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Mr. Steve Kaii-Ziegler, ACIP  
Planning and Zoning Officer  
2664 Riva Road,  
Annapolis, MD 21401

Dear Mr. Kaii-Ziegler,

March 13, 2020

Arnold Preservation Council (APC) would like to provide for the record our review of the Land Use Change Applications. APC has completed the comments portion online for each of the applications. However, APC wanted to ensure a printed record was on file and able to be shared.

Arnold Preservation Council is very concerned with the eight (8) applications in the 21012 zip code. It appears that all eight (8) are requests for a change in land use in anticipation for up-zoning requests through the Regional Planning Areas process. In addition, three (3) applications are requesting a gigantic jump from Low Density Residential to Commercial. Once land use is changed to Commercial then, through Comprehensive Rezoning, the requests could be as high as C4 which could have very serious and dramatic consequences.

Starting with # 42, Providence Center is asking to change from Low Density Residential to Commercial. APC maintains the current land use should be retained. The application does not properly reflect the land use, although APC did confirm it is Low Density Residential with OPZ. There is no certificate of use and it operates under a nonprofit according to 18-4-106. It is a conditional use under 18-10-116. There is no sewer and it is not planned. Considering AACO's timeframe of converting septic to sewer, the current land use should remain. As stated in the application, "It is only because the facility was intended to be utilized as a nonprofit service provider that the property was allowed to develop in a manner inconsistent with the property's R1 zoning classification. Just because it is inconsistent, does not give reason to change it to Commercial. To the contrary, it justifies retaining the property's current zoning classification.

# 62, Childs Landscape Contractors LLC - is currently Low Density Residential and the request is to change to Commercial. APC requests the land use for this property remain Low Density Residential. It should be noted that a rezoning application was applied for in the fall of 1997. The application was withdrawn on November 20, 1997 and the property was sold on December 17, 1997. APC believes the property should remain Low Density Residential. It is currently surrounded by property zoned R1 and low density residential. It is not served by sewer and is in future service on water and sewer master plan 2017.

The mission of Arnold Preservation Council is to unite the community of Arnold, preserve its rural heritage and enhance its environment by advocating responsible growth, linked neighborhoods, local businesses and excellent schools

The 2009 Broadneck Small Area plan on page 25 #9 specifically states, "Retain low residential designation for the Broadneck Nursery (now Child's Landscaping) on the south side of College Parkway. The SAP goes on to state on page 22, second paragraph, last sentence," The Plan strongly supports maintaining the residential character of College Parkway." APC continues to be in agreement with this position.

In addition, we rebut the applicant's claim that changing the land use designation would "be compatible with the surrounding area." The nearby neighborhood character consists of residential properties and a county owned park, which abuts the property. Childs Landscaping Contractors LLC now offers little benefit to the surrounding area and community. The applicant states, the property is shallow in depth, on a busy roadway and been in land use limbo for some time. It has been a nursery/ landscaping business for the past 23 years.

#127 Shavitz LLC (proposed Chick-Fil-A) - currently has a split Land Use and the request is that it all be Commercial. Once again APC opposes changing this small swath of land to Commercial. The property abuts a Forest Conservation Area, is in future Sewer Service, wooded and backs up to single family homes. Also note that the loss of forest cover is not desirable.

The neighborhood is mainly low density residential and having a drive-thru with people screaming orders beginning at 6 a.m. and ending after 10 p.m. is not compatible with the surrounding development patterns and trends and does not provide benefit to the surrounding area and community. The cars back up at the entrance to every Chick-Fil-A in the county which would be a danger to the community if were to happen on Route 2. The cars already back up southbound on Rt 2 in the morning blocking the Rt2/ Arnold Road Intersection.

# 141 Severna Park Golf Center - is currently Government/Institution but also Residential Low-Medium Density, which is not on the application. It is currently zoned R1 and they are requesting Commercial. An application for rezoning was filed in 2009 and was denied. APC was approached by St John's Properties in August 2015 with proposed warehouse/ flex buildings. We were then notified in August 2016 that they decided not to proceed with the proposed project.

In 1968 the owner, George Reich wanted to build a fence around the property because of thievery. In the application he stated it had been operating as a golf course for approximately 6 years. Mr. Reich petitioned to add a storage room and restrooms in 1977. In his application he stated he had owned the property for about 17 years, since approximately 1960. It has been operating as family golf center in R1 for about 60 years. There is no justification to jump from Low-Medium Residential to Commercial. Augusta Associates LLC also states in the last part of answer to Part III, "The existence of one commercial use would naturally give rise to other commercial uses...." APC is concerned about what level of Commercial zoning would be requested in the Regional Planning Areas stage. Commercial on Route 2 is not in the best interest of the residential Arnold community. A beneficial and complementary change would be converting the rest of the property to a park.

In addition, there is a stream that flows along the back that flows into Dividing Creek that has already had county sponsored restoration work done on it.

The applicant claims in the first paragraph that there is, "sparse commercial development between Route 50 and McKinsey Road in Severna Park." Yet anyone who travels Ritchie Highway knows this to be untrue.

# 142, 143 & 144 – Schrader, Schriefer & Fordham – These three families are planning on joining parcels to create one, approximately 11.69 acres. They are applying for a land use change to ensure they can build townhouses under the new land use designations. APC strongly opposes these applications. Arnold does not need any more townhouses. Overcrowded schools, failing roads and infill lots are all reasons to deny these applications.

In addition, the historical home of Arnold's namesake, Thomas Arnold, is located on the property. Single family homes with a nice park surrounding the historic Thomas Arnold home would benefit the surrounding area and community.

# 171 Broadneck Medical Center - is currently Low Density Residential and is requesting Commercial. In the application Question 1, Part 1 the applicant writes, "The requested land use designation change, from Residential Low Density to Commercial, is consistent and compatible with the surrounding development patterns and trends. There is nothing close by to them at all that is Commercial. Their neighbors on one side are the two schools, Severn River Middle School and Magothy Middle School, across the street is residential single-family homes, and to the south is Kinder Care. The application goes on to state, the property has been a medical park for 25 years and the adjacent residential communities have coexisted. So why does it need to change? There is no Commercial near them and changing the land use to Commercial, followed by expecting the zoning to change, makes APC wonder what their real long-term plans are. In the application it states, "The existing multi-tenanted office condominium complex WILL REMAIN IN PLACE FOR MANY YEARS TO COME." Then there is no justification for the huge leap from Low Density Residential to Commercial land use.

The Broadneck Small Area Plan states on page 15, "support and nurture community-oriented businesses on the Broadneck". It also states on the previous page, "Maintain a park like residential setting on College Parkway with its buffer of trees and AVOID NEW COMMERCIAL ZONING." APC still supports this position.

Arnold Preservation Council would like to work with the Office of Planning & Zoning and the applicants to determine APROPRIATE land use changes.

Respectfully,

The Board of Directors  
Arnold Preservation Council