



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

November 29, 2017

TECHNICAL STAFF REPORT

Hearing Examiner Hearing of December 13, 2017

Case No./Petitioner: BA-17-018C – Elm Street Development

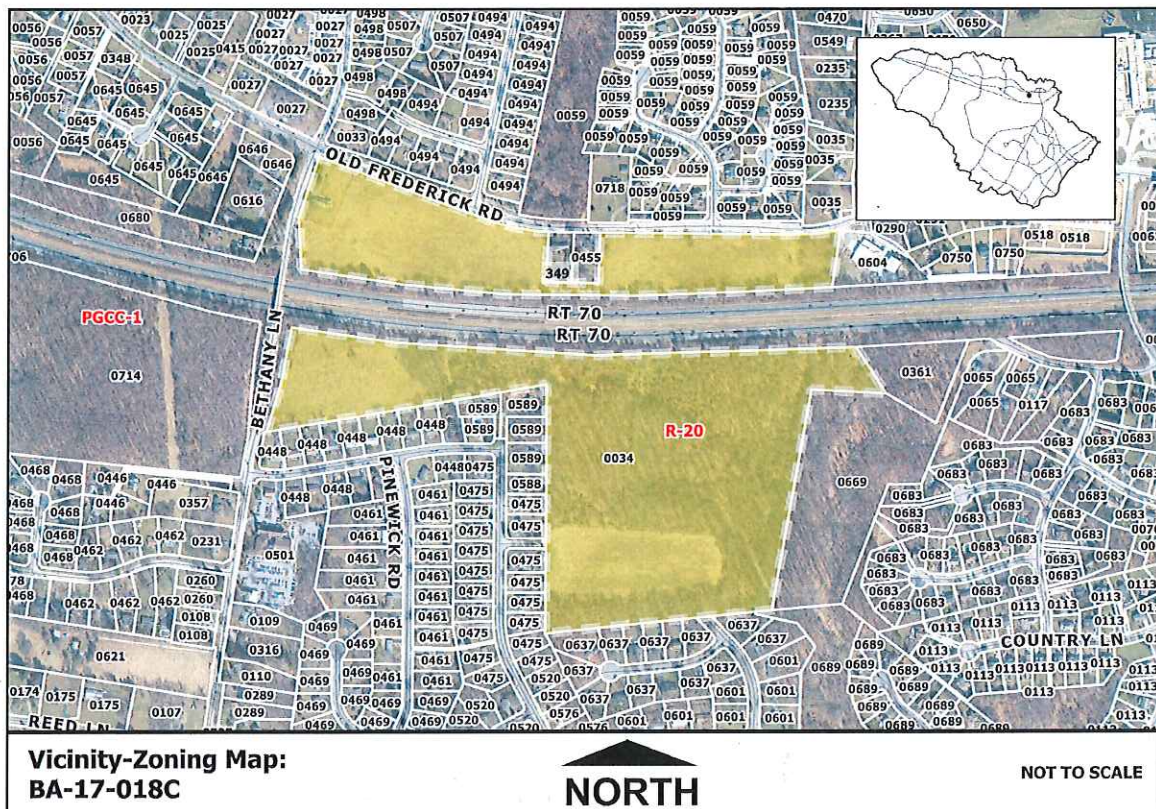
Request: Conditional Use for a 238-dwelling unit Age-restricted Adult Housing development (Section 131.0.N.1).

Location: Fifth Election District
Southeast corner of Old Frederick Road and Bethany Lane and east side of Bethany Lane, approximately 900 feet south of Old Frederick Road; Tax Map 17, Grid 15, Parcel 34; 9891 Old Frederick Road (the "Property").

Area of Property: 68.56 acres

Conditional Use Area: 67.31 acres

Zoning: R-20 (Residential: Single)



I. CONDITIONAL USE PROPOSAL

The Petitioner proposes an age-restricted adult housing (ARAH) development consisting of 213 townhomes, 25 single family dwellings, a 3,500-square foot community center, and two outdoor recreation areas. The 213 single family attached lots consist of 41 elevator townhomes and 172 villa style homes. A description of each housing type is provided below:

- 41 elevator townhomes will be approximately 24' by 45', three stories, equipped with an elevator unit, and two car garage.
- 172 villa style single family attached units (villa style homes) will be approximately 28' by 70', two stories, and have a two-car garage.
- 25 single family detached units will be approximately 40' by 60', two stories, and have a two-car garage.

All units will incorporate features from the Universal Design Guidelines, as described in pages 13 and 14 of the Petitioner's Supplement. A homeowner's association (HOA) will be responsible for maintaining the common areas and enforcing covenants.

Interstate-70 divides the development into a 19.65-acre section north of the interstate and a 47.79-acre section south.

North Section

The North Section is divided by two existing residential lots on Old Frederick Road/MD 99. The western area will consist of 43 villa style homes, accessed by a private road that aligns with Liter Drive. The eastern area will consist of 27 villa style homes, accessed by a private road that aligns with Weatherstone Drive. A park area, landscaped berm, and a five-foot wide sidewalk are proposed along Old Frederick Road/MD 99. Landscaping and buffering are also proposed adjacent to Parcels 349/455 and next to a future lot located at the southeastern corner of Old Frederick Road/MD 99 and Bethany Lane.

South Section

The South Section will contain 25 single family homes, 41 elevator townhomes, 102 villa style homes, a 3,500-square foot community center, and a recreation/open space area. A "flood mitigation facility," designed to manage on-site and off-site storm water runoff, is proposed in Open Space Lot 243. An internal public road that provides access to 55 lots connects Longview Drive to Bethany Lane, approximately 280 feet north of Postwick Road. The remaining lots are served by internal private roads.

II. BACKGROUND INFORMATION

A. Site Description

Interstate-70 divides the development into a 19.65-acre section north of the interstate and a 47.79-acre section south. Both sections are irregularly shaped and vacant. The low point is approximately 410 feet in elevation, at the southeast corner of the site. The site rises to the northwest to an elevation of approximately 480 feet. A stream, wetlands, and floodplain are in the southern portion of the site.

B. Vicinal Properties – North Section

Direction	Zoning	Land Use
North	R-20	Single Family Detached / Open Space
South	R-20	I-70 Right-of-way
East	R-20	Station 8 – Bethany Fire Station
West	R-20	Single Family Detached

Vicinal Properties – South Section

Direction	Zoning	Land Use
North	R-20	I-70 Right-of-way
South	R-20	Single Family Detached
East	R-20	Undeveloped
West	R-20	Bethany Lane Right-of-way / Park

C. Roads

Old Frederick Road/MD 99 has two travel lanes, but widens with additional lanes at the intersections with Bethany Lane, Litter Drive and Weatherstone Drive. The right-of-way has a variable width and the speed limit is 40 miles per hour.

Bethany Lane has two travel lanes within a variable width right-of-way. The speed limit is 30 miles per hour.

According to Maryland Department of Transportation data, traffic volume on Old Frederick Road/MD 99 from Bethany Lane to US 29 was 15,964 AADT (annual average daily trips) as of 2016 and 7,495 AADT (annual average daily trips) on Bethany Lane from Old Frederick Road to Baltimore National Pike as of 2016.

The Petitioner submitted an engineered Site Distance Analysis for each entrance. The Site Distance Analysis information is provided in the Evaluations and Conclusions section.

D. Water and Sewer Service

The Property is within the Metropolitan District and Planned Service Area for Public Water and Sewer.

E. General Plan

The Property is designated Established Communities on the Designated Place Types Map of the PlanHoward 2030 General Plan, and is designated as Undeveloped Residential on the Land Use Map.

Old Frederick Road/MD 99 and Bethany Lane are Minor Arterials.

F. Agency Comments

Agency comments are attached.

G. Adequate Public Facilities Ordinance

A Site Development Plan for the proposed development will have to pass the test for adequate road facilities.

III. ZONING HISTORY

There is no record of a Board of Appeals, Zoning Board, or Department of Planning and Zoning case for the Property.

IV. EVALUATION AND CONCLUSIONS

A. Evaluation of petition according to Section 131.0.B. of the Zoning Regulations (General Criteria for Conditional Uses):

1. *The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.*

While Howard County General Plan policies are not directly related to Conditional Use requests for ARAH, the proposed single family dwellings are compatible with the surrounding residential areas. Additionally, the development is in harmony with following policies that encourage housing options for residents at diverse income levels and life stages:

Policy 9.2: "Expand full spectrum housing for residents at diverse income levels and life stages, and for individuals with disabilities, by encouraging high quality, mixed income, multigenerational, well designed, and sustainable communities."

Policy 9.4: "Expand housing options to accommodate the County's senior population who prefer to age in place and people with special needs."

Additionally, the Petition states that the proposed use is consistent with the following policies:

Policy 3.7: "Secure better protection of environmental resources within new developments," and

Policy 10.1: "Protect and enhance established communities through compatible infill, sustainability improvements, and strategic public infrastructure investments."

Chapter 10 of PlanHoward 2030, Community Design identifies four issues that are relevant to Established Communities areas, two of which apply to the Bethany Glen Conditional Use proposal:

- 1) Environmental remediation that may be needed due to limited stormwater management which resulted in stream erosion and where stream buffer planting could yield a significant benefit; and
- 2) Opportunities for limited, compatible, infill development such as senior housing for residents wishing to downsize but stay in their communities.

Although the proposed Conditional Use is likely to implement General Plan goals 3.7 and 10.1, DPZ cannot confirm consistency at this time since the proposed flood mitigation facility will require state and federal approval. If the proposed flood mitigation facility achieves the planned water flow rate reduction (25% based on undeveloped conditions), then these General Plan policies may be implemented.

2. *The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.*

In the R-20 District, an ARAH with 50 or more dwelling units may be approved up to a maximum residential density of 5 dwelling units per net acre. Therefore, the 65.56 net acres of the Property may be approved for up to 327 dwelling units. However, the Petitioner only proposes 238 dwelling units at a density of 3.6 dwelling units per acre. Furthermore, the development provides 50% open space, which exceeds the required 35% and complies with all setbacks.

The Functional Road Classification Map of Plan Howard 2030 depicts MD 99 and Bethany Lane as Minor Arterials, which is an appropriate classification for the types and number of vehicles associated with the proposed use.

The nature and intensity of the use, the size of the Property in relation to the use, and the location of the site, with respect to streets that provide access, are such that the overall intensity and scale of the use are appropriate.

3. *The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning district.*

The proposed development will consist of single family attached and detached dwellings. There is no evidence of atypical adverse effects such as noise, dust, fumes, odors, vibrations, increased lighting, hazards or other physical conditions that would be greater at the subject site than generally elsewhere.

4. *The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.*

The proposed buildings, structures, and fences comply with all setback and height requirements. The development will be separated from the existing residential neighborhoods to the north and west by road right-of-way and screened by dense

landscaping. The community center/pool, recreation area, and adjacent townhomes will be separated from properties to the south by an internal road and landscaped buffers. Additionally, significant grade change and landscaping will screen the pool area from Bethany Lane.

The proposed single family detached lots provide a transition between the single-family neighborhoods to the south and the single family attached units within the project. Additionally, a six-foot opaque fence and landscape buffer will screen the development from adjacent homes. Therefore, the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than generally elsewhere.

5. *The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.*

ARAH single family detached and attached dwellings require two parking spaces per dwelling unit and 0.3 spaces per dwelling unit for visitors. Additionally, the clubhouse requires 10 parking spaces per 1,000 square feet of gross floor area.

As shown in the following table, a total of 582 parking spaces are required and 1,211 are provided. Each dwelling unit will have four parking spaces, two in the garage and two in the driveway.

Parking For:	North Section Required	North Section Provided	South Section Required	South Section Provided	Total
Dwelling Units	140 spaces	280 spaces	336 spaces	672 spaces	
Guests/Visitors	21 spaces	53 spaces	50 spaces	146 spaces*	
Clubhouse	n/a	n/a	35 spaces	60 spaces	
Total Required	161 spaces		421 spaces		582
Total Provided		333 spaces		878 spaces	1,211

* 40 off-street spaces, 106 on-street spaces which will be verified for feasibility and dimension during Site Development Plan review.

6. *The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.*

Ingress and egress is proposed in two locations along MD Route 99, Bethany Lane, and the extension of Longview Drive. The applicant has submitted sight distance analysis for these locations that appear to demonstrate adequate sight distance for all locations. Access points located on MD Route 99 shall be approved under the jurisdiction of the

State Highway review. The results of the sight distance analysis are shown in the following table:

Entrance	ISD to Left Required (Direction)	ISD to Left Provided (Direction)	ISD to Right Required (Direction)	ISD to Right Provided (Direction)
Liter Drive Entrance	348 feet (west)	> 790 feet (west)	475 feet (east)	595 feet (east)
Weatherstone Drive Entrance	348 feet (west)	548 feet (west)	475 feet (east)	605 feet (east)
Bethany Lane Entrance	356 feet (south)	> 500 feet (south)	419 feet (north)	> 500 feet (north)

(ISD = Intersection Sight Distance)

The final designs of the two proposed entrances on Old Frederick Road/MD 99 will be determined by the State Highway Administration.

The development will not share a driveway with other residential properties.

7. *The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.*

The environmentally sensitive areas on the Property consist of a 1.51-acre floodplain, and 0.45 acres of steep slopes, wetlands, and streams. The stream and wetlands will be protected by 100 and 25 foot buffers, respectively. Additionally, the proposal includes a flood mitigation facility that is designed to over-manage a 100-year storm event. The applicant indicates that this facility will reduce the current water flow rate through the site by 25%, based on the current, undeveloped conditions. The proposed facility will require state and federal approval, along with County approval, to construct such an in-stream facility.

The environmentally sensitive areas are likely to be disturbed by any type of development given their location in the middle of the site. However, the proposed layout and configuration minimizes the impact on these areas except for two stream crossings for internal roadways, which are necessary for access. Therefore, the proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.

8. *The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.*

The closest historic site is approximately 1,500 feet from the Property. Therefore, the proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere

- B. Evaluation of petition according to Section 131.0.N.1. (Specific Criteria for Age-restricted Adult Housing):

1. *Single-family detached, semi-detached, multi-plex, attached and apartment dwelling units shall be permitted, except that only detached, semi-detached, multi-plex and single-family attached units are permitted in developments with less than 50 dwelling units in the R-ED, R-20 and R-12 districts.*

The Property is zoned R-20 and the development proposes single-family detached and single-family attached dwelling units.

2. *In the R-ED, R-20, R-12, R-SC, R-SA-8, R-H-ED, R-A-15, or R-APT Districts the development shall have a minimum of 20 dwelling units.*

The Property is zoned R-20 and the development proposes 238 dwelling units.

3. *The maximum density shall be as follows:*

R-ED and R-20	20-49	4
	50 or more	5

The Property is zoned R-20 and the proposed residential density is 3.6 dwelling units per net acre.

4. *Site Design:*

The landscape character of the site must blend with adjacent residential properties. To achieve this:

- a. *Grading and landscaping shall retain and enhance elements that allow the site to blend with the existing neighborhood.*

Single family detached neighborhoods are located to the north, west, and south of the property. A dense landscaped buffer is proposed along Old Frederick Road/MD 99 to buffer the development from the dwellings to the north.

Single-family detached dwellings are proposed adjacent to the subdivisions to the south to blend with the existing neighborhoods. Additionally, an enhanced landscaped buffer and six-foot opaque fence are provided adjacent to these neighborhoods.

The proposed landscaping will allow the development to blend with the character of surrounding neighborhoods.

- b. *The project shall be compatible with residential development in the vicinity by providing either:*

- (i) *An architectural transition, with buildings near the perimeter that are similar in scale, materials and architectural details to neighboring dwellings as demonstrated by architectural elevations or renderings submitted with the petition; or*

- (ii) *Additional buffering along the perimeter of the site, through retention of existing forest or landscaping, enhanced landscaping, berms or increased setbacks.*

The property is surrounded by single family detached neighborhoods to the north, west, and south. The project will be compatible with residential development in the vicinity because it provides dense landscaped buffers and berms along the perimeter of the site.

Additionally, the Design Advisory Panel (DAP) recommended that the Petitioner consider a different mix and grouping of housing types, with more single family detached homes along the perimeter of the southern parcel and Route 99. The Conditional Use Plan was revised accordingly to include more single family detached dwellings along the southern boundary to blend with existing neighborhoods.

Additionally, the DAP suggested a different orientation of buildings along Route 99, to be more compatible with the rural character of the area. They questioned the initial site layout, which had the sides of townhome buildings oriented toward Route 99. The Conditional Use Plan was revised to re-orient many of the attached units to face Route 99 and roadways were re-designed to allow for more green space along the northwest portion of the site.

- c. *For projects with less than 50 dwelling units in the R-ED, R-20 and R-12 Districts, setbacks from existing public streets shall be the same as the setback required for residential uses on adjacent properties.*

The project proposes 238 dwelling units; therefore, this criterion does not apply.

5. *Bulk Requirements*

The development complies with the bulk requirements, except for the 120-foot maximum length for single family attached buildings. The Petitioner is requesting to increase the length of single family attached buildings with five units to 140 feet, buildings with six units to 168 feet, and buildings with 7 units to 200 feet.

The Hearing Authority may approve a greater length, up to a maximum of 200 feet in the R-20 District, based on architectural design that mitigates the visual impact of the increased length. The increased building length will be mitigated through staggered facades, contrasting rooflines, and varying fenestration.

- 6. *At least 50% of the gross site area in the R-ED Districts, at least 35% in the R-20, R-12, and R-SC Districts, and at least 25% in R-SA-8, R-H-ED, R-A-15 and R-APT Districts, shall be open space or open area in accordance with the Subdivision and Land Development Regulations. The open space or open area shall provide amenities such as pathways, seating areas and recreation areas for the residents, and shall be protective of natural features.*

As shown in the following chart, the development provides 50% open space, exceeding the 35% minimum. An interconnected system of pathways/sidewalks and recreation areas

is provided within the open space areas. As noted in Division of Land Development comments, only credited open space may satisfy the minimum open space requirements. Credited open space does not include parking lot islands, driveway easements (for private roads) serving non-open space uses, overhead utility transmission lines and narrow strips under 35 feet in width. The land use data may need to be adjusted to exclude any area that does not qualify as credited open space.

	Gross Acres	Required %	Required Acres	Provided %	Provided Acres
North Section	19.65	35%	6.88	51%	10.06
South Section	47.79	35%	16.72	49%	23.86
CU Area	67.44*	35%	23.60	50%	33.92

* The Supplement states 67.31 acres

7. *Accessory uses may include social, recreational, educational, housekeeping, security, transportation or personal services, provided that use of these services is limited to on-site residents and their guests.*

A community center/pool and recreation areas are proposed.

8. *At least one on-site community building or interior community space shall be provided that contains a minimum of:*

- (a) *20 square feet of floor area per dwelling unit, for the first 99 units with a minimum area of 500 square feet, and*
- (b) *10 square feet of floor area per dwelling unit for each additional unit above 99.*

The 3,500-square foot community center exceeds the 3,370-square foot requirement for 238 dwelling units.

9. *Loading and trash storage areas shall be adequately screened from view.*

Trash and recycling containers will be kept at each dwelling. A dumpster will be located north of the community center and screened from adjacent properties by existing vegetation.

10. *For a development that will be built in phases, open space areas, recreational facilities and other accessory facilities shall be provided in each phase to meet the needs of the residents. The developer shall provide a schedule for the installation of facilities at the time the Conditional Use is approved.*

The development will be constructed in phases. The initial phase will include the community building/pool and 50% of the pathway system.

11. *The petition shall establish how the age restrictions required under the definition of this use will be implemented and maintained over times. If the development will not be a rental community under single ownership, an entity such as a condominium association or homeowner's association shall be established to maintain and enforce the age restrictions in addition to County enforcement of zoning regulations.*

A HOA will maintain and enforce the age restriction requirements through covenants and restrictions. A copy of the "Declaration of Covenants, Conditions and Restrictions" document is included in the petition materials and contains additional details on implementing age restrictions.

12. *All open space, common areas and related improvements shall be managed and maintained by a common entity, either the owner of the development, a condominium association, or a homeowner's association.*

A HOA will be responsible for the maintenance of open space and common areas. A copy of the "Declaration of Covenants, Conditions and Restrictions" document is included in the petition materials, and contains additional details on this issue.

13. *The development shall incorporate universal design features from the Department of Planning and Zoning guidelines that identify required, recommended and optional features. The petition shall include descriptions of the design features of proposed dwellings to demonstrate their appropriateness for the age-restricted population. The material submitted shall indicate how universal design features will be used to make individual dwellings adaptable to persons with mobility or functional limitations and how the design will provide accessible routes between parking areas, sidewalks, dwelling units and common areas.*

The development will incorporate the universal design features identified on pages 13 and 14 of the Petition Supplement.

14. *At least 10% of the dwelling units in the R-ED, R-20, R-12 and R-SC Districts, and at least 15% in the R-SA-8, R-H-ED, R-A-15 and R-APT Districts, shall be Moderate Income Housing Units.*

Twenty four (10%) of the 238 dwelling units are Moderate Income Housing Units.

15. *Housing for the elderly special exceptions uses approved by the Board of Appeals on or prior to July 12, 2001 and constructed under the zoning regulations in effect at that time, may convert the existing dwelling units to age-restricted adult housing uses, with respect to minimum age restrictions only, without being subject to further hearing authority review and approval under current Conditional Use requirements, provided that the dwelling units are made subject to the new covenants and other legal means of enforcing the age-restricted adult housing minimum age restrictions, and that a copy of the recorded new covenants is submitted to the Department of Planning and Zoning to be filed in the original special exception case file.*

A special exception has not been approved by the Board of Appeals for this Property, therefore, this criterion does not apply.

16. *The Conditional Use plan and the architectural design of the building(s) shall have been reviewed by the Design Advisory Panel, in accordance with Title 16, Subtitle 15 of the Howard County Code, prior to the submission of the Conditional Use petition to the Department of Planning and Zoning. The Petitioner shall provide documentation with the petition to show compliance with this criterion.*

The Design Advisory Panel reviewed the architectural designs on December 7, 2016, and the meeting summary is attached to this Technical Staff Report.

V. RECOMMENDATION

For the reasons stated above, the Department of Planning and Zoning recommends that the request for a Conditional Use for an Age-restricted Adult Housing development be **GRANTED**.

Approved by:

 11-29-17
Valdis Lazdins, Director Date

NOTE: The file on this case is available for review at the Public Service Counter in the Department of Planning and Zoning.

JRL

Department of Planning and Zoning
Howard County, Maryland
Recommendations/Comments

Date: October 23, 2017

Hearing Examiner 12/13/17

Planning Board _____ Board of Appeals _____ Zoning Board _____

Petition No. BA-17-018C Map No. _____ Block _____ Parcel _____ Lot _____

Petitioner: _____ Elm Street Development/ Bethany Glen

Petitioner's Address: _____

Address of Property: _____

Return Comments by November 20, 2017 to Public Service and Zoning Administration

Owner: (if other than applicant) _____

Owner's Address: _____

Petition: SEE APPLICATION

PLAN REVIEW DIVISION

To: _____ MD Department of Education – Office of Child Care
3300 N. Ridge Road, Ste. 190, EC, MD 21043 (Louis Valenti)
_____ Bureau of Environmental Health
_____ Development Engineering Division
_____ ☒ Department of Inspections, Licenses and Permits
_____ Department of Recreation and Parks
_____ Department of Fire and Rescue Services
_____ State Highway Administration
_____ Sgt. Karen Shinham, Howard County Police Dept.
_____ James Irvin, Department of Public Works
_____ Office on Aging, Terri Hansen (senior assisted living)
_____ Police Dept., Animal Control, Deborah Baracco, (kennels)
_____ Susan Fitzpatrick, Health Dept. (Nursing & Res. Care)
_____ Land Development - (Religious Facility & Age-Restricted Adult Housing)
_____ Housing and Community Development
_____ Resource Conservation Division – Beth Burgess
_____ Route 1 Cases – DCCP – Kristen O'Connor
_____ Telecommunication Towers – (Comm. Dept.)
_____ Division of Transportation – Dave Cookson



COMMENTS:

No Comment

[Signature]

SIGNATURE

JRL

Department of Planning and Zoning
Howard County, Maryland
Recommendations/Comments

Date: October 23, 2017

Hearing Examiner 12/13/17

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_____ Police Dept., Animal Control, Deborah Baracco, (kennels)
_____ Susan Fitzpatrick, Health Dept. (Nursing & Res. Care)
_____ ☒ Land Development - (Religious Facility & Age-Restricted
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_____ Division of Transportation – Dave Cookson

COMMENTS:



Bureau of Environmental Health

8930 Stanford Boulevard, Columbia, MD 21045

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TDD 410-313-2323 | Toll Free 1-866-313-6300

www.hchealth.org

Facebook: www.facebook.com/hocohealth

Twitter: HowardCoHealthDep

Maura J. Rossman, M.D., Health Officer

MEMORANDUM

TO: Geoff Goins
Division of Zoning Administration and Public Service

FROM: Jeff Williams
Program Supervisor, Well & Septic Program
Bureau of Environmental Health

RE: **BA-17-018C**

DATE: November 8, 2017

The Health Department has reviewed the above referenced petition and has the following comments:

- Any existing sewage disposal system component and onsite well on the property must be properly abandoned and sealed prior to Health signature of any record plat or development plans. Any onsite wells or private sewage disposal systems at 9745 or 9785 must be shown on all development plans and all setbacks to them, especially from stormwater management facilities, must be met.

JRL

Department of Planning and Zoning
Howard County, Maryland
Recommendations/Comments

Date: October 23, 2017

Hearing Examiner 12/13/17

Planning Board _____ Board of Appeals _____ Zoning Board _____

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_____ Housing and Community Development
_____ Resource Conservation Division – Beth Burgess
_____ Route 1 Cases – DCCP – Kristen O'Connor
_____ Telecommunication Towers – (Comm. Dept.)
_____ Division of Transportation – Dave Cookson

COMMENTS:

MDOT SHA HAS NO OBJECTION TO THE CONDITIONAL USE PETITION. A TRAFFIC IMPACT
STUDY WILL BE REQUIRED. AN ACCESS PERMIT WILL BE REQUIRED FOR
ALL WORK WITHIN THE SHA R/W. ANY ROAD IMPROVEMENTS WILL BE DETERMINED
BY THE TIS AND ENGINEERING OF PLANS TO MEET CURRENT STANDARD.

[Signature] MDOT SHA DIST. 7



Howard County

Department of Planning and Zoning

Subject: Bethany Glen, Conditional Use

From: Chad Edmondson P.E., Chief
Development Engineering Division

Date: November 22, 2017

The following comments are offered by Development Engineering Division, DPZ, based on the submittal dated June 29, 2017:

1. Noise mitigation is required for the rear yards of residential units and community gathering spaces. The applicant plans to address this requirement with earth berms and walls constructed at a height required to reduce noise level from MD70 at or below the 65dBA within the referenced areas. Where drainage courses enter the site the berms will be reduced to minimize disturbances to environmental areas. With review of the noise analysis during the subdivision process these areas will be evaluated for the need of additional mitigation. Additional mitigation, if required, could be addressed with a noise wall. Noise mitigation also needs to be addressed for rear yards and public gathering areas that are affected by noise from MD Route 99.
2. Parking has been proposed on the internal public and private roads. On-street parking maybe permitted when the road section is a minimum of 28' wide. Perpendicular parking has been proposed on the internal, public and private roads. Perpendicular spaces located on the public street shall be privately maintained.
3. Ingress and egress is proposed in two locations along MD Route 99, Bethany Lane, and the extension of Longview Drive. The applicant has submitted sight distance analysis for these locations that appear to demonstrate adequate sight distance for all locations. Access points located on MD Route 99 shall be approved under the jurisdiction of the State Highway review.
4. Although no plan was reviewed showing proposed stormwater facilities, the applicant has claimed that water quality and recharge requirements shall be addressed utilizing ESD practices. Additional stormwater management shall be required for channel protection volume (1-year management).
5. The applicant has proposed over-management for the 100-year storm event with a proposed in stream facility. The applicant proposes that this facility will reduce the current flow rate through the site by 25% based on the current, undeveloped conditions. The proposed facility will require state and federal approval along with the County's approval for construction of an in-stream facility.

6. A sewer capacity report is required for this project since it proposes more than 200 units. This report is required to be submitted prior to a preliminary water and sewer plan.