

IN THE MATTER OF
THE APPLICATION OF
CHRIS EATOUGH, HOWARD COUNTY
OFFICE OF TRANSPORTATION

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BEFORE THE
HOWARD COUNTY
HISTORIC PRESERVATION
COMMISSION
Case No. 17-40

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DECISION AND ORDER

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on July 6, 2017 to hear and consider the application of Chris Eatough, Howard County Office of Transportation (“Applicant”), for a Certificate of Approval for Exterior Alterations at 8307 Main Street, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the July 6, 2017 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

Summary of Testimony

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant testified in support of the application.

Findings of Fact

Based upon the evidence, the Commission makes the following findings of fact:

A. The Subject Property

This building is located in the Ellicott City Historic District. According to SDAT the building dates to 1930.

B. Proposed Improvements

The Applicant proposes to install a bike share station in a parking spot in front of 8307 Main Street where the Su Casa store is located. The station would contain 9 docks/bikes and will be 18 feet 5 inches long by 7 feet wide. The bike frames will be white. The station would contain a kiosk with a solar panel mounted on top, which powers the bikes.

C. Staff Report

Staff is in favor of providing a bike share station in Ellicott City, but needs to consider the consistency of the Guidelines when deciding the location and the impact of the solar panels on Main Street and the Historic District.

In 2009 the Commission adopted Guidelines for the "Use of Solar Panels and Other Solar Devices in Historic Districts." These Guidelines are generally written from the

perspective of being used on a structure and not altering historic features. However, the Solar Panel Guidelines do address detached solar arrays. The Guidelines recommend, “locate detached arrays of solar panels and other solar devices at a historic site in the rear or side yard if the arrays are not highly visible from the public streets and do not detract from other major character-defining aspects of the site. The location of detached solar arrays should also consider visibility from adjacent properties, which shall be reduced to the extent possible while still maintaining solar access.” The proposed solar panel, as it will be located in front of the historic building, will be highly visible from the public right of way. However, the building at 8307 Main Street has a parapet wall on the front façade, so the actual roof is not visible in this location. An alternative location for the solar, if feasible, could be on the roof, with the lines run down the side of the building where other equipment is located to connect to the bike station.

The request for the bike share station does not easily fit within the Guidelines. Chapter 10.B addresses off-street parking, and the bicycles could be considered an alternative type of parking. Chapter 10.B recommends, “locate new parking facilities to minimize the impact on historic buildings and streetscapes. Design parking areas, curb cuts and driveways to be no larger or wider than necessary to accomplish their function.” The proposed bike station will fit into an existing parking space, which complies with the Guidelines as it will not be larger than necessary to accomplish the function and will minimize the impact on the historic building as it will not be much different than if a vehicle was parked in the space.

Staff has requested additional information regarding the overall size of the kiosk and solar panels.

D. Staff Recommendation

Staff recommends Approval of the installation of the bike station but recommends an alternate energy source be considered for this location, or recommends an alternate location for the entire bike system be identified, where solar panels would be more appropriate. The additional information on the kiosk is still needed in order to make a recommendation.

E. Testimony

Mr. Shad swore in Mr. Chris Eatough and Mr. Philip Nichols. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Eatough said the new County bike share program just launched with seven stations and seventy bicycles, primarily in the Columbia downtown area. The program offers the public 24/7 on demand bike use. The County would like to expand the program and add two more stations, one in historic Ellicott City and one at the George Howard Building, in September.

The area in front of the Su Casa store was identified as an ideal location, because of its high visibility and easy accessibility. The County will formalize an agreement with the property owner to use the location. Mr. Eatough understood the concerns about solar panels in the Historic District and he said the bike station can be plugged in to the electrical grid for use without solar panels. He also said that the proposed station is a seven-dock station, instead of the nine-dock previously noted. Mr. Nichols showed a photo of a thirteen-dock station that is currently on the corner of Broken Land Parkway and Little Patuxent Parkway, to show the Commission the product the County is using. Ms. Burgess asked if the station in the photo is without a solar panel. Mr. Nichols said correct. Ms. Holmes asked for the dimensions of the kiosk. Mr. Eatough said the kiosk is around seven feet tall. He did not have an exact specification on the width, but said the kiosk would fit within the 18 foot 5-inch width of the bike share station, along with the bicycles. Mr. Eatough said the kiosk is about three feet wide.

Ms. Tennor said the challenge is that the bike stations need high visibility within the Historic District, yet its designs are too modern. Mr. Bennett said two handicapped parking spaces may be lost in the proposed station location. Mr. Nichols said the property owner was aware of this potential loss and will accommodate the spaces elsewhere.

Mr. Roth asked if the solar panels served as the power source for the bikes. Mr. Eatough said the station itself needs power for the docking mechanism and the bikes have an electric assist feature.

Mr. Reich asked where can one safely ride bikes on Main Street. Mr. Eatough said the purpose of the bike program is for travel between the George Howard Building and Main Street, Ellicott City. The electric assist bikes are suitable for navigating hills around the Historic District. The traffic is low and roadways are wide enough along Rogers Avenue, Church Road, and Ellicott Mills Drive to accommodate cyclists. Mr. Nichols said the Trolley Trail offered recreational opportunities for the bikes as well.

Mr. Reich said for the past 50 years people were opposed to the overhead electric wires in historic Ellicott City, which is why he opposed solar panels. He said although the solar panels are greener and sustainable, the bikes should be connected to the electric grid. Mr. Reich said the kiosk's height should be kept low and visually unobtrusive, since the proposed location offers ideal vista views of downtown. He said the installation of a tall modern bike station was not desirable within the Historic District.

Mr. Shad asked if there was any one in the audience who wished to testify. There was no one who wanted to testify.

Mr. Reich asked if there were other kiosk design options. Mr. Eatough said the County is under contract with one vendor who offers the existing design, but he can discuss with the vendor the possibility, if any, to minimize the size of the kiosk.

Ms. Tennor asked what happens if one station has more bikes than it can dock after riders return them to different stations. Mr. Eatough said the kiosks are monitored full time by a contractor who will move the bikes among stations to make sure the bikes are evenly distributed.

Mr. Roth asked about the bike's battery life. Mr. Eatough said a single charge will last about 30 miles and explained that the bikes will be charging in between use when they are docked at the station. The electric assist was the main consideration for hilly areas in Ellicott City.

Mr. Roth asked who the primary riders will be. Mr. Eatough said mainly Howard County employees from the George Howard Building going to and from Main Street. The program is also ideal for people who work and live on Main Street. Mr. Roth said if the station was installed in a parking lot, it would increase ridership of tourists who park their cars in the parking lot. Mr. Eatough said the primary function will be for people who work and live around historic Ellicott City.

Ms. Tennor asked if the stations are permanent fixtures. Mr. Eatough said the stations can be removed easily because the stations are anchored to the ground with bolts and there is no excavating involved.

Ms. Burgess asked about the possibility that the advertisement space on the kiosks can be purchased by the Ellicott City Partnership, or other organizations, to feature a map of Ellicott City rather than independent advertisers. Mr. Eatough said the space is available, but

the cost still needs to be determined by the vendor. Ms. Burgess said since the advertisement can change throughout the year, the Commission would consider that to be a sign, which requires approval. Ms. Tennor suggested that the ad space could be reserved for public information use rather than private use. Ms. Burgess agreed it would be helpful for wayfinding. Mr. Nichols said if smaller kiosks can be found, it may eliminate the advertisement board on the station all together.

Mr. Shad asked if just the rental box can be installed without the kiosk. Mr. Eatough said he will check with the vendor. Ms. Zoren said the kiosk is above human scale, which visually blocks pedestrian orientation on Main Street. Perhaps limiting the height of the kiosk to four feet is better.

Mr. Reich asked if there is a touchscreen on the kiosk. Mr. Eatough said the proposed kiosk will not have a touch screen, although others do. He explained that users can download an application on their phones or register online for a key fob to use the bikes. The kiosks serve an informational purpose, with a map of the area and instructions on how to use the bikes. The informational material is printed, it is not digital.

Mr. Eatough asked if the vendor can install just the gray box containing the power source without the kiosk above, would the Commission approve it or will a separate application need to be made. Mr. Reich said the Commission can approve it, if it is only the gray box. Mr. Bennett said the gray box may attract ad stickers or graffiti. Mr. Eatough said the vendor will maintain the stations for cleanliness.

Mr. Reich said the proposed location is a good open area with high visibility at the entrance of the Main Street encouraging people to use bikes.

Based on the Applicants declaration that they would connect the station directly to the electrical grid, Mr. Taylor asked if the Applicants are withdrawing the request to use solar panels. Mr. Nichols said yes.

F. Motion

Mr. Reich moved to approve the bike station with the base unit of the kiosk, as shown in the photo provided by the Applicant, and if the kiosk needs to be more than the base unit, then the Applicant will return to the Commission for approval. Ms. Tennor seconded. The motion was unanimously approved.

Conclusions Of Law

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

A. Standards of Review

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the

Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 10 sets forth the relevant recommendations for Parking Lots, Public Streets, and Street Furniture as detailed in the Findings of Fact, part C.

B. Application of Standards

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes to install a 7-dock bike share station in an existing parking space in front of the property, which faces onto Main Street. The station will be approximately 18 feet by 7 feet and will include a kiosk with information about using the station. Although the Applicants originally proposed using solar panels atop the kiosk to power the station, they have withdrawn that request and will power the station with a direct ground connection to the electric grid. The proposal is generally in keeping with the Guidelines. The station will be located in an existing parking space and the parking of bikes is quite similar to the parking of a motor vehicle. The equipment used to park and charge the bikes is the minimal necessary to accomplish the task, similar to other bike racks located in the District, and is relatively unobtrusive, apart from the kiosk.

The proposed kiosk was 7-feet tall by 3-feet wall and would have presented a significant modern feature directly on Main Street. The proposed kiosk would have also contained advertising that would rotate on a regular basis, constituting a sign. Based on Commission comments, the Applicants amended their proposal to remove the request to

install a full kiosk and instead use only the gray metal power box located at the base of the kiosk, which is necessary to power the station. There will be no rotating advertising.

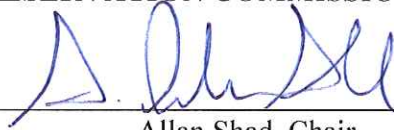
Given the location of the station in an existing parking space, its location behind a raised garden landscape feature, and the minimal size and amount of infrastructure necessary, the station will have a minimal impact on the historic and architectural character of the Subject Property and neighboring properties.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

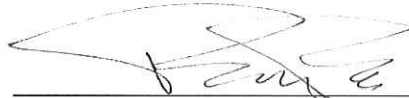
ORDER AND CERTIFICATE OF APPROVAL

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 3 day of August, 2017, **ORDERED**, that the Applicant's request for a Certificate of Approval for Exterior Alterations at the Subject Property, is **APPROVED, as amended**.

**HOWARD COUNTY HISTORIC
PRESERVATION COMMISSION**



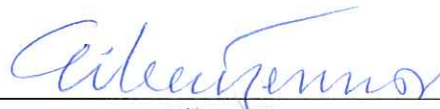
Allan Shad, Chair



Bruno Reich



Drew Roth



Eileen Tennor



Erica Zoren

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW



Lewis Taylor
Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF
THE APPLICATION OF
KELLI MYERS

* BEFORE THE
* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL
FOR EXTERIOR ALTERATIONS
AT 8120 MAIN STREET
ELLCOTT CITY, MARYLAND

* HISTORIC PRESERVATION
* COMMISSION
* Case No. 17-42

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DECISION AND ORDER

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on July 6, 2017 to hear and consider the application of Kelli Myers (“Applicant”), for a Certificate of Approval for Exterior Alterations at 8120 Main Street, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the July 6, 2017 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

Summary of Testimony

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission. There was no testimony.

Findings of Fact

Based upon the evidence, the Commission makes the following findings of fact:

A. The Subject Property

This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890.

B. Proposed Improvements

The Applicant proposes to install a shed style awning on the front of the building. The awning will be Oz Green, to match the color of the building façade. The awning will be 23 feet wide with a 3 foot drop and 33-inch projection to clear the nearby telephone pole. There will not be any graphics on the awning. The framework of the awning will be corrosion resistant zinc galvanized "polymer and chromate coated structural steel tubing."

The application explains that the building is located on the sunny side of the street and that a significant amount of heat is coming through the large single pane windows causing high utility bills. The application states that merchandise displayed in the windows are getting faded and damaged.

C. Staff Report

Chapter 6.L recommends “when installing awning or canopies, use shed-style awning that are scaled appropriately for the building size and window spacing. Awnings should be made of non-reflective canvas or another strong fabric, in a color compatible with the building façade.” The proposed awning will be a shed style and the color will be compatible with the building façade.

Chapter 6.L recommends against awnings “that obscure character-defining features of the building.” The rendering shows the awning sitting directly below the cornice line. If this is an accurate representation of where the awning will be installed, then the cornice, which is a character defining feature of the building, will not be obscured.

D. Staff Recommendation

Staff recommends Approval as submitted.

E. Testimony

Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify. Mr. Reich asked if the proposed canopy replaced an existing one shown in the historic photograph. Ms. Holmes said no, historically there was a canopy, but not in recent years.

F. Motion

Mr. Roth moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

Conclusions Of Law

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

A. Standards of Review

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings, as detailed in the Findings of Fact, part C.

B. Application of Standards

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the

surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.


The Applicant proposes installing a shed style awning 23 feet wide with a 3 foot drop and 33-inch projection. The awning will have a metal frame with a non-reflective fabric that will be a green color to match the building. The shed style is recommended by the Guidelines. Additionally, the color will be compatible with the building façade. The awning will be installed directly below the cornice line and so will not obstruct this, or any other character defining feature.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

ORDER AND CERTIFICATE OF APPROVAL

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 3 day of August, 2017, **ORDERED**, that the Applicant's request for a Certificate of Approval for Exterior Alterations at the Subject Property, is **APPROVED**.

**HOWARD COUNTY HISTORIC
PRESERVATION COMMISSION**



Allan Shad, Chair



Bruno Reich



Drew Roth



Eileen Tennor



Erica Zoren

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW



Lewis Taylor
Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.