

**Lutherville Community Association  
General Meeting Minutes  
November 2, 2021, 7:00 PM  
Timonium Fairgrounds, Vista Room**

Board members present: Terri Byrd, Debbie Darr, Mike DeLuca, Jeff Dier, Marie Frederick, Betty Gonzales, Allen Hicks, Evan Mayfield, Marsha McLaughlin, Amanda Mendat, Debby Miran, Rita Nabhan, Pamela Shaw, Julie Szymaszek

Over 150 community members were in attendance, including approximately 94 individual members of the LCA (*as recorded on the sign-in sheets, however the actual member count was higher as some attendees joined the LCA after signing-in and did not change their member response on the sign-in sheet*).

For attendee viewing, documents were posted on the walls of the Vista Room, including:

- LCA Lutherville Station Community Survey Summary of Results
- Timeline of LCA communications with the community, including minutes and newsletters referenced in the timeline
- Community FAQs on Lutherville Station
- Lutherville Station site plan, zoning map, and parcel map

### **Welcome**

Allen Hicks thanked everyone for attending, introduced himself as the new president of the LCA, provided some of his background, and what motivated him to join the LCA board.

### **Why are we here today?**

The primary discussion of tonight's meeting is the Lutherville Station property.

It was stressed that transparency with the community is very important. Allen apologized that the LCA did not get more details out sooner about the potential development of Lutherville Station, but that ramifications of COVID-19 impeded that effort. We also hired someone to help with the LCA website, which took some time to convert, and had a new communications chair. He also addressed false rumors of the LCA having already approved a deal with the developer for apartments, and stated that nobody on the board has a beneficial interest with the redevelopment of the Lutherville Station.

### **Meeting format**

The format of the meeting was reviewed, including asking for civility and order. Those who wish to speak will have the opportunity to do so with a two-minute time limit, in order to keep within the projected meeting end-time of 8:30.

This general meeting is focused on the Lutherville Community Association catchment area. Other attendees tonight from surrounding communities can be represented by the Greater Timonium Community Council (GTCC). Questions were raised from the crowd about whether their neighborhood or associations were part of the GTCC. GTCC President Eric Rockel answered those questions.

### **What has the LCA done to date?**

A review of some of what the LCA has done regarding Lutherville Station followed, including discussions with the development team, Schwaber Holdings; engaging with an attorney, Michael McCann, to provide advice and guidance; hiring of a stormwater management consultant (who reported that the

sewage is already over capacity); two meetings with Councilman Wade Kach and the developer; zoning committee meetings; board meetings held in-person and virtually; communications with the community (newsletters, general meetings, LCA website, LCA Facebook page).

The audience was asked if anyone approves 450 or 400 apartments. No hands were raised. Next the audience was asked about increased traffic, overcrowded schools, or sewage back ups in their homes, and the audience agreed that these are all issues and concerns with a redevelopment. Other important projects that the LCA is currently working on or has worked on were highlighted.

What benefit does this development provide to the community? The only benefit to the community is entering into a Planned Unit Development (PUD), as it gives the community power to have input on the development. Explanation of a PUD was given.

The LCA has rejected the proposals by the developer. We created and circulated a survey for the community to give feedback, and a summary is posted to the LCA website and printed copies are taped around the room tonight. The No Apartments, No Compromise group was welcomed to the meeting and the large turnout appreciated.

A community member asked if any part of the Lutherville Station property is zoned for apartments. The reply was that Lutherville Station is not zoned for apartments, but Yorkridge Shopping Center IS currently zoned for apartments.

Another community member asked if Kach supports 200 or less apartments. Allen replied that Wade Kach will address that during his portion of the meeting.

Delegates Dana Stein and Michele Guyton were introduced and welcomed to the meeting.

Marsha McLaughlin, the LCA's zoning committee chair, requested to speak. Marsha explained different zoning types, including Business Local (BL) and a Planned Unit Development (PUD) and the three ways that the developer can build apartments:

- Planned Unit Development (PUD) agreed upon by the community and developer, and approved by the Councilman. If the community agrees to a PUD, the community has some control on the development. If the community does not agree on a PUD, the following are two other ways apartments can be built.
- They can request zoning for apartments in the next CZMP zoning cycle — if the council approves it, the community has no control or input.
- Yorkridge Shopping Center is currently zoned BL, but also has zoning for apartments on that property. They could technically build apartments on the Yorkridge property, and move some of the retail to the Lutherville Station property, which could be done without community input.

### **Councilman Wade Kach**

Councilman Wade Kach was introduced, who thanked Dana Stein and Michelle Guyton for attending and noted that they also play a role in development of the Lutherville Station property.

Councilman Kach expressed his concern about the 12 acres of Lutherville Station. The developer approached him with interest in building apartments on the property, but Kach said he would not approve anything without the support of the Lutherville Community Association. Kach explained that he asked the developer to work with the LCA on a compromise and work toward an agreement on a PUD. However, the parties could not come to an agreement. One option that he thinks could work for the

property is senior housing development, as it would have age restrictions, and no children could live there.

Councilman Kach reviewed other apartment proposals in the area as of late, and has rejected 6,900 out of 8,000 proposed apartment units, including the proposal for Giant shopping center. He has been asked if he would support a PUD for Lutherville Station with 300-400 units, and he said he would possibly approve apartments in the 200s.

The following includes some of the audience's questions and comments for Councilman Kach, as well as his replies and other comments:

- Kach was asked if he approved the Deereco apartment development. He did not approve that development due to density of development and did not think that York Road needed more apartments. He deemed the Padonia/Deereco/Beaver Dam intersection to be unacceptable. Note: it was later clarified that when the Deereco development was proposed in 2019, the property was already zoned BM-CCC and no zoning change or council approval was needed.
- A community member asked about the possibility of 200 senior apartments and impact on traffic in the area. Kach replied that one benefit of a PUD is to address the traffic. Another member asked about guest restrictions for senior housing developments, and whether they have age and time limit restrictions. Wade noted that he has documents related to this, and would ask the LCA to review.
- A community member asked about Greenspring Drive in Country Club Park and whether it would be impacted by potential development, as rumored on social media. Kach said that is something that could be included in the PUD.
- Kach reiterated that he would not make any decisions without the LCA's support. As part of the PUD, you can make the developer promise that he would not build apartments on the CCC-zoned property, and it could possibly even be rezoned in the next zoning cycle.
- A community member noted that Kohl's has a 20-year lease with two 10-year renewals, and they think it's unlikely that the store would move to the Lutherville Station property.
- A community member asked if condominiums could be built on Lutherville Station property. Kach replied yes, if it's part of the PUD, and if the community association agrees and Kach agrees.
- Concerns were voiced by the audience about traffic going on to Kurtz Avenue from the Yorkridge Shopping Center and traffic on Seminary Avenue.
- Kach reiterated that we are nowhere near a conclusion to this agreement, and that it is the Lutherville Community Association's responsibility to come to an agreement, which is a huge undertaking. If the community does not come to an agreement with the developer, Kach was asked if he would support rezoning to apartments. He would think not.
- It was asked if zero apartments could be put in the PUD? Kach replied that zero apartments cannot be in the PUD. If there are no apartments, no PUD is required. A PUD is not needed for retail or office.

- Can the county purchase the property and turn it into green space? Kach replied that is not likely, and highlighted recent funding approved by Johnny Olszewski, including a senior center in Hereford, athletic fields in Hereford zone, and purchasing the land at Stella Maris.
- A Ridgely Road resident voiced concerns about noise pollution from apartments and increased traffic.
- Questions were asked about the Lutherville area and whether apartments were desired and needed. Kach mentioned a study showing that the Lutherville-Timonium area could support 400 apartments and that he could not approve more than 200. The apartments that he did approve were in Hunt Valley, not in our area or northern Baltimore County. The state of Maryland is encouraging development along the light rail tracks.
- It was asked if PUDs can be changed. Wade replied that amendments can be done, but it's not common.

One of the lead organizers and representative of "No Apartments No Compromise", read a statement on behalf of their group. At the request of the LCA secretary, a copy of this statement was provided to the LCA to include in the minutes. The representative acknowledged that the entire statement below was not read at the meeting due to the two-minute time constraint for speakers, however a copy is provided below with the understanding that the majority of the highlights were stated.

**Please also see the attachment on page 8 of this document.**

*"I am here this evening to voice our concern and opposition to proposed rezoning of Lutherville Station to allow for the construction of residential units – the proposed apartments by the developer and owner, Schwaber Holdings.*

*Schwaber Holdings owns two properties, Yorkridge Shopping Center and Lutherville Station. Yorkridge is currently zoned, "BL" Business light with a "CCC" overlay standing for Community Core Commercial, allowing for apartment development. These properties are already in the process of immediate changes with additional building to begin construction. The Shell station at Ridgely & York will be replaced with a drive thru Starbucks and the Old Navy will be relocated to the overflow parking lot in front of the Kohl's.*

*Lutherville Station is currently zoned "BL" Business Light, no apartments permitted.*

*With a petition of 450 signatures & counting from our Lutherville community, a significant majority of the community wants the current Business Light zoning to remain intact. Business Light Zoning offers many different options for redevelopment but does not include residential development. With the proximity to the light rail, Schwaber Holdings has shown interest in & may likely qualify for Federal Funds under the "Transit Oriented Development" (known as TOD) program to supplement & strengthen their proposal to gain approval for rezoning.*

*In 2020, Councilman Kach voted against the request for a zoning change on this parcel as well as another parcel right up the street, Timonium Square shopping center directly across from the Timonium Fairgrounds. While the Timonium project had similar concerns of excessive traffic, school overcrowding and lack of necessary infrastructure, the rezoning of Lutherville Station to allow for residential units brings an additional and significant challenge of severe environmental impact on Roland Run which we know is already an issue as is. We praise Councilman Kach in standing strong with the Timonium community in their opposition to the rezoning at Timonium Square and are confident he will stand strong with us to oppose the rezoning of Lutherville Station as well.*

*The PUD “planned Unit Development” is not the only option for rezoning request. The developer will have the option to request rezoning during the formal Comprehensive Zoning Map Process in 2024.*

*The Baltimore County Council vote is the deciding vote on any rezoning proposal and we look forward to Councilman Kach’s continued advocacy with the County Council to vote against this rezoning at Lutherville Station proposed by Schwaber.*

*We want to make clear that the LCA does NOT endorse our efforts in the petition or the opposition to the proposed PUD and No Apartments No Compromise is operating independently.*

*In Summary,*

*No Apartments No Compromise is against the rezoning of Lutherville Station to allow for apartments to be built on that property. We will continue to make sure that the voice of the of the community who oppose this rezoning (which appears to be the majority) is heard and will continue to fight this rezoning with the support of Councilman Kach. Thank you!*

Discussion and Q&A continued:

- Councilman Kach expressed that he is very concerned about what will happen to the 12 acres should any agreement not be made. Kach was asked for more details about his concerns. He is concerned about the possibility of a future Councilperson agreeing with any proposal and rezoning request by the developer, and the community would have no protection.
- A community member asked about the possibility of home ownership on the property. Wade proposed this in the past, and no developers were interested.
- Regarding senior housing, a member mentioned the crime and grime in the Lutherville Station area, and questioned why seniors would feel comfortable living in such an area.
- In 2024, if Councilman Kach runs for reelection, chances are he would turn down any request that would allow apartments on the site.
- A question was asked about providing the document that outlines other options for the property under current zoning. (Update: A copy of that [Baltimore County document](#) has been placed on the LCA website)
- Questions were raised about the PUD process and if the developer tried to violate the agreement. Kach replied that if the developer tries to violate the agreement, the legal fees would be on the developer. If senior housing is agreed upon, the PUD would contain that language and it would be included in the written agreement.

### **Vote**

LCA President Allen Hicks discussed voting on potential development at Lutherville Station. The people who would decide this will be LCA community. However, we will take a vote from the entire community present tonight, to get their interest.

The following motion was put forth (as proposed by LCA board member, Pamela Shaw):

***The Lutherville Community Association does not support apartments being built on the Lutherville Station property.***

- The vote FOR this motion was overwhelmingly supported by the audience from a show of hands, and a specific count was not required. Those NOT in favor of the motion: 3
- Note: There were 152 total persons who signed the sign-in sheet at the meeting (although it is presumed that additional attendees were present who did not sign in), and 94 attendees identified as members (the actual number was higher as some attendees joined the LCA but after signing-in and did not change their response on the sign-in sheet). According to LCA bylaws, 20 members constitutes a quorum to conduct business at a general meeting

Councilman Kach asked if a second motion could be proposed – would the LCA be willing to explore senior housing? Allen Hicks proposed the following motion to LCA members only:

***Would the LCA be willing to explore senior housing on the Lutherville Station property?***

- IN favor of the motion: 53
- NOT in favor of the motion: 46

Allen remarked that the LCA will send a letter to Wade Kach and the developer noting that the LCA does not support apartments being built on the Lutherville Station property.

Someone asked if senior housing would require rezoning or if that was within BL zoning. Some open discussion followed. Senior housing is not within BL and the zoning would be part of a PUD. A PUD is needed to build senior living, however no zoning change is needed to build a nursing home.

Allen Hicks closed the meeting by reading the following statement, which will also be sent to Councilman Kach:

*The LCA board has not taken an official position on this development.*

*That said, I believe with all the due diligence performed by the LCA combined with the outpouring of our friends, neighbors and residents, means we reject any apartment approval.*

*There is enough research, negotiation and community input to definitively say there is no support for this project.*

*As president of the LCA, along with the LCA board, we would agree that there should be no apartments.*

*And, we would suggest to our elected leaders and others, that the problems brought to light (traffic, schools, community benefit, sewer and storm water) must be considered and addressed before any development occurs.*

*Friends, neighbors and residents. This is only the beginning. We may have won the battle but we may or may not win the war. Development all along our borders is being discussed. We must stay vigilant. We must be engaged.*

*I think the LCA is working hard to bring issues to the community. And, as we have seen on social media, the LCA needs to get out to the community as many facts as possible as fast as we can.*

*I encourage you to join the LCA. Be part of the solution and not the problem.*

*AND Lastly: The purpose of the LCA shall be to protect, advance and promote the general welfare of residents within the boundary of the community; to promote and strive for the improvement and betterment of all public facilities within the community; to promote and encourage a community and civic spirit; to foster good will and friendship between and among all residents of the community; to work with neighboring associations in furthering mutual aims; to cooperate with County, State, civic and public organizations for the general welfare of the entire community of Lutherville.*

*The LCA board is always working to live by our purpose.*

*Thank you all for coming tonight.*

*Meeting adjourned 8:35 PM*

**Attachment:**

Please note: as referenced in the LCA November 2, 2021 general meeting minutes, after the meeting, a lead organizer of the “No Apartments No Compromise” group shared the paragraph below via e-mail to the LCA secretary noting that it was “something of great importance to share but there was not time”, as there was a two-minute time limitation at the general meeting for attendee comments.

*We must recognize that participating on a community association board is an endeavor that takes time and hold great responsibility. Our board has invested many hours over the many years to help create and maintain the wonderful neighborhood we live in. It is important for each of us to reflect on how moving forward we can be active participants for a community that means so much to each of us.*

*Minutes approved at 11/09/2021 LCA board meeting*