



OFFICE OF PLANNING AND ZONING
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PLANNING ADVISORY BOARD

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June 8, 2011

The Honorable John R. Leopold, County Executive
Anne Arundel County
44 Calvert Street, P.O. 2700
Annapolis, Maryland 21402

RE: Bill 44-11, Comprehensive Zoning Recommendations for Councilmanic Districts 6 and 7, Planning Advisory Board Deliberation Letter

Dear Mr. Leopold:

The Planning Advisory Board (PAB) is established under § 532 of the Anne Arundel County Charter. It is our duty under § 533 of the Charter to prepare and transmit to you, the Planning & Zoning Officer and the County Council our advisory recommendations concerning comprehensive zoning. The PAB understands that the purpose of comprehensive zoning is to implement the land use recommendations of the adopted *Anne Arundel County General Development Plan* (April 2009).

On May 11, 2011, the PAB held a hearing to obtain public input regarding the County's comprehensive zoning proposals and the 107 applications filed with the County within Councilmanic Districts 6 and 7. This action is the second of three separate groups of comprehensive zoning applications ultimately covering the entire County. The Office of Planning and Zoning is proposing fifty (50) zoning changes in these two districts, many of which are related to applications received. Approximately eighty people attended the hearing at which the PAB heard oral testimony and/or received written comments regarding 47 of the zoning proposals and/or applications. Based on staff presentation and response, public oral and written testimony, the PAB is providing this deliberation letter for Council Bill 44-11.

On May 25, 2011, the PAB met to deliberate and prepare its advisory recommendations regarding the fifty (50) proposals that were recommended by the Office of Planning and Zoning as well as the 107 applications for comprehensive rezoning. Of the fifty (50) staff proposals included in Council Bill 44-11, the PAB supported forty-six (46) of those recommendations.

The PAB did not support proposals #6-10 and 6-11 and recommended these properties retain their current R15 zoning. The PAB discussed the remaining two proposals (6-21 (CZ09-1415) and 6-22 (CZ09-1291)) but were unable to reach a decision after weighing concerns expressed by the public and reviewing the information used by the OPZ staff in preparing the proposal.

The PAB is providing an exhibit to this letter (Exhibit 1) which it recommends that the Council consider during their hearings and adoption of Bill 44-11 and in which we have expressed our concerns about specific issues involving the proposals in the Bill, and the applications that did not receive OPZ support and are not included in Bill 44-11.

The PAB wishes to thank all of those citizens and their representatives who provided comments and written materials during the public hearing and comment period that followed. It also wishes to thank the Office of Planning & Zoning for its presentations and assistance during deliberations.

The PAB highly commend Planning and Zoning for adhering to their policy guidance including the GDP and Small Area Plans in their zoning recommendations for Route 2 South, South County and Deale/Shadyside. Several of the rezoning proposals are of major concern to local communities due to their potential disruptive effects: Columbus Club of Annapolis (CZ09-1362), Corner of Routes 2 and 214 (CZ09-1327, CZ09-1328 and CZ09-1330), Franklin Chaney/Lothian Circle (CZ09-1292), Boones Estates Inc. & Boones Mobile Home Estates, Inc. (CZ09-1367), and Clayton Taylor/Crandell Cove Inc. (CZ09-1365). The County Staff did not recommend any of these properties for a zoning change. The PAB believes this position is appropriate and, in a unanimous vote, supports the County Staff recommendations.

If you have questions regarding our advisory recommendations concerning the comprehensive zoning applications for Councilmanic Districts 6 and 7, please contact George Cardwell or Sharon Faulkner in the Office of Planning & Zoning.

Respectfully Submitted,



Mary Alter, PhD
PAB Chair

Enclosure

cc: Larry R. Tom, Planning & Zoning Officer
Members of the County Council
Carole Sanner, Assistant Planning & Zoning Officer
Lynn Miller, Planning Administrator, OPZ
George Cardwell, Planning Administrator, OPZ

Exhibit 1
 Planning Advisory Board Specific Comments
 Council District 6

Address	Proposal No. / Application No.	Comments
Bestgate Rd	6-2 / CZ09-1047 & CZ09-1392 6-3 / CZ09-1157 6-4 / NA	PAB agreed with the recommendation of the Planning Office that commercial zoning would allow for better use of these properties. Vote 7-0.
Ridgely Ave.	6-5 / CZ09-1243 6-6 / CZ09-1215 6-7 / NA 6-8 / CZ09-1180 6-9 / CZ09-1091	PAB agreed with the recommendation of the Planning Office that commercial zoning would allow for better use of these properties. The PAB concurred that these properties were not likely to be developed for residential use given the current commercial use of this stretch of roadway. Two of these properties are currently medical centers operating in R2 zoning. The other properties would probably need commercial zoning to obtain financing of any business venture. The school building was built in 1930, and while old, is not on the Historic register. Vote 5-2.
2007 Tidewater Colony Dr. 2001 Tidewater Colony Dr.	6-10 / CZ09-1312 6-11 / CZ09-1396	PAB did not agree with the recommendations of the Planning Office, voting 4-3 to recommend keeping the current R-15 zoning on both properties. C-2 would allow for retail use which the majority of the board felt was not compatible with the residential nature of the neighborhood . PAB recommended that the special exemption be continued for the current businesses.

Address	Proposal No. / Application No.	Comments
2806 Solomons Island Road 2802 Solomons Island Road	6-21 / CZ091415 6-22 / CZ09-1291	<p>PAB could not reach a unanimous agreement. Vote was 3-3 with one abstention on the recommendations of the Planning Office.</p> <p>PAB received 23 letters from citizens and/or homeowner associations opposing the proposal 6-21 and one oral comment against it.</p> <p>PAB received 25 letters from citizens and/or homeowner associations opposing the proposal 6-22 and one supporting the change. Oral testimony had one citizen opposing the proposal and the property owner and his representative supporting the recommended change.</p> <p>The range of usage allowed with C4 zoning raises concern for many PAB members. The citizens expressed concerns about the development of a restaurant or gas station in addition to boat sales. Traffic problems for the adjoining neighborhoods, as well as pollution of the creek and river, are concerns. There is no traffic light on this stretch of Route 2 and the state highway has supposedly told citizens that they do not plan to install one to help residents enter/exit the neighborhood that is across the highway from this proposed project. On the other, we are a maritime community and access to the water benefits both residents who want to use their boats and businesses running the marinas.</p>
152-153 Riverview Ave	6/24 / CZ09-1176	<p>PAB agreed with the recommendation of the Planning Office as RA will allow only one home to be built on the property. Vote 5-1-1.</p>
251 Admiral Cochran Dr	6-27 / CZ09-1390	<p>PAB agreed with the recommendation of the Planning Office to change the zoning to W1. This would adhere to the Parole Growth Management Area plans and would be consistent with other development on that side of Admiral Cochran Dr. Vote 6-0-1.</p>
1369 & 1361 Generals Highway	CZ09-1234	<p>The PAB agreed with the recommendation of the Planning Office that this property should stay RLD. Adopted plans do not promote extension of the existing local commercial district along this section of Generals Highway. Vote 7-0.</p>

Address	Proposal No. / Application No.	Comments
Holy Temple Church of God 708 Bestgate Road	CZ09-1359	The PAB agreed with the recommendation of the Planning Office that this property should stay R2. This large parcel extends far to the north of Bestgate Road and is surrounded on three sides by R2 zoned residential properties. C2 zoning would not be compatible with the surrounding single family uses. Vote 7-0.
Columbus Club of Annapolis RT2 & Admiral Cochran Dr.	CZ09 – 1362	The PAB agreed with the recommendation of the Planning Office that this property should stay R2. R2 zoning follows the guidelines provided by the PGMA; this property is outside of those boundaries. R2 honors agreements made between past councils and local communities to keep properties south of Admiral Cochran Dr zoned R2. Of the 20 written comments received, 18 supported the Planning Office's recommendation. Vote 7-0.
2661 Riva Road	CZ09-1381	PAB agreed with the recommendation of the Planning Office that this property should retain R2 zoning. It is outside of the PGMA boundaries for commercial zoning. The PAB received a petition signed by an overwhelming majority of the residents of the adjoining community association requesting that the property remain R2. Vote 7-0.

Planning Advisory Board Specific Comments Council District 7

Address	Application No.	Comments
4097 Cadle Creek Road	7-1 / N/A	PAB agreed with the recommendation of the Planning Office that this property should be zoned to MB. The PAB received a letter from a citizen that was concerned about the property lines and zoning lines being matched. Planning and Zoning assured the property and zoning lines would match. Vote 7-0.
3922 Calawasse Road	7-2 / N/A	These proposals and Application numbers did not have any comments or PAB concerns. The PAB agreed with the recommendations of the Planning Office. Vote 7-0.
726 Londontown Road	7-3 / N/A	
1582 Defense Hwy.	7-4 / N/A	
584 West Central Ave.	7-5 / CZ09-1174	
158-164 W. Central Ave.	7-6 / CZ09-1192	
6285 Shady Side Road	7-7 / CZ09-1238	
6133 & 6131 Shady Side Road	7-8 / CZ09-1144	
5419 Deale Churchton Road	7-9 / CZ09-1431	
2976 Solomon Island Road	7-10 / CZ09-1098	
1191 Martha Greenleaf Drive	7-11 / CZ09-1125	
1649 & 1655 Bay Ridge Road and 175 Mayo Road 5561 Muddy Creek Road	7-12 / CZ09-1337	

Address	Application No.	Comments
5825-5827 Deale Churchton Road 5517-5521 Muddy Creek Road 1039 Turkey Point Road 1048 Turkey Point Road Meadowbrook Drive Lee Street & 903, 910, 920 Dale Street 5871-5887 Deale Churchton Road	7-13 / CZ09-1430 7-14 / CZ09-1433 7-15 / CZ09-1434 7-16 / CZ09-1178 7-18 / CZ09-1300 7-19 / CZ09-1316 7-20 / CZ09-1320 7-21 / CZ09-1432	
5918 Deale Churchton Road & 606 Cabana Blvd	7-17 / CZ09-1185	<p>This property is going to be part of the Deale Town Center. The citizens are afraid the change in zoning would disrupt these plans. The County Staff is proposing to zone the entire parcel MC. A buyer wants to purchase the C3 portion to relocate his company's headquarters. The buyer is afraid the MC zoning would limit his business. The PAB agrees with the recommendations of the Planning Office. Vote 7-0.</p>
5087 Solomons Island Road	CZ09-1059	<p>PAB agreed with Planning Office recommendations. GDP and SAP do not recommend commercial at the Lothian intersection, thus request is spot zoning. Circle is already a failed intersection on this major route South---major traffic backups already exist during rush hour. Commercial use would exacerbate the problem.</p>

Address	Application No.	Comments
4195 Carvel Lane 1185 & 1175 Mayo Road 1184 E. Central Avenue 4232 Shoreham Beach Road 1131 E Central Avenue	CZ09-1217 CZ09-1241 CZ09-1242 CZ09-1244 CZ09-1246	PAB agreed with the recommendations of the Planning Office to retain the existing zoning on these properties. These zoning requests were made by the Mayo and Saunders Point Citizen Associations and not by the property owners. There is no basis to down zone these properties. Vote 7-0.
89 Stewart Drive	CZ09-1235	The PAB agreed with the recommendation of the Planning Office and with the 2 citizens who opposed rezoning. The applicant no longer operates his medical office from this property. This is a residential area and on-street parking is limited. Vote 7-0.
Crandell Marine Dredging	CZ09-1245	The PAB agreed with the recommendation of the Planning Office and with the 4 citizens who opposed rezoning. Vote 7-0.
Crandell Cove	CZ09-1365	The PAB agreed with the recommendation of the Planning Office and with the citizens who opposed rezoning. This is on the headwaters of Deep Cove Creek and the proposed apartments and accompanying development are not compatible with the Critical Area designation. Community has successfully opposed changes in the current zoning of this property for the last 10 years. South county residents have not expressed a need for the proposed facility. Vote 7-0.
RT2 and RT 214	CZ09-1327 CZ09-1328 CZ09-1330	The PAB agreed with the recommendation of the Planning Office and with the citizens who opposed rezoning of these properties on the corner of this intersection. The GDP and SAP propose keeping this area non-commercial with RA zoning. Intersection congestion would create serious traffic and safety issues. Vote 7-0.
Boone's Estates Mobile Home Park	CZ09-1367	The PAB agreed with the recommendation of the Planning Office and with the citizens who opposed rezoning from RA to R5. Change in zoning would permit development of town houses (trailer parks are a Special Exception Use in R5 zoning). Current trailer park is work force housing, which is of limited supply in AA County. There is no water and sewer to support the increase in development.

Address	Application No.	Comments
Lothian Circle	CZ09-1292	<p>Package plants from existing trailer parks are leaching excessive nitrogen into the Patuxent already. This is inappropriate development for a site located in a designated rural area. Vote 7-0.</p> <p>The PAB agreed with the recommendation of the Planning Office and with the citizens who opposed rezoning. GDP and SAP do not recommend commercial at this intersection, thus request is spot zoning. Lothian Circle is already a failed intersection on this major route South---major traffic backups already exist during rush hour. Commercial use would acerbate the problem. A property proposed for rezoning was created by a family conveyance, thus owner has already received a significant financial benefit from the County. Vote 7-0.</p>
	Remaining Application Numbers	<p>The PAB agreed with the recommendations of the Planning Office for no change to these properties. Vote 7-0.</p>