

**Planning & Zoning
Public Hearing & Meeting Minutes
October 17, 2011**

ATTENDANCE: Michael Fortner, Michael Dawson, Pete Reich, George Jack, Ray Ryan, Town Planner Mary Ann Skilling, and Planning & Zoning Coordinator Dianna Battaglia.

Public hearing called to order at 6:30 p.m.

PUBLIC HEARING:

A. Mapping mistake for Richmond Hills Elderly – Tax Map 801, Parcel 805, Lot 4, Zoned R-1.

Ms. Skilling submitted report:

DATE: October 17, 2011

RE Mapping Mistake/Map 800, Parcel 805 – Public Hearing

Background: On August 2011, Mr. Rick Della, Interfaith Housing Development Corporation of the Maryland Eastern Shore applied for approval from the M&C for a letter of support for the renovation of the senior housing portion of Richmond Hill Manor Senior Apartments. The support letter was instrumental in Interfaith's application for funding for renovation from the Department of Housing and Community Development Rental Housing Funds. In the initial meeting with the developer and their engineers, a schematic plan was presented showing some of the proposed renovations. It was noted at the meeting that the existing zoning noted on our 2005 Zoning Map was designated as R-1, clearly a mistake.

Regulatory Authority: Article 66B of the Annotated Code of Maryland, Section 4.05 Findings for Reclassification, Change or Mistake; Refiling Limitations; Administrative Adjustments; Adaptive Reuse. Under this section, the Planning Commission can make a recommendation to the Mayor and Commissioners to amend the Zoning Map based on findings that a mistake in the existing zoning classification was made.

The following findings are provided to substantiate the mistake in mapping:

- 1. The previous zoning for the existing parcel was R-3 as noted on the attached document (Exhibit 1).*
- 2. On the approved 1/20/2005 Official Zoning Maps, Map 800, Parcel 805, Lot 4 was designated R-1 Single Family Residential District (Exhibit 2) while other similar uses were designated R-3 Multi-Family.*
- 3. The use at the time of the Zoning Map update was multifamily housing - Richmond Hills Manor Senior Apartments. The apartments were constructed in 1989 and remain in use as senior housing today. Maryland Department of Assessments and Taxation confirm multiple residence use and R-3 zoning (Exhibit 3).*
- 4. The adjoining property known as Richmond Hills Manor is also an apartment complex and is zoned R-3 on the 2005 Zoning Map. They were constructed in 1986 and remain as apartments today.*

5. *Since the apartments are not allowed in the R-1 Single Family Residential District and only as a Special Exception in the R-2, it is clear that the parcel should have been designated R-3 Multi-Family Residential. Zoning the property R-1 creates a non-conforming use that is inconsistent with good zoning practices.*

Motion:

Based on these findings, the Planning Commission would like to recommend to the Mayor & Commission that they approve a mapping mistake for the property known as Richmond Hills Manor Senior Apartments, Map 800, Parcel 805, lot 4 from R-1 Single Family Residential to R-3 Multi-Family Residential as shown on the attached map (Exhibit 4).

Discussion continued about the surrounding area that is zoned R-3 where Richmond Hill Apartments is located and the proposed Garrett Point project. Correction will be made to rectify boundaries in that area because zoning designation lines should follow property lines. Zoning maps are according to property lines, not randomly drawn.

Mr. Rick Della was able to clarify the issue of the relationship between the two parcels in that both, the senior single story dwellings and the multi-family units, were developed by the same developer around the same time.

The mapping mistake was discussed at the last Planning Commission meeting but as per Town regulations it has to go through a public hearing. The motion that was made at the last meeting still stands.

Following is the motion made at the September 19, 2011 meeting:

Motion was made by Mr. Oberholtzer and seconded by Mr. Reich to recommend to the Mayor and Commissioners to approve the mapping mistake to change Map 800, Parcel 805, Lot 4 from R-1 Single Family Residential to R-3 Multi-Family Residential based on findings. **All in Favor. Motion Passed.**

Motion made by Mr. Reich and seconded by Mr. Ryan to close the public hearing. **All in Favor. Motion Passed.**

(Meeting minutes follow.)

MEETING:

Meeting called to order at 7:50 p.m.

APPROVAL OF MINUTES:

MOTION was made by Mr. Reich and seconded by Mr. Jack to approve the September 19, 2011 Planning and Zoning Meeting minutes as written. One abstained: Mr. Ryan was not in attendance. **Four in Favor. Motion Passed.**

NEW BUSINESS:

File No. SP2011-01 Redevelopment Site Plan; **PROPERTY OWNER:** Richmond Hill Elderly Limited Partnership, P.O. Box 499, Denton, MD 21629-0499; **APPLICANT:** Richmond Hill Manor Senior Apartments LLP, 103 Gay Street, Denton, MD 21629; **LOCATION:** 100 Carter Court, Perryville, MD 21903; Tax Map 0800, Parcel 805, Lot 4, Zoned R-1.

Mr. Rick Della presented a brief overview of the project. The property was built around 1988/1989 and was done as a Farmers Home project. The developer who built the site still currently owns the site and Interfaith Housing, which is a non-profit developer of affordable housing has sought and is in the process of securing funds from the State of Maryland and a tax credit program will assume the debt on the existing project. We're doing a very significant renovation to this project which has not seen a major renovation since 1988/1989. Some of the defining design features because it is an elderly population we're taking out tubs and replacing them with showers, new heating system, new lights, new floor finishes, new windows. It's a very significant project in terms of renovation work. And we're also addressing the site through changes in the buildings for both aesthetics and weatherization and energy efficiency. One of the goals we asked of our civil engineer to attempt to achieve is to engineer the site so that if you were in a wheelchair and you literally had to get from every single point on the site in a wheelchair. Both the inside and the outside of the building will be renovated. Interfaith Housing, when they purchase and renovate a project they hold it essentially forever, they do that throughout the eastern shore of Maryland.

Mr. Jason Thompson, the engineer for the property, indicated essentially we're leaving everything the same as is on the property currently. The parking is in the same configuration and the buildings are being added on to so they are not moving around. As for access, we are improving, we're actually not expanding the paving at all, it was originally wider than it needed to be with sidewalks included. We're adding curb and gutter and concrete sidewalks. The entire site will meet the A.D.A. accessibility to every unit, to every feature, the dumpsters, the mail locations, the club house, for anybody in a wheelchair. Each unit is getting a small addition to increase the square footage, they will only be slightly less than 700 square feet per unit with the increase, so they are very small units, one bedroom. Two entrance doors will be on the front and two doors on the sides so everyone has their own private entrance with more of a community feel to it. The enclosed bump out measures 12-1/2 by almost 7 feet, the roof overhangs a little bit more for shade and to add to energy efficiency.

Mr. Della stated part of this was for both the funding sources and the brutal competition but we're adding 14 seer heat pumps and actual duct circulation system and in order for us to do that we had to create more space. Each unit will also have their own washer and dryer as well. The addition/bumpout was driven by both aesthetics and putting in the heat pump and water heater in that location. A sprinkler system is also being added to all the units.

Review of plans continued regarding renovation work to the site. The parking lot will be reconfigured with reduction of excess spaces to add numerous large green islands and street trees; 61 parking spaces are proposed as per requirement. A number of large trees will unfortunately need to be taken down because of construction conflicts with water lines, etc. and new plantings will be provided per landscape standards. Even though some impervious area is to be removed, the addition of sidewalks to provide total handicap access to the site has increased impervious area slightly, less than 1/10 acre. The landscape islands are not part of the site's storm water management.

Regarding current residents, Mr. Della stated the residents will be relocated during the renovation process. Each building includes 4 units, and the renovation process will involve two buildings at a time. The residents will be moved to a hotel for the duration of time while the contractor is working in the building due to the extensive renovations. Residents were adamant that they return to their same unit.

The community building will be expanded by 1,000 feet, to include a community room with other amenities. Site parking will include 20 handicap spaces, 2 per building, which is well above the requirement. Curb and gutter will be added and sidewalks for easier access. Dumpsters and recycling bins are to be relocated at the end of the site, away from the community entrance for better visibility at the public street. There will be a 6' wood fence with gates surrounding it. Resident access will be an entrance gate at the back. Mr. Della explained there is a combination of resident's taking their trash and if there is a hardship, management handles it for them which is how it is handled currently.

Regarding storm water, there is a small 8" yard drain behind the buildings on the north side of the site to pick up excess surface water to prevent mud pits and keep sediment from washing down. There is an existing storm water management pond on the south side that was installed at the original site development. They have met with Cecil County Department of Public Works and propose to retrofit a portion of the existing pond as a sand filtration device to clean the water coming to it. The vast majority of the impervious on this site will be drained down and into that sand filter and into the existing pond, which will bring it up to current regulations.

The landscape plan, in places where we had to remove screening that is existing there, we're replacing it along the street with some over story trees instead of just evergreens because we want to be able to see into the site for security and also for aesthetics. Street trees, both over story and understory within the parking lot and in front of the buildings where we have to remove trees and screening the back and foundation plantings around each building. On site lighting poles will be replaced where necessary and new fixtures to be provided.

The plans will be reviewed by the State Fire Marshal and local fire company at a later date once they are closer to completion. Mr. Della indicated the documents are currently about 75% and the architect has requested additional reviews by appropriate parties. Ms. Skilling indicated once the plans are finalized, a Zoning Certificate will be issued by the Town and the building permits by Cecil County who will handle all building inspections. Storm water management must be approved before moving forward with Preliminary/Final and water usage will be reviewed for additional usage with a sprinkler system and washers in each unit.

Ms. Skilling's report follows:

DATE: October 17, 2011

RE: Concept Plan for Renovation of Richmond Hill Manor Senior Apartments

Background: *Mr. Rick Della, Interfaith Housing Development Corporation of the Maryland Eastern Shore and Site Resources are working toward renovation and upgrading of the existing housing on the Parcel 805 known as Richmond Hill Manor Senior Apartments. The existing 10 apartment buildings and community building were constructed around 1987. There exist 1, 2 and 3 bedroom apartments throughout the development.*

Planning:

The plan before you is conceptual indicating changes to the existing development. Incorporation of site design requirements will be followed in so far as possible with existing standards. Once the Final Plan is approved individual Zoning Certificates will be issued for the renovation of one building at a time. This is to allow tenants to be moved while a building is under construction. The following items will require approval prior to issuing Zoning Certificates:

- 1. Although a redevelopment of an existing site, stormwater will need to be evaluated to determine whether it meets existing stormwater regulations. The plans are under review by Cecil County DPW. Modifications to the existing stormwater facility will need to be made to provide water quality.*
- 2. All units will be upgraded with sprinklers requiring approval of additional water usage. A public works agreement for any public infrastructure must be approved by the Town.*
- 3. Landscape Plan incorporating site amenities (lighting, sidewalks, dumpster pad, etc).*
- 4. Engineer review of infrastructure improvements.*

The modifications to the plan do not have any significant impact on the original design of the project.

Since this is a renovation of an existing site, Town Planning Staff will be issuing Zoning Certificates as each building is ready for construction once the above have been approved. We are bringing the plan before the Planning Commission for informational purpose.

Discussion continued regarding fire company concerns with no substantial changes that would affect fire protection. All buildings will have a sprinkler system and will meet fire and safety requirements. No change to the existing fire hydrant location.

Mr. Della clarified changes to the existing units, for the most part the building frame and roof structure will remain, the roof shingles will be replaced, the layout of the units are largely the same except for handicap units, for the most part the drywall around the perimeter and the ceilings will stay, electrical energy star fixtures, all new plumbing fixtures with full bathroom renovation, full kitchen renovation, all new floor finishes, all new heating system with associated duct work, and electrical smoke detectors with battery backup, new doors, new baseboard, new water heater. Instead of tearing off the drywall to get to the insulation, we'll take off the existing vinyl siding and insulate the exterior of these buildings and then over top that install Hardi-Plank siding, different colors, different textures. We want a high energy efficiency, low maintenance building for the average resident age somewhere near 70 who's going to want to stay there as long as they can, and so the nature of the renovations are in accommodating that aging in place.

Mr. Fortner indicated I think it's a great project and appreciate you coming in and putting this type of investment in this community. It's good for the Town. Everything you're doing us fantastic and is definitely improving it.

Motion made by Mr. Fortner and seconded by Mr. Reich that we agree with the concept plan and the developer may move forward with their plan. **All in Favor. Motion Passed.**

Motion was made by Mr. Reich and seconded by Mr. Jack to adjourn the meeting at 7:55 p.m.
All in Favor. Motion Passed.

Respectfully Submitted,

Dianna M. Battaglia
Planning & Zoning Coordinator