

Douglas S. Wright, Jr., chair, called the meeting to order at 7:05 p.m., on Wednesday, May 25, 2011, in the Council Chamber, Second Floor, City Hall. Also present were commission members M. Brubaker, D. Miller, J. Stone, and R. Thomas. The following staff members were present: K. Maher, Planning Director; S. Bockmiller, Development Planner/Zoning Administrator; A. Rohrbaugh, Planner; and D. Calhoun, Secretary.

## REGULAR MEETING

### Roll Call

Commission members D. Miller and J. Wheeler were absent.

### Approval of Minutes: April 27, 2011 - Regular Meeting; and May 11, 2011 - Workshop Meeting

#### April 27, 2011 - Regular Meeting

**MOTION:** (Stone/Brubaker) I make a motion to approve.  
**DISCUSSION:** None.  
**ACTION:** APPROVED (ABSTAIN - Gysberts)

#### May 11, 2011 - Workshop Meeting

**MOTION:** (Stone/Thomas) Motion for approval.  
**DISCUSSION:** Commission members noted the following errors in the minutes: On page 1, last sentence of the first paragraph, add the word, "in."; and on page 2, the last sentence should read, "The commission, while in favor of the road over Antietam Creek, was split over aspects of the current proposal, and therefore, decided not to send the letter."  
**ACTION:** APPROVED AS AMENDED (ABSTAIN - Gysberts)

### Taco Bell - 450 Dual Highway - Reconstruct Building with Parking Lot and Drive-Thru Modifications, Site Plan, Case No. ZS-2011-04

Staff Report: This site plan is for the redevelopment of the Taco Bell restaurant on the north side of Dual Highway, west of Cleveland Avenue. The building will be demolished and rebuilt in the

existing footprint with some minor deviations and the drive-through aisle will be redesigned. Parking will remain mostly along the retaining wall that lines the north side of the property. Stormwater management will be addressed by some infiltration areas and a ~~filter~~<sup>filtration</sup> system on the west side of the property. Forest conservation is not required on this site due to its size. Given the size, location, and configuration of the site, redevelopment in accordance with all current landscaping standards is impractical. Therefore, the applicant is proposing landscaping as shown on the site plan as an alternative treatment of the site. Given the circumstances, staff concurred with the applicant's proposal for landscaping.

Parking for this use requires 25 spaces and the developer is providing 25 spaces, which is a net loss of one space from the present condition. Mr. Bockmiller pointed out the ingress and egress points on the site. The proposed landscaping is shown as English Laurel, some of which is probably in the State Highway Administration (SHA) right-of-way. However, SHA has chosen not to comment on the plan. The drive-thru aisle is a little different. Most of this is an existing conditions. Net additions include a new building and a new configuration of the drive thru aisle and the trash area and the plants.

**MOTION:** (Stone/Gysberts) I move that we approve the site plan, and to the extent that the landscaping on the site plan differs from that of the ordinance, we waive the requirements of the ordinance to that extent.

**DISCUSSION:** Mr. Thomas asked if there will be an increase in the square footage of the restaurant. Mr. Cook, the developer's representative, said the new building will not be as wide but it will be a little longer. Taco Bell has several building types that they can choose from, and this is the only building available that will fit on this site. The narrower building will help out with parking. Mr. Bockmiller noted that the parking spaces are on top of a retaining wall that is eight or nine feet tall. In other places the wall is higher than the parking lot. There is a steep slope on the west corner of the property.

**ACTION:** APPROVED (Unanimous)

Land Management Code - Review of Article 4

Page 4-21 - Mobile Homes and Manufactured Dwellings - Mr. Bockmiller developed new language to deal with mobile home parks. The language is based on Howard County's zoning ordinance. The following changes were made to the draft text:

- The title should be changed to "Mobile Homes" and the text directly under the title should read, "Mobile homes shall be permitted outside of a mobile home park only when the dwelling is placed on and secured to a fully enclosed masonry foundation as defined by the Building Code."
- Change any reference to "road" to "internal access road"

Page 4-21, h - This amendment attempts to address grandfathered lots that currently front on an alley rather than a public street.

- At the end of the first sentence, delete "parking"
- Add a subsection that lots must front on an existing paved alley

Page 4-22, I - There is similar language in the RH district and this language expands it across all zoning districts.

- Title should read, "Distance Requirements on Commercial and Private Membership Outdoor Swimming Pools"
- Add "Outdoor" to definition on page 4-143
- Delete language that precludes someone from getting a variance from these requirements

Page 4-28, 2

- Add a comma after "permitted" in the last line under a. The same change should be made to the "Residential" page.

Page 4-31

- In the section reference, change the capital A to a lowercase a.

Page 4-31, 5, a - Mr. Bockmiller needs to rework the structure of this section.

**Planning Commission  
MINUTES - Regular Meeting**

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Page 4-32, c

- Delete the first word (Permitted). Initially some commission members felt the language might be too vague to enforce; however, after discussing the density range listed, commission members felt they would have some latitude based on the definition of the purpose of the mixed-use districts.

Page 4-33, 7, a - February 25, 2010 is the date the Neighborhood Mixed-Use District was created.

Page 4-35, 10, a - Staff will roll this into the research staff will be conducting on end units that face a side street, which was discussed at the last meeting.

**Adjourn:** It was moved and seconded that the meeting adjourn at 8:45 p.m.

6/8/2011  
Date

  
Debra C. Calhoun - Secretary