

Development Plan Hearing Input from Halethorpe Improvement Association Regarding the Proposed Southern Crossroads Development

PAI Number: 13-0239

Halethorpe has been a haven for families seeking a comfortable place to own a home for about 130 years. Many homes in the neighborhood are owned by different generations of the same family. The community consists mostly of single-family detached dwellings on quarter-acre lots on narrow, tree-lined streets—streets probably designed to accommodate horses and wagons.

The Southwest Baltimore County Revitalization Strategy correctly states, “Older neighborhoods have a sense of community and character not found in newer, and often nondescript, subdivisions.” Baltimore County Code §32-4-103(a)(6) states that one of the purposes of this Title is:

To protect the viability of the county’s existing communities by ensuring that new development and redevelopment is compatible with the neighborhood and minimizes adverse environmental, traffic, and economic impacts on the surrounding community.

Halethorpe’s sense of community and character is the polar opposite of the proposed Southern Crossroads development. Southern Crossroads is not compatible with the existing neighborhood and will bring adverse impacts to the existing neighborhood.

This development would introduce 196 townhouses into this community. This is in stark contrast to the existing community, and it does nothing to sustain or enhance the existing community. In fact, it does the opposite. Halethorpe Improvement Association (HIA), which represents 126 households, opposes the development as proposed and herein offers reasons for this opposition.

Issues Related to the Community Input Part of the Development Process

HIA identified and explained six areas of concern in its Community Input paper in the development process:

1. School overcrowding
2. Increased traffic and related issues
3. Stormwater management—potential problems
4. Stormwater management—existing problems
5. Compatibility with existing neighborhood
6. Uncertainty about “Reserved for Future Use” areas on the concept plan

HIA stated that it “... looks forward to establishing a working relationship with the new owner in which both parties may discuss concerns and devise solutions to development challenges that are mutually

satisfying.” There has been little to no interest in or discussions about any of the points stated above except for one. The only interaction with the developer was a meeting to walk through the property to understand existing stormwater management problems.

During this walk-through a representative from the County was present. As detailed in HIA’s Community Input paper, flooding due to runoff from Maple Avenue has been a problem for years. To date, the County has offered no solution to the problem. Does the County have a plan ready to implement to correct the existing stormwater management problem? Solving this problem is integral to the success of any development of the property along Maple Avenue and to the safety of people and properties downstream from there.

Another concern regarding stormwater management is the fact that both the CPC and DPC Comments about stormwater management from the Department of Environmental Protection and Sustainability (DEPS) show long lists of site-specific comments (16 comments and 17 comments respectively) and both end with the same point: “This project **does not** meet the Baltimore County Code Development Plan requirements at this time.” Why is the County allowing this project to move forward with no meaningful changes to address these lists of site-specific comments?

Review of the development plans and agency reports from the Development Plan Conference reveals no significant changes to address many issues, especially points 2 and 5 above. HIA acknowledges that some changes have been made, but none that will have a positive impact on the existing neighborhood. Why is the County allowing this project to move forward with no meaningful changes to address issues that will have a negative impact on the existing community?

Issues within the Concept Plan Conference Comments from the Department of Planning

Analysis

Master Plan

The first paragraph of this section states that “... the concept plan shows a proposed density of approximately 2.72 dwelling units per acre (196 units/71.98 acres).” If one completely disregards zoning, which is an egregious error by the Department of Planning, this is mathematically correct. However, it gives a false indication of the actual unit density per acre, and this figure has no value in describing the proposed development.

The second paragraph states that “... the proposed lotting pattern creates a dense grid layout which does not provide a balance between landscape and buildings... The proposed layout with extensive linear streets/alleys and units on either sides [sic] ... can create a ‘walled’ effect in regards to the relationship between the dwellings and the street.” The development plans indicate a redistribution of units as compared to the concept plans. However, this redistribution actually increases the “walled effect,” especially with the reorientation of units 35-44 (as indicated on the concept plans). While this

reorientation addresses the front-to-side orientation, it does nothing to increase open space, as suggested in the concept plan markups.

This proposed development plan is the opposite of the surrounding neighborhood. The development plans reveal no changes that would improve this situation or increase open space (see below) which is also covered in this section. Why is this dense grid layout still the most prominent feature at this point in the development process?

Community Plan

This section of the Concept Plan Conference Comments cites the Southwest Baltimore County Revitalization Strategy and acknowledges that it was “established for the purpose to identify actions that government and the community at large should take ...to stabilize and enhance neighborhoods...” It goes on to discuss how the proposed development meets the DR 5.5 zoning. That statement is misleading (see below). Furthermore, introducing 196 townhouses into a 130-year-old community does not stabilize or enhance the existing neighborhood—it does the opposite.

Pedestrian and Bicycle Access Plan

HIA’s Community Input paper states:

HIA did a recent inventory of sidewalks on roads north of Ridge Avenue and south of I-95 (in the vicinity of the proposed development). HIA found the following:

- Roads with no sidewalks Summit Avenue, Fairview Avenue, Linden Avenue, Woodside Avenue, Carroll Avenue
- Roads with only partial sidewalks Maple Avenue, Ridge Avenue, Poplar Avenue, Arbutus Avenue, Potomac Avenue, Rehbaum Avenue

The CPC Comments from the Department of Planning state:

The Western Baltimore County Pedestrian and Bicycle Access Plan, which is adopted as part of the Baltimore County Master Plan, proposes pedestrian improvements to the following streets impacting the subject site; Sidewalks on both sides of Maple Avenue from Arbutus Avenue to the road end of Maple Avenue. Similar improvements in the area of the subject site include Arbutus Avenue (from Potomac to Maple Avenue) and Winans Avenue (from Selma Avenue to Washington Boulevard....

To date, Baltimore County has offered nothing more than a proposal for pedestrian improvements and that does not include all the streets in the immediate area of the subject site as detailed in HIA’s sidewalk inventory. This is a critical safety issue for existing residents on these streets and HIA asks, why is there no definitive plan for sidewalk improvements and residents’ safety at this point in the development process?

Also, the development plans indicate there will be no sidewalk on the property along Washington Boulevard. The absence of a sidewalk here isolates this property from pedestrian and bicycle access and interrupts connectivity between it and adjacent properties.

School Impact

The School Impact Analysis for Southern Crossroads is based on school enrollment data from September 30, 2020, which show 302 full-time students enrolled at Halethorpe Elementary School (HES). Enrollment data from the previous year show 365 full-time students enrolled at HES. The State Rated Capacity (SRC) of HES is 392. The Pupil Yield calculations indicate the projected enrollment will be below SRC. This is also true for the projected middle and high school enrollments. However, the HES enrollment data from 2019 to 2020 show a 17% drop in the student population. This is a significant change in enrollment, which might be attributed to the COVID-19 pandemic. Post-pandemic enrollments may increase, leaving our schools overpopulated.

Another potential factor that may impact local schools is the closing of Our Lady of Victory School in Catonsville. This is one of only two parochial schools in the area and its closing will leave the parents of those students looking for a place for their children to go to school. HES may have an influx of new students even before the proposed development is finished.

Evaluation and Recommendation

Additional Comments on the Plan

The Concept Plan Conference Comments from the Department of Planning state, “The following comments are offered on the submitted concept plan and are expected to be addressed with future plan submittals:” Below are points that fall short of this directive.

- a) This point calls for “more open space within the proposed grid layout.” No such change has been made. Why not?
- d) This point states, “The development plan should show the location of any proposed recreational equipment and the details of such equipment should be thoroughly described in the required pattern book.” No recreational equipment is indicated on the development plans, and there is no information in the pattern book. Why is no recreational equipment proposed for such a large development? Does the developer plan no amenities for this development?

The absence of recreational equipment in the proposed development will result in overuse of the adjacent Halethorpe Elementary School (HES) facilities. These facilities must not become the de facto play area for the proposed development (see also point o below).

- g) This point states,
 - In all areas where on-street parallel parking is proposed, an intervening landscape strip should be provided to the satisfaction of the Baltimore County Landscape Architect, and in accordance with the Public Road Utility and Street Tree Locations exhibit found in Appendix D (Page 89) of the Baltimore County Landscape Manual. Provision of this landscaping will provide a transitional space between the vehicular and pedestrian realms, and may require extension of the proposed widths of public rights-of-way to 60 feet, per the approval of the Department of Public Works.

The vast majority of proposed parallel parking spaces on development plan sheets C-305 and C-306 show no such landscape strip. It appears that this design decision was made in an effort to cram as many units as possible into an already too-small area bordered to the north by the

DR5.5/ML zoning line. This proposed layout of townhouses puts unit 196 into a Forest Buffer Easement which could easily be avoided if there were fewer units. Wouldn't compliance make it impossible to fit as many units into the DR5.5 zone or drastically reduce the amount of parking?

In fact, the entirety of Miner's Way East, the sidewalks, curbs and gutters lie within the ML zone. Why is the landscape strip omitted from these areas of the plan? Why is this omission acceptable at this point in the development process? Is the Baltimore County Landscape Architect satisfied with this design? Is this design in compliance with the Public Road Utility and Street Tree Locations exhibit found in Appendix D (Page 89) of the Baltimore County Landscape Manual?

- k) This point states, "Areas of extensive grading, particularly located on private lots, should be avoided to the greatest extent possible...." It is apparent from the development plans that the development of this property as proposed is dependent on extensive grading. Why is this acceptable at this point in the development process?
- o) While a playground was indicated on sheet C-303 of the concept plans, it does not appear on the development plans. In fact, no playgrounds are indicated on the development plans.
- r) This point calls for a phasing plan to indicate what areas are for current development and what areas are for future development and "... what the anticipated future uses are for such areas." This is also noted on the concept plan markups. The development plans indicate only "Reserved for Future Use." The community brought this up as a main concern before the Community Input Meeting. Why is there still no indication of what is proposed?

Developable versus Undevelopable Acreage in the DR 5.5 Zoning Area

According to the development plans for Southern Crossroads, prepared by Bohler Engineering, Inc., there are 45.86 acres of land in the DR 5.5 zone, which allows for 252 units to be built. The plans indicate 196 units are proposed to be built.

If all 45.86 acres were developable, the two main avenues to oppose the number of proposed units would be to illustrate the drastic differences between the existing community and the proposed development or find a basis for opposition within the Concept and Development Plan Conference Comments; HIA is pursuing both. However, 20.1 acres in this zoning area include wetlands, wetland buffers, forest buffers, and forest conservation easements. This land cannot be developed. Why is this land included in the DR5.5 acreage? If this land is included in the calculation of residential density, it would allow five units to be built on one-quarter of an acre (of a one-acre parcel) even if the other three-quarters were wetland. That gives a green light for reckless development.

Indeed, by subtracting the 20.1 acres from the 45.86 acres, the resultant developable acreage is 25.76 acres. The proposed 196 units on this acreage works out to a DR 7.6—well in excess of that which is allowed. Furthermore, it crams a very densely developed acreage right next to delicate natural land that is susceptible to damage.

If DR 5.5 is applied to the developable 25.76 acres in this area, the maximum number of units allowed under current zoning laws is 141. Fifty-five fewer units would allow for more open space and generally lessen the negative impacts of the proposed development.

Open Space

The Development Plan Conference Comments from the Department of Development Plans Review states, “The amount of Open Space shown on the plan does not appear to meet the requirements.” HIA agrees, not only for compliance with the Adequate Public Facilities Act, but also for aesthetic, practical, and safety reasons. However, a careful review of the development plans regarding open space reveals inconsistencies and oversights that must be corrected.

The plans show Private HOA Open Space Areas 1, 2, 3, and 4. The Department of Development Plans Review states, “It appears there is an area of Forest Buffer located within Private HOA Open Space #3 and it is my understanding that DEPS does not allow Open Space within a Forest Buffer.” In fact, Area 3 also includes wetlands, wetland buffers, forest buffers, and forest conservation easements. Area 4 lies within a forest conservation easement.

The plans show Private HOA Common Areas 3 and 4. Areas 1 and 2 are not shown. Why aren’t Areas 1 and 2 shown? Also, the Common Area 4 shown on sheet C-306 is in no way connected to Common Area 4 shown on sheet C-303. Why is this? All of the Common Areas include the designations wetlands, wetland buffers, forest buffers, and forest conservation easements.

While an Open Space “may include an environmentally constrained area,” according to the County Code §32-6-108(a)(6), note the term is singular. Some of these Open Spaces include four “environmentally constrained areas.” Is this legal under the current County Code?

Wetlands, wetland buffers, forest buffers, and forest conservation easements should not be subject to excessive human activity. What is the purpose of these designations if people may use them as they wish? Open spaces should be designed and managed as recreational areas that people can enjoy. With the dense concentration of townhouses proposed on the property, it is a certainty that people will use these areas. Environmentally sensitive lands will be damaged or destroyed and will not be replaceable.

Another troubling aspect of the designated Open Spaces on the plans is that many of the areas include steep slopes which is contrary to the County Code §32-6-108(a)(5) which states: “‘Open Space’ means a parcel or parcels of land that is a minimum average of 75 feet wide or has an average grade of no more than 15 percent....” Private HOA Open Space Area 3 on plan sheet C-303, for example, has in some places slopes as steep as 48 percent. Areas 2 and 4 also have steep slopes. How can the inclusion of these areas of steep slopes be added to the acreage of Open Space when the land clearly does not meet the requirements for Open Space?

And as stated in HIA’s Community Input paper, HIA “... is against the Department of Recreation and Parks granting a ‘payment of a fee in lieu for the open space.’”

Furthermore, every single HOA Common Area and HOA Open Space Area is designated Private. So, obviously these areas are in no way an asset for the existing community.

Parking

Development plan sheet C-302 shows typical layouts for front-loaded and rear-loaded townhouses. For each type of townhouse the plans state, “Garages are single car [or double car] and are used to meet parking requirements.” These units have no basements. If only a small percentage of the owners in these units use the garage space for storage, that means there will be more cars parked in driveways and on the streets, creating an unpleasant landscape of parked cars and buildings.

The front-loaded, single-car garage units have a 25’ setback from the sidewalk. The driveway is 12’ wide and 25’ long—enough room for one vehicle. The driveway occupies 60% of the setback, leaving a strip of land 8’ by 25’ as a front yard, and this is abutted by the next driveway. The rear-loaded, two-car garage units are almost entirely paved in the rear and have only a 12’ setback (at most) in front.

These features are strikingly different than the existing neighborhood. If driveways are covered with parked cars and the street parking is occupied with parked cars, then children (as well as adults) will have less space to play and ride bicycles, and they will have little alternative but to play and ride on sidewalks or in the traffic lanes of the streets.

Development Plan Conference Comments from the Department of Environmental Protection and Sustainability

This report reveals that 17 requirements of the DEPS have not been provided and/or approved. It further states in the Additional Comments section that Forest Buffer and Forest Conservation variance requests have been denied and that the development plan cannot be approved unless variances are granted or the plan is revised. If the plans have been revised, then why were two new variance requests (EPS Tracking Numbers: 01-21-3501 and 01-21-3500) submitted on July 13?

The new variance requests are more egregious than the first ones: 01-21-3501 seeks to “remove or critically impact” 70% of the specimen trees on the entire property; 01-21-3500 seeks impact to over three quarters of an acre of forest buffer and impact to “an unspecified amount of non-tidal wetlands.” These requests fly in the face of the County Master Plan and a host of other County documents and it leaves HIA to ask:

- How can a request that uses language such as “unspecified amount” even be considered let alone approved?

- Can the developer demonstrate genuine “practical difficulty or unreasonable hardship” as stated in Baltimore County Zoning Regulations (BCZR) §307.1?

And the reasons cited for the variances: more townhouses, commercial buildings, and parking lots.

HIA has a keen interest in the protection and sustainability of the natural environment as well as our neighborhood environment, which are threatened by developments such as this one. Natural habitat destruction and fragmentation will lead to degrading the environment and, in this case, accelerate urban onset into our community.

Photographic Documentation of Existing Neighborhood and Development Similar to that Proposed

Context



This aerial photograph shows the relationship between the proposed development and the existing community. Maple and Summit Avenues are narrow tree-lined streets that will be primary routes for vehicles entering and exiting the proposed development from the west side. Note the existing forest density on the development site.

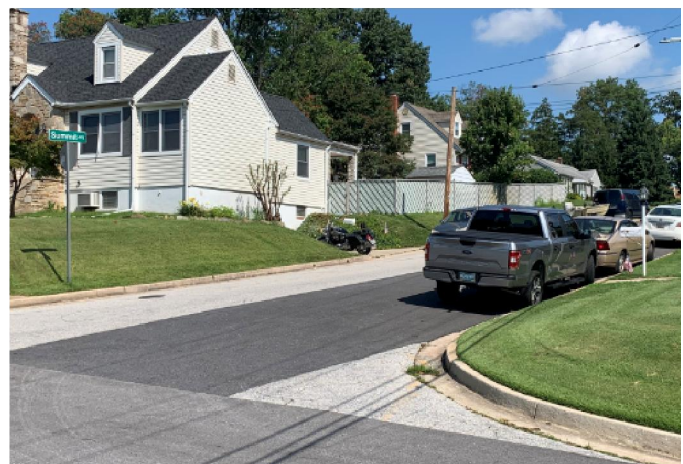
Existing Neighborhood



Typical houses on Summit and Maple Avenues, respectively. Note the mature trees, landscaped gardens, and absence of sidewalks.



Above photos were taken on Maple Avenue. The left photo was taken one block from HES looking eastward; the right one was taken two blocks from HES looking westward. Note the narrow road width, partially deteriorated road condition, mature trees, and lack of sidewalks.



A pedestrian walks on Summit Avenue heading south. Intersection of Summit and Ridge Avenues. Note narrow road width, parked vehicles, and absence of sidewalks.



Typical scenes on Maple Avenue.

Development Similar to that Proposed



These photographs show Howard Square townhouses—a project similar to Southern Crossroads. This development features a practically urban landscape of parked cars and buildings.

Traffic

According to the Traffic Volume Map 2019 Annual Average Daily Traffic Baltimore County, published by the Maryland Department of Transportation (MDOT), 17,220 vehicles travel the section of Washington Boulevard adjacent to the property. The development plans indicate the construction of an access road, Avalon Ridge Boulevard, to intersect with Washington Boulevard. Pending the results of a traffic impact study and the granting of an access permit, it can be safely assumed that a traffic signal will be required to manage the volume of increased traffic from the proposed development.

The proposed intersection will be approximately 700 feet from the intersection of Ridge Avenue and Washington Boulevard, where there is an existing traffic signal. The new signal will increase the likelihood of traffic congestion, delays, and frustration for local residents. The best case scenario depends on the proper maintenance and operation of the signal. Signal damage or power failure would quickly worsen traffic delays and congestion.

Another concern is crashes. According to “Crash Factors in Intersection-Related Crashes: An On-scene Perspective,” published by the National Highway Traffic Safety Administration in 2010, about 40% of crashes in the United States were intersection-related. The MDOT State Highway Administration (MDOT SHA) Traffic Signals Brochure states, “... the installation of a traffic signal typically increases the frequency of rear-end collisions at an intersection.”

When a crash occurs at an intersection, drivers seek alternate routes. For those in the proposed development, that means Maple Avenue. Indeed, any westbound traffic from the proposed development will use Maple Avenue. It is inevitable that Maple and Summit Avenues will have increased traffic—traffic for which the roads were not designed. As stated in HIA’s Community Input paper and as stated above, most of Halethorpe’s streets are narrow and probably designed for horses and wagons. Most of these streets lack adequate sidewalks, as detailed above. This is a serious safety concern for residents, and to date no solution to this issue has been offered. Why not?

The MDOT SHA Traffic Signals Brochure states, “A new [traffic signal] installation on a major road typically costs about \$75,000 or more.” If this amount of money is to be spent on one traffic signal installation to satisfy the needs of a new development, what can the residents of Halethorpe expect will be spent ensuring their safety and well-being on the very streets on which they live?

If Maple Avenue were closed to through traffic from the proposed development, that would drastically lessen the negative impacts of this development on the existing community. If Maple and Summit Avenues were changed to have No Parking zones that would in effect increase the width of these roads, but doing so would be an astounding inconvenience and a flagrant insult to existing residents.

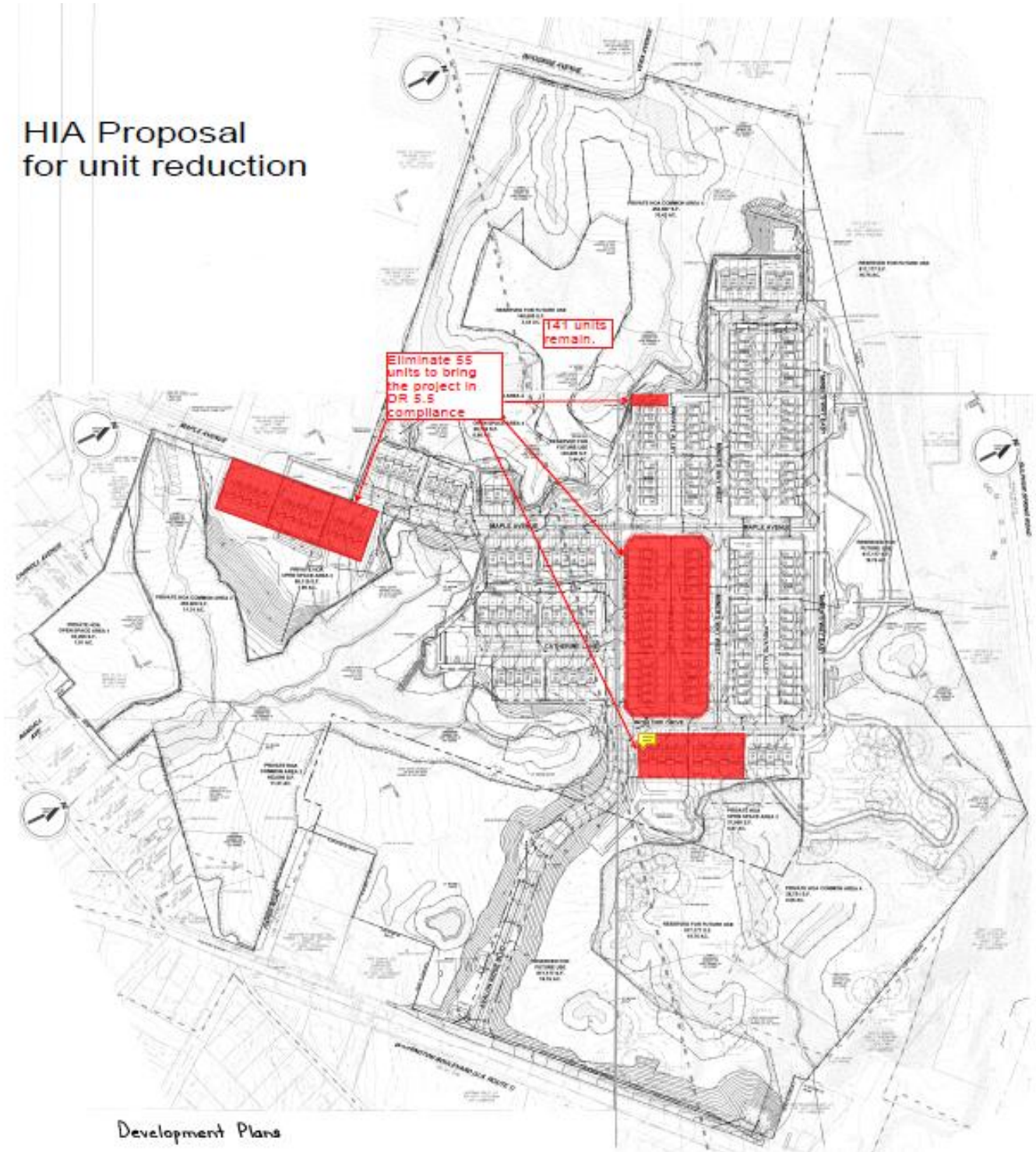
In addition, HIA is concerned about not only construction traffic, but also demolition traffic using Maple and Summit Avenues. Residents on these avenues have already experienced an increased flow of large trucks entering and exiting the property to be developed. As illustrated, these are narrow roads that are not in the best of shape, and they have few to no sidewalks. HIA seeks assurance that the proposed new access road to the development be built first to accommodate all construction and demolition traffic.

HIA Proposal for Development Plan Improvement

As stated in HIA’s Community Input paper and above, HIA sought to be an active partner in the development process and to aid in the design of a development that would not only be a better fit for this community, but also be a better development. To that end HIA offers the proposals below for consideration.

These proposals show compliance with the density specified in the Developable versus Undevelopable Acreage section above and show an increase in useable Open Space for the development. Congestion on Maple Avenue would be relieved (particularly at dismissal time for HES) with the removal of units 1-14. There is still a dense grid layout and a walled effect created by the remaining townhouses, but that would require a complete redesign to alleviate. Can the developer design a better development?

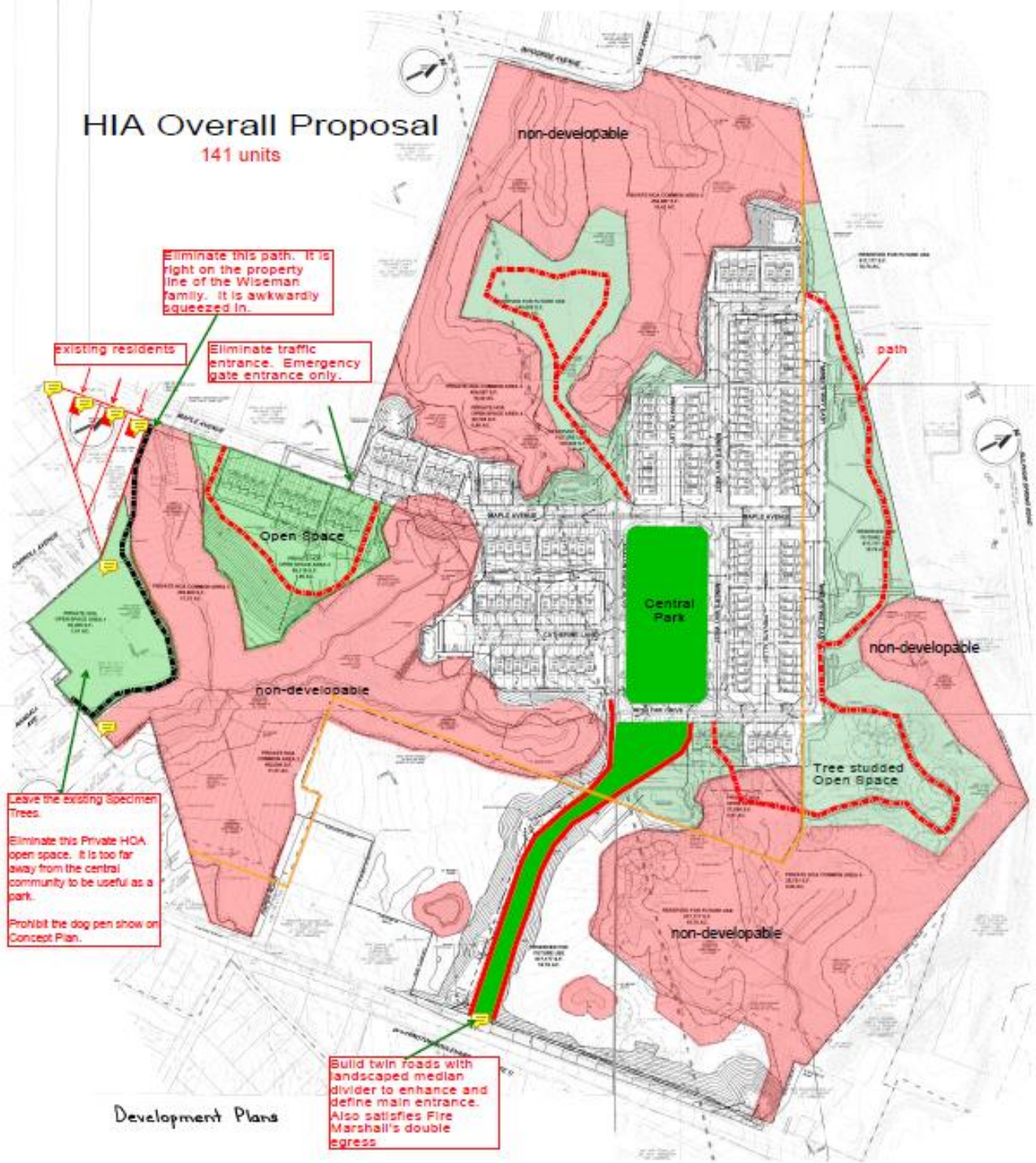
HIA Proposal for unit reduction



Development Plans

HIA Overall Proposal

141 units



Eliminate this path. It is right on the property line of the Wiseman family. It is awkwardly squeezed in.

existing residents

Eliminate traffic entrance. Emergency gate entrance only.

Open Space

Central Park

path

non-developable

non-developable

Tree studded Open Space

non-developable

Leave the existing Specimen Trees.

Eliminate this Private HOA open space. It is too far away from the central community to be useful as a park.

Prohibit the dog pen show on Concept Plan.

Build twin roads with landscaped median divider to enhance and define main entrance. Also satisfies Fire Marshall's double egress

Development Plans

Conclusion

It doesn't take an engineer to realize that this development as proposed does not fit into this community. Allowing it to proceed would not only disregard Baltimore County Code §32-4-103(a)(6), it would also disregard the opposition of residents simply trying to keep their neighborhood quiet, safe, and as comfortable as it has been for the last 130 years.

HIA depends on engineers to ensure that water supply, electricity, sanitary sewer, stormwater management, and a host of other details are properly managed and executed. HIA depends on all County officials associated with the development process to ensure adherence to all standards, codes, and relevant laws by the developer. HIA also depends on the Department of Permits, Approvals and Inspections, whose Development Plan Review Comments dated June 29, 2021 include a 21-point list of Site-Specific Comments, to ensure compliance. The final statement in that document is, "The plan must be revised in accordance with ALL of the above comments prior to the development plan hearing." Has the developer submitted all 21 revisions? Has the County approved them all?

HIA remains hopeful that our concerns will be heard and that changes will be made to eliminate or at least lessen the negative impacts of this proposed development and make it not only a better fit for our community, but also a better development.

Respectfully,

Michael McAuliffe, President
Halethorpe Improvement Association