

Planning & Zoning Commission
Minutes
August 4, 2020

The Planning and Zoning Commission for the City of Cambridge met on Tuesday, August 4, 2020 at 6:00 p.m. at the City Council Chambers, 305 Gay Street, Cambridge, Maryland. **DUE TO COVID-19 THE PLANNING COMM. HEARING WAS HELD REMOTELY.**

Commissioners in attendance: Mary Losty, Chairman, William Craig, Vice-Chair, Eugene Lauer, George Breig, Hubert Trego, Chan'Tay Nelson and Jerry Burroughs

Others in attendance included: Pat Escher-City Planner, Patrick Thomas-City Attorney and Dale Price, IT Dept.

Chairperson Losty called the meeting to order with a moment of silence at 6:00 p.m.

Approval of the Agenda

Motion to approve agenda as presented by Comm. Trego, second by Burroughs.

Approval of Minutes

June and July minutes approved as presented by Comm. Craig and second by Comm. Trego. Comm. Nelson abstained from June minutes, she was not at the meeting.

Old Business

NONE

New Business

PZ 2021-001 2737 Dorchester Square Concept Plan for commercial development

Staff stated that Mr. Charles Fairchild and Hunter Fairchild have an application for the first phase, which is a 26,000 square foot building, that 15,744 will be for retail for Tractor Supply and the remaining portion will be for inside storage. Staff said that they will be using smooth face CUM blocks, which is not acceptable per our commercial guidelines. We will need to work with the applicant as we move forward with regards to architecture. Parking will be addressed at a later phase as there is ample parking for this first phase. The current Dorchester Square sign is a non-compliant sign and will need to be altered for the new tenants at this building and will be part of this Commissions review. Any other signs will have to be monument signs and in compliance with the UDC. City Engineer commented that he needs more detailed information on the site plan and the truck delivery area needs to be modified to show the trucks coming in from Airpax Drive. Staff thinks this is a great repurposing of a building and would like this project to move forward provided there is more refinement to the building's architecture.

Mr. Charles Fairchild gave an update about Cambridge Marketplace. Everything is moving forward with the hospital building and Wendy's which are both under construction. Charlie first

discussed the Marketplace property for the Tractor Supply and then he had them look at this location and they felt this site met their needs. We are glad they will be coming to town.

Mr. Brett Green – architect – went through the Building elevations, showing additional façade treatments. Commission wanted to see the site plan on the screen. Mr. Green showed the loading dock area in the rear of the property, the equipment and trailer display area and sidewalk display area.

Comm. Lauer asked about the rest of the building not being used by the Tractor Supply store. Mr. Fairchild stated the use for the rest of the building has not been determined yet. He stated the portion of the building that was an old Blockbuster will be demolished and they will be removing the entire canopy along the front façade.

Chairperson Losty wants to have a meeting with the architecture group and have a subcommittee meeting. Losty, Burroughs and Craig

Comm. will not vote tonight, discuss the architecture and then go forward after that.

PZ 2021-002 200-208 Sunburst Highway - Concept Plan for 7-Eleven Convenience Store and Gas Station

Staff stated that the 7-Eleven came to the City last year and wanted to put in a carwash, gas pumps and convenient store. There was a community meeting held and it was well attended. The community raised concerns about the car wash, the 24-7 nature of the building, traffic and safety of the intersection. The 7-Eleven representatives have come back with their project, removing the car wash and held another community meeting that was well attended with the neighbors raising concerns about traffic, the existing congestion of the intersection and the impacts to the neighborhood. Neighbors have sent letters and email to the Staff. The site consists of 1.29 Acres, which is four lots along Rte. 50. 601 and 603 Maryland Ave homes would be bought due to their proximity to the filling stations as no station may be located within 150 feet of a dwelling unit. Staff discussed the architecture of the building, metal with brick veneer, referenced pictures and cut sheets in the report. The quality of the materials being proposed comes into question as this is a very visual site from Rte.50. It is a gateway to the City. Site plan has some landscaping, but lacking street trees, it has located the dumpster in a prominent location and has two curve cuts on Rte. 50. Neighbors are concerned with the existing traffic on and off Maryland Ave. and the impacts this use will have to the intersection and the neighborhood. Staff recommends that the application be deferred until the State Highway Administration submits their findings about the intersection and traffic impacts. Additionally, staff recommends a neighborhood traffic and parking study be required as part of this application and the architecture is upgraded for the gateway area.

Comm. Burroughs made a motion to defer this 7-Eleven project until a traffic study is made at 7-Eleven's expense, to protect the neighborhoods west and east per the Comprehensive Plan and it

should comply with the Commercial Guidelines in the UDC, also the applicant to provide a neighborhood parking/traffic. Second by Comm. Craig. All in favor.

Applicant for the 7-Eleven – Ryan Showalter – wants to share the plan as the team is assembled and he has been working with the traffic study with MD State highway. Comm. Burroughs discussed the truck's tipping on the bridge this morning due to high winds and backed up traffic at that same intersection and the negative impacts for the residents trying to get across Rt. 50. Mr. Ryan stated that this 7-Eleven does not have anything to do with the traffic that may or may not happen of Rt. 50 during the busy summer or the rest of the year. Any other business that may come to this location will have the same issues as we do. He continued with the site plan which is designed to maximize the site with the intersection in mind. One entrance is proposed to be from Rt. 50 and the other entrance to be located on Maryland Ave. Mr. Showalter stated that he has talked with some residents about the impact on the neighborhood. He suggests having an eight-foot privacy fence with landscaping that will block the use from the residents in the adjacent properties. These lots along Rte. 50 are commercial and do not need a special exception to have a 7-Eleven.

Community comments –

City Comm. Robert Hanson stated and emailed the staff about the backups from Rte. 50 for persons going west on Maryland Ave. to get to Sailwinds filling station. He believes there is a public safety hazard and the MD State Highway Dept has not worked with the City on this problem. He asked "Do we need more than five gas stations with convenient stores with them on Rte. 50?" Large trucks are not allowed on Rambler Road and signs are posted on the street stating such. There was a meeting with the community, Showalter and 7-Eleven representatives and it was attended with about 30 people.

Wayne Burton from 203 Rambler Rd – stated that his property backs to these lots and this project. Rambler Rd is not a throughway and he does not want speed bumps on the street. The neighbors have all expressed the desire to not have a 7-Eleven in the area. He expressed concerns about noise, theft, traffic, smell from fuel, loitering and trash.

Comm. Craig is concerned about the traffic and the architecture for this project. He highlighted the Sailwinds Station issues on the Maryland Ave west side and suggested this will have the same traffic issues on the east side if this project moves forward. The residential lots on Maryland Ave are under contract are NC-2 and asked how do we rezone them and combine the lots? Mr. Showalter said there is always a need for open space and the two lots could be given to the City for that use.

Comm. Lauer is also concerned about the traffic and the Comprehensive Plan and the future of Route 50, therefore, traffic and traffic safety needs to be addresses.

Mr. Calvin Stack asked, how big are the fuel tanks? The applicant's engineer stated that there will be three (3) underground fuel tanks and they will be on the southside of the lot. They will hold

about 20,000 gallons of unleaded and 8,000 gallons of premium and 12,000 gallons of diesel. All the trucks will come in from Rte. 50 and out on Maryland Avenue. Mr. Stack stated concerns about the accidents at that intersection and the ability of a large truck to make a left-hand turn.

Staff concluded that this application has been deferred until the Commission gets a traffic analysis from SHA and applicant needs a traffic parking study for this neighborhood and showing all the impacts the 7-Eleven.

PZ 2021-003 221-229 Washington Street- Concept Plan for Crossroads Community, a behavioral health facility

Staff stated that Crossroads Community has a mission to teach skills and access resources that empower individuals that have behavioral health needs to recover and live solid and productive lives. They are right now at 404 LeCompte Street, where they have been there about 15 years. Their architect stated the behavioral health facility would be about 7,000 square feet as shown on the submitted plans. Staff thinks that the façade needs some refinement on the rear of the building. Staff will need to have a meeting in person with the architect to talk about more of the materials, design and the DWDD form based code requirements. City Engineer, George Hyde, wants to know about the City hook-ups...i.e. sewer, water, trash and others. Mr. Warren Jones lives behind this lot and has concerns.

In attendance were – Mr. Tom Davis, engineer, John Plaskon, Crossroads' representative, Greg Torchio, Architect. Mr. Davis stated that the comments have been reviewed and they want to meet with the City to discuss. Mr. Plaskon has met with Mr. Warren Jones, the adjacent property owner, to discuss his concerns. The lot is at the intersection of Peachblossom Ave, Washington St and Springfield Ave. It would be a 7,000 square foot single story structure, which would house the various components of Crossroads programs.

Commission asked about materials for the building, clientele and the staff:

Mr. Torchio discussed the neighborhood uses and scale of buildings in the area. He discussed the building design, colors, roofing, kitchen area, terraces, parking and green spaces.

- He discussed the metal panels for screening of the outside seating areas.
- The hours of operation would be Monday through Fridays, daytime only.
- Staff would be counseling and individuals to teach skill building and resources for all ages to help them be independent.
- Clients are referred to this facility, they will work in groups like workshops during the day.
- Vehicles will enter the facility from Peachblossom Ave. or Springfield Ave.
- Total number of staff at this location is about eight persons.
- Clientele will be brought by the facility's van, walking or they are dropped off.

Chairperson Losty said that Staff will meet with the application to go over the UDC coding and plantings before moving forward. All agreed.

Public Hearing

TA 2021-002 Amend Section 5.1.4 to correct discrepancies regarding fences.

Staff clarified the front yard location as it relates to the front property line, not necessarily the sidewalk or the side line and that opaque fences are permitted in the front yard if they are 3 feet in height.

Motion to approved as drafted by the City Planner of the new change in language by Comm. Lauer and seconded by Comm. Breig. All in favor.

Discussion Items

Gun Smith – continued discussion with Michael Wood, author of last month's letter.

Staff stated that Mr. Wood, wants to present his case for working out of his home.

Mr. Michael Wood, in his previous letter did detail his business as crafting and selling them from his home. They are sold in two pieces and not as a whole gun, per federal law. Staff responded as to have this as a home occupation, no article or commodity shall be offered for be for sale except for incidental to the service offered.

Comm. Breig asked if a gun business permitted in our UDC? Staff stated Mr. Wood wants a letter stating that his business complies with our City Zoning. Mr. Wood has been doing this as a hobby and now he wants to make it a business and make it legal to sale his products. Assembly, engraving and the sale of guns.

Comm. Craig stated that a home occupation is to provide a service and not a product, is how he sees a home occupation. It is not the guns that is the issue.

Mr. Wood sent a Federal statute to the Commission and Mr. Patrick Thomas. Mr. Thomas stated that staff did forward his email with the statute in it and he has reviewed and determined that it does not apply to this issue with the City Zoning Regulations which determines what uses are appropriate and what district. Mr. Wood wants to know how he can make it compliant to the City Zoning Regulations.

Staff stated there is a difference in providing a service versus providing a product. Mr. Wood's comment about the Bed & Breakfast in the area. Staff stated they are Special Exceptions and they came before this Commission and then the Board of Appeals, and that was hospitality use. Mr. Wood continued to dispute the Commission's findings. Ryan Showalter read the definition of a home occupation in the back of the UDC and gave his opinion on this matter.

TA 2021-001 Amend Section 6.5.3 to revise language to include reference to the Mural Guidelines.

Staff brought this back again and revised the language that removed all reference to the UDC. She has come up with language and hopes that is suitable. "The City adopted mural guidelines to Appendix A in the UDC that provides guidance and direction with respect to murals within the City of Cambridge." All were in agreement of this change.

TA 2021-003 Amend Section to remove Administrative review from various uses within section 4.2.3 and clarify temporal housing requirements.

Staff stated to amend a few areas and to add "The Zoning Official shall have the authority to refer any of the conditional and special exceptional uses to the Planning Commission, if he/she determines additional discussion and review is warranted." This amendment would removed some provisions in this section requiring posting of properties and administrative review.

Motion to move forward with the changes by Comm. Lauer and second by Comm. Trego. All in favor of the changes.

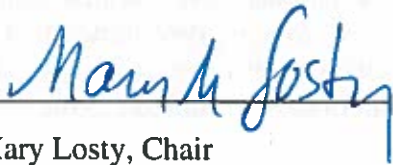
TA 2021-004 To allow Aquaculture in General Commercial and Corridor Mixed Use Zoning Districts.

Staff responded that Aquaculture is defined in the UDC within Article 8.8 with regards to the Critical Area. This amendment would include in the general definition section and include it a permitted use within three zones; general commercial, corridor mixed use and industrial zone tables. This Commission needs to review the language to see if an aquaculture use would allow oysters to be brought into the City, cleaned and then high-pressure pasteurizing and process for packaging then for sale. This amendment would acknowledge a proposed business within the revitalization efforts for Factory F. Comm. Trego stated that oysters are a Dorchester County commodity.

Motion revise the language and to move forward to Council was made by Comm. Trego and seconded by Comm. Breig. All in favor.

Chairperson Losty asked for a motion to adjourn the meeting. Unanimously moved.

Respectfully submitted,
Pat Escher, A.I.C.P., City Planner



Mary Losty, Chair



Date Approved