

FINAL SITE PLAN REPORT
to the
Carroll County Planning and Zoning Commission
May 17, 2022

Prepared by
Laura Matyas, Bureau of Development Review

SUBJECT: S-20-0010, Long Reach Farm Lot 20, Planned Commercial Center
LOCATION: South side of MD Route 26, east of Klees Mill Road; E.D.14
OWNER: Stavlas Properties, LLC, 11310 Judah Way, Marriottsville, MD 21104
(LLC members: Michael Stavlas)
DEVELOPER: same as owner
ENGINEER: VanMar Associates, Inc., 310 South Main Street, P.O. Box 328, Mount Airy, MD 21771
ZONING: C-2 Commercial Medium Intensity
ACREAGE: 6.58 acres
WATERSHED: South Branch Patapsco
NO. OF UNITS: 34 second-floor units
FIRE DISTRICT: Winfield
MASTER PLAN: Commercial Medium – 2018 Freedom Community Comprehensive Plan
PRIORITY
FUNDING AREA: Freedom
COMMUNITY
PLANNING AREA: Freedom
PUBLIC FACILITIES IMPACTED
ROADS: Liberty Road
FIRE & EMS: Winfield
POLICE: Maryland State Police/Carroll County Sheriff's Office
WATER / SEWER
DISTRICT: Existing Water / Sewer (Freedom)

❖ Action Required:

Two actions are required:

1. Approval of the site plan pursuant to Chapter 155, *Development and Subdivision of Land*, of the Code of Public Local Laws and Ordinances of Carroll County.
2. Approval of the site plan pursuant to Chapter 156, *Adequate Public Facilities and Concurrency Management*, of the Code of Public Local Laws and Ordinances of Carroll County.

❖ **Existing Conditions:**

The subject property is comprised of 6.58 acres, undeveloped, and zoned C-2, Commercial Medium Intensity. It was created as Lot 20 of the Long Reach Farms subdivision in 2017 and recorded in Plat Book 54, Page 289. Prior to subdivision, future Lot 20 was rezoned from Conservation to Business Neighborhood Residential (BN-R) with a unanimous approval of the rezoning request granted by the Board of County Commissioners on December 5, 2013. The December 2019 comprehensive rezoning resolution for commercial and industrial-zoned properties adjusted the property zoning to the current C-2 designation.

The adjacent property to the west is zoned C-2 and is vacant. Several businesses on C-2-zoned properties lie between the subject property and the intersection of Old Liberty Road / MD Route 26 / Klees Mill Road. The property to the north (across Liberty Road) is also zoned C-2 and has a site development plan for a retirement community, 44 Liberty Road, approved by the Planning and Zoning Commission on April 20, 2021. Immediately to the south and east lies Lot 19A of Long Reach Farms, zoned Conservation. The southern adjoining part of Lot 19A is extensively covered with environmental easements and the eastern portion is undeveloped.

Open land with topography that slopes downward from the northwest to the southeast, the property fronts Liberty Road, MD Route 26. The property has no frontage or access to Rhonda Road which lies south of Lot 19A.

The 2020 Spring Amendment Cycle to the Carroll County Water and Sewer Master Plan added the subject property to the existing service area for both water and sewer services.

❖ **Plan Review:**

The concept site plan was subject to citizen involvement at the August 24, 2020 meeting of the Technical Review Committee. Ten citizens attended the meeting to relay concerns and pose questions regarding traffic, pedestrian accommodations to Century High School, pole and headlight trespass onto adjoining properties, noise associated with dumpsters, stormwater runoff from the site, and property values.

The concept plan for the subject property was reviewed by the Planning and Zoning Commission on September 21, 2021 (see minutes attached). Discussion revolved around the proposed mixed use, traffic, site layout, and sidewalk. An adjoining property owner presented concerns related to runoff, light pollution, and traffic. Plan modifications between the concept review and the final phase include the extension of the sidewalk to the eastern property line and a reduced number of landscape plantings paralleling the eastern property line at the slope.

The owner of the property proposes to develop it with a two-building, two-story Planned Commercial Center (PCC) with commercial space on the ground floor and a total of 34 residential units at approximately 904 square feet each at the second floor.

Planned Commercial Centers are defined in Chapter 158 and are a principal permitted use in the C-2 zoning district, subject to regulations in Chapter 155.094. Chapter 155 addresses residential uses as an accessory use in a PCC, as allowed by the Planning and Zoning Commission and subject to the provisions outlined in the code.

§ 158.002 DEFINITIONS.

PLANNED COMMERCIAL CENTER (PCC). Three or more retail stores, service establishments, medical facilities, or other commercial uses designed as a unit and primarily served by common accessories such as signs, parking lots, and walkways.

§ 155.094 PLANNED COMMERCIAL CENTERS (PCC).

- (A) **Approval of certain types of centers by Planning Commission.** In any commercial district, the Planning Commission may approve a neighborhood-type shopping center or a community-type shopping center subject to the provisions hereinafter set forth under this subchapter.
- (B) **Development plan.**
- (1) The development plan shall show such items as the size of the project, the location and approximate shapes of buildings, road ingress and egress patterns, parking areas, storm drainage and water and sewerage facilities, and such other information as is necessary for the Planning Commission to give the necessary consideration.
 - (2) It shall be the duty of the Planning Commission to ascertain whether the location, size, and other characteristics of the site, and the proposed plan, comply with the following conditions:
 - (a) The proposed PCC will not cause points of traffic congestion on existing or planned future roads in the areas of such proposed location; and
 - (b) The plans provide for a PCC consisting of one or more groups of establishments in buildings of integrated and harmonious design, together with adequate and properly arranged traffic and parking facilities and landscaping, so as to result in an attractive and efficient shopping center.
- (C) **General regulations.** The following regulations shall apply to a PCC:
- (1) **Yards.**
 - (a) No building shall be erected within 50 feet of a public street right-of-way line, and no parking lot or other facility or accessory use, except permitted signs and planting, shall be located within ten feet of any public street right-of-way line.
 - (b) No building shall be located within 25 feet of any other boundary line, and any such line which adjoins a Residential District, if deemed necessary by the Planning Commission, shall be screened by a solid wall or compact evergreen hedge at least six feet in height, or by such other screening device as may be deemed appropriate and adequate.
 - (D) **Accessory uses.** Regardless of the underlying zoning district, the Planning Commission may allow residential uses as an accessory use to a PCC as follows:
 - (1) **Second story.** Provided the structure is not more than a total of two stories, residential units may be provided on the second story of the structure. No residential use is permitted on the first story of any structure within the PCC.
 - (2) **Floor area.** A residential unit shall be no less than 600 square feet and no greater than 1,000 square feet in size. The area of all residential units shall not exceed 50% of the total area of the structures within the planned business center (PCC).
 - (3) **Concurrency management.** All residential units shall be subject to §§ [156.01](#) through [156.07](#).
 - (4) **Development impact fees.** All residential units shall be subject to §§ [33.55](#) through [33.69](#).
 - (5) **Redevelopment.** A PCC existing as of February 26, 2007, may be redeveloped to include residential units on the second story of any existing structure, provided that:
 - (a) An amended site plan is approved by the Planning Commission; and

- (b) Compliance with §§ [156.01](#) through [156.07](#) and [33.55](#) through [33.69](#) is achieved prior to any change of use.
- (6) **Parking.** In addition to any parking required for the PCC, the Planning Commission may require an additional parking space per residential unit and may, in its discretion, restrict the additional parking to use by the residential tenant.
(Ord. 2019-07, passed 12-12-2019)

Two buildings of two stories at 39'-2-3/4" in height are proposed on the site at approximately 70 feet from the south property line. Building 1 and Building 2 (each 15,600 square feet per floor) will contain a total of 34 residential units. In accordance with code, units shall be no less than 600 square feet and no more than 1,000 square feet. The Site Development Data on sheet 1 indicates that units will be approximately 904 square feet each.

Based on the trip generation numbers, a traffic impact study was required. The proposed site access and all off-site intersections will operate at an adequate level of service. No traffic mitigation measures are required as a result of the traffic impact study.

A single full-movement entrance from MD Route 26 (Liberty Road) will provide access to the Planned Commercial Center. The existing paving along the frontage of the road, located in SHA right-of-way, will be widened to include a 6-foot-wide bicycle lane as part of the access improvements. Improvements consist of a deceleration right-in turn lane, an acceleration lane, and a dedicated left turn lane (for MD Route 26 westbound traffic). This section of SHA's MD Route 26 improvements is being coordinated with the development plans for the approved 44 Liberty retirement community on the north side of the road. The Maryland State Highway Administration has approved the plan.

The single access point to MD Route 26 is central to the property, with one parking lot immediate upon entering the site. A drive aisle circumnavigates the site providing access to the rear of the buildings and a dumpster at each building.

Chapter 155 parking requirements for Planned Commercial Centers are 5.5 spaces for every 1,000 square feet of floor area. Based on the use, 172 parking spaces are required. 203 spaces are provided: 31 spaces more than the requirement. There are 34 residential units proposed. In accordance with Chapter 155.094, the Planning and Zoning Commission may require additional spaces for the residential accessory use within the PCC.

§ 155.094 PLANNED COMMERCIAL CENTERS (PCC).

(D) **Accessory uses.** Regardless of the underlying zoning district, the Planning Commission may allow residential uses as an accessory use to a PCC as follows:

- (6) **Parking.** In addition to any parking required for the PCC, the Planning Commission may require an additional parking space per residential unit and may, in its discretion, restrict the additional parking to use by the residential tenant.

Site amenities include sidewalk, bicycle racks, and a possible transit stop. A five-foot wide sidewalk is proposed along the western property line from Building 1 to Liberty Road where a possible Carroll transit stop location is depicted. Sidewalk along Liberty Road extends to the eastern property line with another walkway turning south to connect to Building 2.

A photometric plan is included on sheet 11 with a detail showing 25-foot-high light poles with full cut-off fixtures. Lighting levels are 0.0 footcandles at the north, south and east property lines and 0.0 - 0.2 footcandles at the west property line. No signage is proposed at this time.

Connection to the public sewer system is occurring on the Century High School property. An agreement is in place between the developer and the Board of Education, and an easement will be established. The developer proposes to connect to the existing water line at Linton Road. The Bureau of Utilities has approved the plan.

Emergency Services has commented that the buildings must be sprinklered. Fire hydrants are proposed on-site. Additional hydrants are required at approximately 500'–600' intervals along the water line extension to Linton Road.

The Department of Planning recommends the developer contact the Department of Public Works, Transit, to discuss the option and location of a transit stop. The Department also recommended adding amenities such as benches, a walking path, and lighting at the green space to the east of Building 2.

Building elevations are provided on sheet 13. Materials annotated are white brick and sand EIFS. Units are shown with balconies and the buildings are connected at the second floor.

Stormwater management will be achieved with a micro bio-retention facility, bio swales, and permeable pavers. A storm drainpipe system will outfall to the southern adjoining property which has extensive environmental easements and is under the same ownership as Lot 20. The stormwater facilities will be privately maintained.

This proposal is exempt from the requirements of the Floodplain Code. Water Resources and the Grading Office have approved the plan. Required landscaping includes parking lot landscaping, and screening at Liberty Road and the dumpsters. Additional landscaping is proposed parallel to the southern property line and along part of the western property line. Forest Conservation requirements were previously addressed with the plan of subdivision.

❖ **Recommendations:**

Pursuant to Chapter 155, staff recommends approval of the site development plan subject to the following conditions:

1. That the Developer enters into a Public Works Agreement with Carroll County that guarantees completion of the improvements.
2. That Utility Easements be granted to the County Commissioners of Carroll County and recorded by deed simultaneously with the Public Works Agreement.
3. That the Sewer Easement on the Century High School property be granted to the Carroll County Board of Education prior to or simultaneously with the Public Works Agreement.
4. That a Stormwater Management Easement and Maintenance Agreement be granted to the County Commissioners of Carroll County as an easement of access to the County Commissioners or authorized representatives by a deed to be recorded simultaneously with the Public Works Agreement.
5. That a Landscape Maintenance Agreement be granted to the County Commissioners of Carroll County and recorded simultaneously with the Public Works Agreement.
6. That a Public Access Easement over the extents of sidewalk paralleling MD Route 26 be granted to the County Commissioners of Carroll County and recorded simultaneously with the Public Works Agreement.

7. That any changes to this plan will require an amended site development plan to be approved by the Carroll County Planning and Zoning Commission.

CONCURRENCY MANAGEMENT REPORT

❖ Background:

Residential site plans are subject to the requirements of Chapter 156 (Adequate Public Facilities and Concurrency Management). The review of the project for compliance with Available Threshold Capacity occurs when the final site plan is presented to the Commission. Chapter 156 defines residential development as “All proposed buildings or structures which will contain one or more dwelling units or equivalent dwelling units. This term includes an accessory dwelling, nursing home, continuing care retirement community, and assisted living facility. This term does not include a hospital, hotel, motel, or similar building used for transient overnight stays.” The ATC forms were distributed to the appropriate agencies.

The site plan is for approval of 34 units. In accordance with Chapter 156, a dwelling unit is defined as “A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.” The dwelling units contain complete living facilities.

❖ Agency Responses:

Police Services:

The estimated Carroll County population as of March 31, 2022 was 175,205. There are currently 241 sworn law officers with 14 positions currently in training; an additional 20 positions are funded. Based on a total of 275 funded positions, the ratio of law enforcement positions to Carroll County population as of the end of March 2022 was 1.57. Based on a total of 241 positions, the ratio of sworn law enforcement positions to Carroll County population as of the end of November 2021 was 1.37. Including the development projects in the pipeline along with the funded positions, the ratio will be over 1.3. Services are adequate if the projected ratio of sworn law enforcement officers to population is 1.3:1,000. The ratio shall be calculated by counting all sworn officers with law enforcement responsibility in an incorporated municipality or within the county and by counting the total population within the incorporated municipalities and within the unincorporated county.

Schools:

The proposed subdivision is located in the Linton Springs Elementary, Sykesville Middle, and Century High attendance areas. In accordance with the criteria established in Chapter 156, all schools are rated adequate or approaching inadequate for Fiscal Years 2022-2027.

The April 2021 enrollment projections, prepared by Carroll County Public Schools, indicate that Linton Springs Elementary had an adjusted enrollment of 96.3% of state-rated capacity. The projections indicate that enrollment increases to 106.8% of state-rated capacity by the end of the 6-year CIP cycle. In this attendance area, there are approximately 70 buildable lots in the attendance area that have either been recorded since the adoption of the Concurrency Ordinance (3/5/98) or are currently in the review

process. An elementary school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the state-rated capacity.

The April 2021 enrollment projections indicate that Sykesville Middle had an adjusted enrollment of 107.2% of functional capacity. The projections indicate that enrollment increases to 119.2% of functional capacity by the end of the 6-year CIP cycle. In this attendance area, there are approximately 157 buildable lots in the attendance area that have either been recorded since the adoption of Concurrency Management (3/5/98) or are currently in the review process. A middle school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the functional capacity. A middle school serving a proposed project is approaching inadequate, for the purposes of Chapter 156, when current or projected enrollment is 110% to 119% of the functional capacity.

The April 2021 enrollment projections indicate that Century High had an adjusted enrollment of 83.4% of state-rated capacity. The projections indicate that enrollment will decrease to 79.1% of state-rated capacity by the end of the 6-year CIP cycle. In this attendance area, there are approximately 157 buildable lots in the attendance area that have either been recorded since the adoption of Concurrency Management (3/5/98) or are currently in the review process. A high school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the state-rated capacity.

Fire and Emergency Medical Services:

The proposed site plan is located in the Winfield fire and emergency medical services district. The two-year period of April 2020 - March 2022 late and no response statistical data indicates that of the first due total fire calls in the Winfield district, 0.93% were categorized as no responses, and 3.73% as late and no responses. Of the first due emergency medical service calls, 0.56% were categorized as no responses and 0.69% as late and no responses. Winfield is rated adequate for late and no response criteria for fire services and emergency medical services.

With regard to emergency medical call average response time, Winfield had an average response time of 7 minutes and 26 seconds – adequate. With regard to fire call average response time, for the same period, Winfield had an average response time of 7 minutes and 46 seconds – adequate. Services are rated adequate if when utilizing an average over the previous 24 months, response time is less than 8 minutes from time of dispatch to on-scene arrival with adequate apparatus and personnel.

The primary route from the firehouse to the proposed development does not include travel over bridges that cannot adequately support fire and emergency response apparatus – adequate.

Roads:

Liberty Road is rated adequate.

Sewer and Water:

The Bureau of Utilities rated the services as adequate. For water services, the facility is adequate if the maximum day demand is less than 85% of the total system production capacity. For sewer services, the facility is adequate if the projected annual average daily flow is less than 85% of the wastewater treatment facility permitted capacity.

❖ Chapter 156 Recommendation:

With regard to a final residential site plan, Chapter 156.06-E(4)(c) states “If adequacy was not determined by the Commission at the preliminary plan stage and the Commission determines that all public facilities and services are adequate, the Commission may approve the plan and issue a recordation schedule and building permit reservations.” Staff recommends that the Planning Commission approve the final plan as follows:

1. police, schools, fire and emergency services, water and sewer services, and roads are considered adequate; and,
2. that a building permit be issued before the site plan becomes void, i.e. within 18 months of the date of written Planning Commission approval.
3. The building permit reservations are for 25 lots in FY23 and 9 lots in FY24.
4. The building permit reservations are allowed to roll over year after year until the sunset provision takes effect and the preliminary plan becomes void.