

Douglas S. Wright, Jr., chair, called the meeting to order at 7:00 p.m., on Wednesday, February 29, 2012, in the Room 407, Fourth Floor, City Hall. Also present were commission members M. Brubaker, D. Gysberts, 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 member J. Wheeler was absent.

Approval of Minutes: February 8, 2012 - Workshop Meeting

Mr. Thomas questioned the term “tot lot,” and Mr. Gysberts was concerned about the use of the word “snafu.” After discussion, no changes were made in the minutes.

MOTION: (Miller/Gysberts) I make a motion to approve.
DISCUSSION: None.
ACTION: APPROVED (Unanimous)

**Trilogy Office Building II - 1185 Imperial Drive (Lots 8R and 9R), Site Plan,
Case No. ZS-2011-11**

Staff Report: This site plan is for a new 35,200 square foot mixed-use office building on the corner of Imperial and Dynasty Drives in the Light Business Park. The 1.87-acre site is zoned POM (Professional Office Mixed). Each floor of this two-story building will contain 17,600 sf. Parking for this site will be in combination with the parking already provided on Lot 5R for a total of 360 parking spaces, including 11 handicapped spaces. The zoning ordinance requires 357 spaces. Site lighting will be consistent with the adjacent “sister” property. Currently there are no building-mounted lights. Access to the site is accomplished at two locations: one on Imperial Drive and one on Dynasty Drive near the cul-de-sac. Because there will be cross easements, the site will also be able to be accessed through the adjacent lot. Forest conservation was approved for the entire Light Business Park in 2005 (FC-2005-09). Landscaping waivers are being sought for several landscaping standards which are consistent with what was reviewed by the Planning Commission during a workshop meeting last fall.

The site plan was routed to all review agencies. At this time, the only outstanding comments include Police Department concerns about the site lighting plan; four comments by the City Engineer (see staff report in meeting file); and three concerns of the Planning Office. Planning will not approve the site plan before the developer presents a grading plan to the City Engineer showing that the development will not create problems with the future Kiwanis Park at the end of the cul-de-sac on Dynasty Drive. The developer is currently in discussions with the City Engineer and the City Engineer does not anticipate a problem with ultimate access to Kiwanis Park. The entrance to Kiwanis Park will be a private road beginning at the cul-de-sac. Concerning circulation, even though there will be two separate lots of record, the development will look like a two- building campus. A final plat showing the cross easements needs to be recorded so that vehicles will be able to access both buildings from any of the entrance points. Another issue is the lighting plan. Mr. Brubaker asked who would be responsible for extending the driveway to the park. Mr. Bockmiller said it would be decided among the Kiwanis, Dave Lyles, and the City. Mr. Bockmiller said the City only required the pipe stem access point.

Concerning the site lighting issue, ~~before the Planning Office signs the site plan or building permit, staff will bring the lighting plan back to the Planning Commission as an addendum to the site plan.~~ ^{will work with the engineer to address the lighting concerns. The commission gave staff the authority to approve the alternative lighting schematic.} With regard to the shared access to Kiwanis Park, the main concern would be to make certain that the access is not blocked. Both the Trilogy II property and the Kiwanis property will use the road. The property is currently owned by Lyles Development. There is no access easement at this point because the land is not platted yet.

Concerning the requested landscaping waivers, Mr. Bockmiller pointed out that some of the parking areas are located within ten feet of Dynasty Drive. The zoning ordinance requires that there be six feet of landscaping all around the building. In this case, the rear portion of the building does not meet the six foot requirement.

Commission/Applicant Discussion: Dave Trostle of Frederick, Seibert & Associates, Inc., stated that with the bump out created by the cul de sac, it reduced the amount of ground where the building could be located. As a result, they are requesting a waiver in the rear of the building from the six-foot landscaping requirement. If they were compelled to meet the landscaping requirement in the rear, they would lose the two-way drive aisle on that side. Mr. Trostle felt the proposed orientation is the best. In order to mitigate the reduction in landscaping in the rear, they enhanced the landscaping on the other three sides of the building.

Mr. Brubaker questioned the location of the cul-de-sac. It was noted that originally, this complex was three lots. When the subdivision was designed, the developer was only required to make the road long enough to provide street access to the original three lots. Since then, the lots were resubdivided. Mr. Trostle stated that they had to design their building around the cul-de-sac because it is part of the original subdivision. Mr. Trostle added that the storm drains are built, as

well as the curb and gutter. Mr. Gysberts wanted the two-way drive aisle on the west side of the building to be made into a one-way drive. Mr. Stone commented that the two buildings are designed similarly and appear to be part of a scheme. He did not have a problem with the applicant's plan.

Mr. Bockmiller noted that when the commission heard a presentation about the applicant's intent to request waivers last fall, staff did not have any objections to the requested waivers. If a compromise was necessary, staff was of the opinion that it was better to give on elements located on the interior of the site, not on the street side. Mr. Brubaker expressed his disappointment in the waiver request because when you start with a fresh piece of ground, the developer should be able to meet all current requirements. Mr. Bockmiller pointed out that there are several locations on the site where the landscaping proposed exceeds the ordinance requirement. Mr. Wright questioned the traffic flow under the canopy. Mr. Trostle stated that there will be two-way traffic under the canopy, and the lanes will be wide enough for a car coming in each direction.

MOTION: (Stone/Miller) I'll make a motion that we approve the site plan, subject to the outstanding City Engineer and Planning Office comments.

DISCUSSION: Mr. Wright requested that the motion be modified that instead of saying "Planning Office," that the cross easements are specifically mentioned. He wanted to make sure that the cross easements do not get overlooked. Mr. Stone agreed to amend his motion; Mr. Miller seconded the amendment.

ACTION: APPROVED (Unanimous)

**First Choice Pediatrics - 1409 Pennsylvania Avenue - Revised Site Plan,
Case No. ZS-2011-08**

Staff Report: Staff requested that this be placed on the agenda since during the construction process, City inspectors discovered several deviations from the approved site plan. There were some discrepancies in what was shown on the approved site plan and what was applied for under the building permit process. The site plan was submitted, reviewed, approved and signed by staff showing the existing one-and-half-story house and a one-story addition. The parking calculations were based on the square footage numbers for that configuration. The total number of parking spaces required were six and the developer provided nine spaces. The building permit plans show the entire building converted to two stories. According to Dr. Mustafa, that was his intent all along. However, that information never made it to staff, nor was it raised during Planning Commission review. The issue is that when you calculate the parking needed for a two story building, the developer would now be required to provide 12 parking spaces instead of the nine

spaces they provided. The front portion of the house was demolished to the foundation and rebuilt on the same foundation.

Mr. Bockmiller noted that there are not many options for providing the three additional spaces. Possible scenarios include three double-stacked parking spaces in the rear yard which would be signed as such. The proposed revised plan submitted by Fox & Associates shows two double-stacked parking spaces in the rear and a parking space in the front yard. Mr. Bockmiller visited the site and observed how much this impacts the residences to the rear and the side. He stated that if the Planning Commission approves the revised project, the intensity of the use will be increased in the rear. He suggested that the commission require privacy fencing in the rear to screen the increased parking from the residences.

Commission/Applicant Discussion: Mr. Stone asked what the square footage of the addition is on the site plan. Mr. Bockmiller said the addition is shown as one story on the site plan. Mr. Thomas was irritated that this was not brought to the commission's attention that there was an error during the meeting when the site plan was approved since both Dr. Mustafa and his engineer were present at that meeting.

Mr. Wright said regardless of who is at fault, the building was not built according to the approved site plan. The commission needs to decide how it wants to proceed. The developer needs to find a place to provide three additional parking spaces. Mr. Wright said he would not be in favor of allowing a parking space in the front. The additional parking spaces need to be found elsewhere. Dr. Mustafa did not see a problem with the three additional spaces in the back; however, he would prefer to have one of the spaces in the front.

Mr. Bockmiller noted that with the three double-stacked parking spaces in the rear, there will be an additional 520 square feet of paving. He suggested a privacy fence to provide screening from the nearby residences. Mr. Mustafa was not in favor of the fence and said he would agree to increase the amount of plantings in place of the fence. Mr. Bockmiller said if the fence is not installed, any increase in landscaping would need to be provided with larger species such as Leland cypress or arborvitae. The trees need to be planted at a larger size and be more dense than usual. Mr. Wright said the neighbors will want screening right now, rather than waiting several years for trees to mature and fill out. The applicant will be required to come back to the commission with a proposed landscaping plan.

MOTION: (Stone/Gysberts) I'll make a motion that we amend the site plan for the purpose of allowing three additional spaces in the back to make up the requisite 12 that are needed and that double stacking be provided on the last three and that in order to provide better screening, that the screening

- between the back of the property and the neighbors be “beefed up” and that would be subject to Planning Department review.
- DISCUSSION:** The commission wanted to see the maximum amount of screening in this area since the extra square footage is being allowed. Staff will use the commission’s guidance when he meets with the applicant’s engineer to discuss a revised plan.
- ACTION:** APPROVED (Unanimous)

Mr. Wright pointed out that the engineer has the wrong liber/folio reference on the site plan for the adjacent property owned by Haven Lutheran Church.

GBC Site Plan - Western Maryland Parkway. Case No. ZS-1996-01

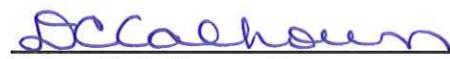
This site plan was approved in 1996. The approved site plan shows a “dotted” line indicating a future addition and future parking expansion. The owners of the property are ready to ~~build~~ proceed with the building and parking expansion. Mr. Bockmiller asked the commission if it would allow this to be processed as a revision to the existing site plan using the minor site plan process even though the building is approximately an acre in size. The site has already been graded, forest conservation has been dealt with, and the storm water management facilities have been built. The developer would need to upgrade storm water quality with micro pools, upgrade parking lot landscaping to meet current standards, and add street trees.

Commission members wanted to know what the benefit would be for not bringing the site plan to the commission for review. Mr. Bockmiller stated that time is of the essence for the developer. The vast majority of the big issues have been addressed. The commission decided that it wanted to handle the revisions as a revision to the existing site plan, rather than a brand new site plan. It will be processed as quickly as possible with no Plan Review Committee review, similar to how the site plan was handled for the former Food Lion site. When the plan is ready, the commission will review it, with a special meeting if necessary.

Adjourn: It was moved and seconded that the meeting adjourn at 8:10 p.m.

3/14/2012

Date



Debra C. Calhoun - Secretary