



OFFICE OF PLANNING AND ZONING
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PLANNING ADVISORY BOARD

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September 22, 2011

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

RE: Bill 66-11, Comprehensive Zoning Recommendations for Councilmanic Districts 2, 3,
and 5 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 August 31, 2011, the PAB held a hearing to obtain public input regarding the County's comprehensive zoning proposals and the 157 applications filed with the County within Councilmanic Districts 2, 3, and 5. This action is the third of three separate groups of comprehensive zoning applications ultimately covering the entire County. The Office of Planning and Zoning is proposing 51 zoning changes in these three districts, many of which are related to applications received. The PAB records indicated that 51 people attended the hearing at which the PAB heard oral testimony and/or received written comments regarding 25 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 66-11.

On September 14, 2011, the PAB met to deliberate and prepare its advisory recommendations regarding the 51 proposals that were recommended by the Office of Planning and Zoning as well

as the 157 applications for comprehensive rezoning. Of the 51 staff proposals included in Council Bill 66-11, the PAB supported 47 (forty-seven) of those recommendations.

The PAB did not support proposals 5-4, 5-5, 5-9, and 5-15 and recommended **no change** to the existing zoning. The PAB discussed the remaining proposals applications that received comments and supported the decision of the Office of Planning and Zoning. The PAB expressed concern about the lack of attendance, and thus citizen input, from Councilmanic District 2.

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 66-11 and in which we have expressed our concerns about specific issues involving the proposals in the Bill.

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.

If you have questions regarding our advisory recommendations concerning the comprehensive zoning applications for Council manic Districts 2, 3 and 5, 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 Districts 2, 3, and 5

Address	Proposal No. / Application No.	Comments
Steve Curtis, 8657 Veterans Highway, Millersville, MD 21108	Proposal 5-5, Appl. No. 1289	<p>PAB does not agree with the recommendation of the Planning & Zoning Office to change from R2 to C2 at this time, and recommends a "No Change". Much past legal actions includes previous denials of higher zoning by Planning & Zoning, by Administrative Hearing Officer, by Board of Appeals, by Anne Arundel Circuit Court, & by Court of Special Appeals. County obtained a Consent Order from the District Court to cease non-residential activities & a \$ fine. Higher Zoning on the East side of Veteran's Hwy. would violate the Severna Park Small Area Plan. This property has several Residential communities directly to the east. Thus Commercial Zoning would be spot zoning. There is adequate Commercial zoning property available on the West side of Veteran's Hwy.</p> <p style="text-align: center;">Vote 4-0-1</p>
Bob Blanchfield, 478 Jumpers Hole Rd., Severna Park 21146	Proposal 5-17, Appl. No. 1208	<p>PAB agrees with the recommendations of the Planning & Zoning Office to change from R2 to R5 for the building of Senior Condos. The requested C2 zoning would violate the GDP & the Severna Park SAP as spot zoning. Jumpers Hole Road is the demarcation line for Residential to the West, next to the Severna Park Middle School, & light Commercial to the east.</p> <p style="text-align: center;">Vote 5-0</p>
Robert Rodriguez, 84 Ritchie Hwy., Severna Park 21146	Appl. No.1074	<p>PAB agrees with the recommendation of the Planning & Zoning Office that the request from R2 to C2 be "No Change". There is no demonstrated need to establish a New Commercial District at this location on Ritchie Highway, and adopted plans do not recommend creation of a new Commercial district at this location." The surrounding residential communities object to this up-zoning.</p> <p style="text-align: center;">Vote 5-0</p>

Address	Proposal No. / Application No.	Comments
Orchard Beach Marina, LLC, 1643 Orchard Beach Rd., Annapolis 21409 [Broadneck Peninsula]	Proposal 5-11, Appl. No. 1314	PAB agrees with the recommendations of the Planning & Zoning Office that the request from R1 to MA2 be "No Change" – is under the Critical Area LDA overlay, not suitable for a new MA2 or MB District, owner can continue use as is. The surrounding Residential communities strenuously objected to the requested up-zoning, which would allow more traffic, bars, etc. Vote 5-0
Innovative Properties Inc., 1837 St. Margarets Rd., Annapolis 21409 [Broadneck Peninsula]	Proposal 5-4, Appl. No. 1335	PAB does not agree with the recommendations of the Planning & Zoning Office to upgrade from R1 to C1 and recommends "No Change". The residential communities object that such would violate the GDP by: changing the nature of their residential homes; allowing increased truck traffic and bars; and the lack of sidewalks to accommodate pedestrian traffic, Vote 5-0
Whitehall Yacht Yard, 1656 Homewood Landing Rd., Arnold, 21409, [Broadneck Peninsula]	Proposal 5-15, No Appl. No.	PAB does not agree with the recommendation of the Planning and Zoning Office to upgrade from R2 to MC and recommends "No Change". It is reported that the owner John White did not request this up-zoning and is O.K. with the present zoning approvals & current use. The surrounding Residential communities strongly object to this change in the nature of their communities & Councils which could increase traffic, allow restaurants & bars in a crowded area, & are O.K. with current use. Vote 5-0
Shavitiz, Inc. 1500 Ritchie Hwy., Arnold, 21012	Proposal 5-9 Appl. No. 1296	PAB does not agree with the recommendation of the Planning and Zoning Office to rezone the R2 portion to C3 and recommends "No Change". The PAB received three oral testimonies and five written testimonies against this up-zoning. The homeowners in the Ashcroft community are very concerned about a buffer between the houses and the commercial building and runoff from the commercial property. Vote 4-1