

CITY OF ABERDEEN
PLANNING COMMISSION MEETING
MINUTES

Wednesday, July 22, 2009

A meeting of the Aberdeen Planning Commission was called to order at 6:02 p.m., July 22, 2009, in the Council Chambers by Chairman Swisher.

MEMBERS PRESENT: Chairman Swisher, Commissioners Braerman, Craig, Kosko, Landbeck, Schlottman, and Tout.

OTHERS PRESENT: Councilman Michael Hiob, Planning Commission Liaison
Phyllis Grover, Director of Planning & Community Development
Gil Jones, Acting Recording Secretary

AGENDA ITEMS:

**1. Review Preliminary Site Plan for The Commons at Fieldside Village
Location: Long Drive and Gilbert Road**

Representatives: Joe Credit, Sherwood Partners; Jay Young, Brown, Brown & Young; and Paul Muddiman, Morris & Ritchie Associates (MRA).

Mr. Young gave an overview of the three previous appearances for this project before the Commission that spoke to the issues of water availability, parking, and the concern over an office use versus the previously expected retail use. Mr. Young indicated he was not clear on the issues the three objectors had at the last meeting and asked for an opportunity to clear up any questions or misunderstandings. Mr. Young further indicated that an office project is a permitted use for that zoning. The owner would like to do an Avenue-style retail development, but that is not currently economically feasible. Mr. Young said it is not fair and not within the purview of the Commission to reject the project due to the previously expected use.

Mr. Muddiman indicated the plan has not changed from that presented at the previous meeting – 500,000 square feet of office space in four separate buildings on four separate lots.

Mr. Credit recounted the ownership history of the property, indicating that Newtown Commercial Enterprises LLC had transferred to a trust within the Campbell family when another firm acquired Nottingham Properties. Therefore, the ownership is essentially the same. He also spoke to the original intentions for the property dating back to 2003 (movie theater, retail, etc.).

Mr. Credit indicated the changes in the development plan were necessitated by failures in the retail industry and setbacks in the economy as a whole. He expects it to take three to five years for retail development to rebound to the point where the original retail project would be feasible. With BRAC (Base Realignment and Consolidation) coming to Aberdeen, it was felt an office project would be a better use of the property.

Mr. Credit gave an overview of the property tax differential for the current, original, and proposed status. The current taxes are \$19,000; the retail use (based on the 185,000 square feet on the original plan) would pay \$318,000, plus \$450,000 in amusement tax for a total of \$768,000; the proposed office project (based on 500,000 square feet) would pay \$688,000. Mr. Credit indicated that even though the tax dollars realized would be less for office than retail, they would come on-line much quicker.

Mr. Young referenced a comment from a Commission member at the last meeting that “we don’t need more office space.” Mr. Young said he spoke with Jim Richardson, Economic Development Director for Harford County, who says this is not so, that office space in Harford County is at a “crisis level” in terms of what there is to offer. Conversely, Baltimore County and Cecil County have large inventories to offer. In addition, Mr. Young indicated the CBCY project on Route 22 is now in place, which wasn’t the case when the original Avenue project was proposed. This would accommodate retail in that area, just not to the degree the Avenue project would have.

Mrs. Grover gave Planning & Community Development comments. She indicated that fire protection would be addressed at future site development.

Mr. Craig had no direct comments. However, people he has talked to still want theater and retail.

Mrs. Kosko wants to see separate ingress/egress to Lot 4 since it’s a stand-alone lot. Currently the only access is from Lot 3. Mr. Credit indicated this is laid out the way private lots are generally laid out. The buyer would be party to a reciprocal parking agreement and a maintenance agreement. Mrs. Grover asked Mr. Credit if the Lot 4 access be duplicated as that shown for Lot 1. Mr. Credit said they don’t normally do that, but it’s possible to do it. Mr. Young asked if Mrs. Kosko was suggesting this be made a condition of approval. Mrs. Kosko said yes. Mr. Young replied they would be happy to accept that. Mrs. Kosko also asked that the number of parking spaces be reflected on the plan as well as in the summary.

Mrs. Landbeck reminded everyone of her yes vote at the previous meeting. She said that this plan is not what she wants or what others want, but if it’s a good plan, meets Code, and doesn’t produce a negative impact, it should be approved. She has talked to Realtors and they have said we need office space here. At any rate, we can’t always get what we want.

Mr. Tout expressed concern over the shared parking and the wear and maintenance on the parking lot. Mr. Credit said the parking agreement provides for on-going maintenance in perpetuity. Mr. Young indicated the failure to fulfill the terms of the agreement can be assessed as a lien on the property and can be foreclosed on.

Mr. Braerman expressed concern over a big military build-up now, but things change with each administration and can produce surges and cuts over time. Mr. Credit indicated that if they had started the retail project in 2004 or 2005, we’d be looking at large vacancies today. As such, they’ll be looking for the longest-term leases possible.

Mr. Braerman asked if they would be constructing one building at a time or all four at once. Mr. Credit said he doesn’t envision them putting up buildings on a speculative basis. Mr. Braerman suggested that once three are built, they might possibly see the need for restaurant or retail in that

area. Mr. Credit said the CBCY project could speak to the retail aspect, that it would certainly compliment his project. The Ripken folks expressed support for this project in that it presented an opportunity to fill more hotel rooms at the Marriott properties. Mr. Credit said he couldn't anticipate demand; they would need to take things as they come.

Mr. Schlottman indicated his concerns about shared parking have been addressed and resolved. He was also concerned about any changes to the plan, but Mr. Muddiman has indicated there are none. Mr. Schlottman said even though he prefers retail, he is more concerned about having "big box" stores sitting empty and hard to fill as they have in Bel Air. There are also vacancies at the new shopping center on Route 40 between Aberdeen and Havre de Grace. The project before them is a permitted use, whether they like it or not.

Councilman Hiob said citizens still favor retail, but he understands and agrees with Mr. Schlottman's comments. The difference in tax revenue is a tangible difference he can appreciate.

Mr. Swisher asked if creating the four lots is a way to phase in for financing. Mr. Credit said yes.

Mr. Swisher expressed concern about entrance and road improvements. Mr. Swisher addressed Mr. Young to say the Commission's decisions are recommendations to the City Council and the Commission attempts to see what would fit on a given site and what is appropriate. They can pass such an opinion forward. In his view, since this project is a principal permitted use in this area, they should pass it forward.

Motion by Mr. Schlottman, second by Mr. Tout, that the plan be approved, with the addition of an ingress point for Lot 4 per Mrs. Kosko's recommendation and any additional staff comments.

At this point, Mr. Swisher opened the floor for comments from the audience. Hearing none, Mr. Swisher asked for a roll call vote. **Motion carried 5-1 (Mr. Craig voting against).**

There being no further business or public comment, the meeting was adjourned at 6:51 p.m.

Planning Commission Chairman

Recording Secretary

Date of Approval

For a verbatim record of this meeting, reference may be made to the audio recordings, which may be found in the Department of Planning and Community Development, Aberdeen, Maryland.