
Baltimore County Planning Board
Frank O. Heintz, Chairman

Enterprise Housing Corporation
Senior Housing Community at Rolling Road, PUD

Wells-McComas Community Conservation Plan Amendments
And Related Zoning Issues

Call to order, introduction of Board members, and remarks on procedures by Chairman

****Comments by citizens**

Adjournment of Public Hearing

Reconvene Board Meeting to vote on Enterprise Housing Corporation PUD, addressed at Public Hearing.

Adjournment of the Board meeting

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Minutes
September 20, 2007

Call to order, introduction of Board members, pledge of allegiance to the Flag, and announcements

Chair, Frank O. Heintz, called the regularly scheduled meeting of the Baltimore County Planning Board to order at 4:00 p.m. The following members were:

<u>Present</u>		<u>Absent</u>
Mr. Dennis P. Hoover	Mr. Aaron E. Dock Sr.	Mr. Paul G. Miller
Ms. Dorothy Foos	Mr. Craig Witzke, Jr.	
Mr. Robert J. Palmer	Mr. H. Edward Parker	
Mr. Gerard Wit	Mr. Wayne C. McGinnis	
Mr. Dean Hoover	Dr. Robert Gregory	
Mr. Gordon K. Harden, Jr.	Mr. Edward J. Gilliss	
Mrs. Nellie Grinage		

County staff present included: Pat Keller, Jeff Long, Jeff Mayhew, Curtis Murray, Barbara Weaver, Krystle Patchak, Julia Haskins, Kathy Schlabach, Amy Mantay.

Mr. Heintz opened the meeting by announcing that Vice Chair, Ed Gilliss, has accepted the position of Chair of the Comprehensive Zoning Map Process (CZMP) Subcommittee. He thanked Mr. Ed Parker for his past leadership role of the Capital Improvement Program (CIP) Board Subcommittee and advised that Mr. Dean Hoover will be stepping in as chair of the CIP committee.

Review of today's Agenda

There were no changes to the Agenda as published, which is filed as Appendix A.

Minutes of the September 6, 2007 meeting

Mr. Parker moved the acceptance of the Minutes of the September 6, 2007 meeting as circulated. Mr. Dennis Hoover seconded the motion, which passed by acclamation. Absent were Messrs. Miller and Dock. The Minutes are filed as Appendix B.

Items for introduction (no new items)

Items for further discussion

1. Wells McComas Community Conservation Plan Amendments and Related Zoning Issues

Now that the Board has had a chance to review the proposed Amendments as presented on September 6th, staff answered questions. Mr. Keller explained that the County Council had stated that any zoning changes to the Wells McCommas Community

Conservation Plan should proceed outside the Comprehensive Zoning Map Process. As far as replacing manufacturing zoning, which generates employment, with residential zoning, each request is considered on a case-by-case basis. Any business already established would be grandfathered; however, with expansion restricted to 25%. Per Ms. Mantay, 168.9 acres would be rezoned from manufacturing to residential.

Items for discussion and vote

- 2. Enterprise Housing Corporation, Senior Housing Community at Rolling Road, PUD, PDM 01-552

Any additional comments or questions will be deferred until after the Public Hearing.

- 3. Legislation of interest to the Planning Board. Resolution No. 82-07: Review of Planned Unit Development – 6th District – Galloway Creek LLC

Ms. Haskins highlighted details of Resolution No. 82-07, which was passed by the County Council on September 4, 2007, approving the review of the proposed planned unit development known as Galloway Creek. A copy of the resolution is filed as Appendix E.

Mr. Heintz called the Board members’ attention to the Recommended Policy for presentations and use of audio/visual equipment that is in the notebooks under Miscellaneous. A copy of the Policy is filed as Appendix F.

Mr. McGinnis expressed his concern for low-hanging power and cable lines across fields and roads in rural areas. Mr. Palmer would like to see trees that overhang roads trimmed. Mr. Keller advised that the Office of Planning would look into both situations.

The Board meeting was recessed at 4:20 p.m.

Public Hearing

Call to order, introduction of Board members

The Hearing was called to order at 5:05 p.m.

Enterprise Housing Corporation
Senior Housing Community at Rolling Road, PUD

Mr. Murray summarized the details of the application for the planned unit development as presented by the Enterprise Housing Corporation, their representatives, and the Planning Staff on September 6, 2007. The PUD calls for 83 senior housing units situated on 5.5 acres, which is zoned DR 3.5, in the 1st District. A copy of the Staff report is filed as Appendix D, along with a letter from a community resident.

Mr. SteveWhisler, representing the Westview Park Improvement and Civic Association, endorsed the project and the restrictive covenants that were put in place as a result of working together. Mr. David Gildea, attorney, spoke on behalf of the Enterprise Housing Corporation and expressed his appreciation to Mr. Whisler and his association.

Wells-McComas Community Conservation Plan Amendments
And Related Zoning Issues

Ms. Mantay, Community Planner, 7th District, described the community, which has a mix of residential and industrial uses, located on the waterfront on Back River. The original Plan was adopted as an amendment to the Baltimore County Master Plan in March, 2002 in an attempt to reconcile different uses. In 2005, the County Council passed a Resolution requesting review and update of the Plan. The draft amendments dated July 2007 are the result of the work of an advisory committee that made recommended zoning changes as presented. However, neither the community nor some members of the committee, are in agreement regarding zoning changes. The draft Amendments and a Log of Issues are filed as Appendix C.

Fifteen members of the community expressed their opinions to the Board regarding adopting the Amendments to the Wells McComas Community Conservation Plan, Draft, July 2007. Approximately 11 were in opposition to adopting the Plan, while 4 spoke in favor. Business owners and their representatives made the point that they were well satisfied with the zoning as it stands. To change would bring hardship to their business; especially since any expansion of their business in the “grandfathered” zoning areas would be limited to 25%. A resident stressed that she was not bothered in the least by the daytime business activity.

Those speaking in favor of adopting the draft based their support, in one case, on the desire to develop a formerly MH property for residential use. The need to redefine zoning to include “transition” zones was also put forth. Another stressed that all in the community had the opportunity to participate in the proceedings of the Advisory Committee as the meetings were well advertised by flyers and in the local newspaper. Further comments in writing were invited.

Reconvene Board Meeting to vote Enterprise Housing Corporation PUD, addressed at Public Hearing.

Mr. Gillis moved that the Board adopt the Enterprise Housing Corporation, Senior Housing Community at Rolling Road PUD as follows:

That upon consideration of (i) comments of the Office of Planning and other agencies, (ii) Report of the Office of Planning dated September 6, 2007, (iii) the PATTERN BOOK and PUD Concept Plan received August 2007 prepared by the Developers, and (iv) the discussion before the Planning Board on September 6, and September 20, 2007 commencing at 4:00 p.m. wherein presentations were made by the Office of Planning, the Developers and their professional consultants;

This Board finds the concept plan for Enterprise Housing Corporation, Senior Housing Community at Rolling Road, meets the intent, purpose, conditions, and standards of section 32-4-245 of the Baltimore County Code; The proposed development will conform with Section 502.1.A, B, C, D, E and F of the Baltimore County Zoning Regulations and will constitute a good design, use, and layout of the proposed site; There is a reasonable expectation that the proposed development, including development schedules contained in the concept plan, will be developed to the full extent possible; The development is in compliance with Section 430 and Section 433 of the Baltimore County Zoning Regulations; The concept plan is in conformance with the goals, objectives, and recommendations of the Master Plan or area plans.

The Enterprise Housing Corporation, Senior Housing Community at Rolling has been designed to minimize impacts to adjacent properties and to upgrade this section of Rolling Road corridor consistent with the Master Plan and complimentary to the uses in the area.

The motion was seconded by Mr. Witzke and passed by acclamation. Absent was Mr. Miller.

Adjournment of the Board meeting

Ms. Foos moved the adjournment of the meeting. The motion was seconded by Mr. Harden and passed by acclamation at 6:10 p.m.

bw

Approved as corrected 10/4/07