

MINUTES
Baltimore County Planning Board
October 4, 2007

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CITIZEN INPUT MEETING
For the Capital Improvement Program (CIP)
6:00 p.m.

Call to order, introduction of Board members, and remarks on procedures by Chairman Heintz

Citizen's input on the components of the Capital Improvement Program within the scope of the following Departments and Offices:

- | | |
|--------------------------|----------------------|
| Aging | Recreation and Parks |
| Community Conservation | Libraries |
| Economic Development | Police |
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Minutes
October 4, 2007

Call to order, introduction of Board members, pledge of allegiance to the Flag, and announcements

Chair, Frank O. Heintz, called the regularly scheduled meeting of the Baltimore County Planning Board to order at 4:00 p.m. The following Board members were:

Present

Mr. Robert J. Palmer
Mr. Gordon K. Harden, Jr.
Mr. Wayne C. McGinnis
Dr. Robert Gregory
Ms. Dorothy Foos
Mr. Paul G. Miller
Mr. Gerard J. Wit
Mr. Dean Hoover
Mr. Edward Gilliss
Ms. Nellie Grinage
Mr. Aaron E. Dock, Sr.
Mr. Dennis P. Hoover

Absent

Mr. H. Edward Parker
Mr. R. Craig Witzke, Jr.

County staff present included Arnold F. ‘Pat’ Keller, III, Jeffrey W. Long, Curtis Murray, Barbara Weaver, Lynn Lanham, Jeffrey Mayhew, Kathy Schlabach, Julia Haskins, and Amy Mantay from the Office of Planning.

Mr. Heintz reminded those present that there would be a Citizen Input Meeting on the Capital Improvement Program beginning at 6 p.m.

Review of today’s Agenda

The published Agenda is filed as Appendix A.

Minutes of the September 20, 2007 meeting

Mr. Gilliss noted a correction on Page 6, third paragraph, second sentence. The sentence should read “Approximately 11 were in opposition to adopting the Plan, while 4 spoke in favor,” and he moved the approval of the minutes as circulated with the correction. The motion was seconded by Mr. Miller and passed by acclamation. Absent were Messrs. Parker and Witzke. The approved minutes as corrected are filed as Appendix B.

Items for introduction and initial discussion

1. Villas at Eden Terrace, Planned Unit Development Application, PDM No. I-536

Ms. Lanham introduced the planned unit development known as The Villas at Eden Terrace, which is located in Catonsville, 1st District. The property, adjacent to the Beltway between Edmondson Avenue and Frederick Road, encompasses 6.46 acres, zoned DR 3.5 and DR 5.5. The Board members had received the Pattern Book and Site Plan in an earlier mailing and now have a copy of the Staff report, which includes Minutes of the Community Input Meeting and Concept Plan Conferences. The applicant proposes 21 single-family attached and two single-family semi-detached units, for a total of 23 homes. The site is primarily wooded with an existing dwelling, which will be razed. The PUD does not conflict with the Baltimore County Master Plan 2010 and was deemed eligible for county review by County Council Resolution 16-07 passed March 5, 2007.

The role of the Board, as outlined in Section 32-4-245(d) of the Baltimore County Code, is to review the PUD based on five parameters and recommend approval or denial, including modifications, if any, to the Hearing Officer.

As a result of the inter-agency and public comments on the proposed Villas at Eden Terrace PUD, the Director of Planning recommends to the Planning Board that the Concept Plan Submittal meets the objectives of the PUD and Section 32-4-243 of the Baltimore County Code and that the concept plan be approved subject to certain conditions recommended by the Office of Planning and other agencies as well as others that are recommended through the Planning Board's decision.

1. Cluster homes. It is in the public interest to cluster homes to maximize open space, retain existing specimen trees and stone wall.
2. Open Space. Require a fee-in-lieu of active open space.
3. Private Road. A private road with gate entry and modified turn-arounds.
4. Failing intersection. The Office of Planning does not believe that the Planning Board has the authority to approve the issuance of building permits in an "F" level designated traffic shed and would recommend denial of this modification.
5. Age restricted to age 55 recommended by Office of Planning, rather than age targeted.
6. Convey parcel A to adjacent property owners at 111 Forest Ave.
7. Retain specimen tree locations.
8. Include covenants in the final pattern book.

The next steps will be a Public Hearing, and, if the Planning Board approves the plan, referral to the Hearing Officer.

On hand representing the applicant were David S. Thaler, President, and Stacey McArthur, D.S. Thaler; Dino LaFiandra and Scott Barhight, counsel, Whiteford, Taylor; and Mickey Cornelius, The Traffic Group. Mr. Thaler expanded on Ms. Lanham's outline. He explained that the Villas would be targeted for couples 55 and above. The applicant would not want to be limited by an "age restricted" label. The buildings are high quality architecture, with a master bedroom on the first floor, and garages. A private road would meander through the gated community. Substantial community support exists. The traffic consultant pointed out that an age 55 targeted community would have

a positive effect on the “failing intersection,” since studies show that only 4 units go out and 6 come in at the peak rush hour. He believes it is within the purview of the Board to act on.

The Board will hold a public hearing on October 18, 2007. Supporting information for the PUD is filed as Appendix C.

2. Amendment to the Baltimore County Zoning Regulations, (BCZR), regarding the Office and Technology (O.T.) Zone – An update to better reflect the original intent of the O.T. classification

Ms. Haskins provided background on the O.T. (Office and Technology) zone, which grew out of a market study that identified significant potential “high-tech” uses in the Owings Mills area. The County Council adopted the zone in 1984 as a mixed-use zone and adopted an amendment to the O.T. zone in 1994, which allowed commercial recreational facilities within the growth area boundaries.

The suggested changes would create a minimum percentage gross floor area to be used as office and/or technology before residential use could be built. Eligible office and/or technology uses are also defined. Minimum height of residential uses has been removed, as well, due to misinterpretations.

The Board inquired about incorporating “green” building into the Amendment. Mr. Keller advised that it would be preferable to include “green” building in a broader perspective. It was suggested that DEPRM might be invited to speak to the Board about what might be needed to achieve a “greener” policy. The proposed Amendment, which is filed as Appendix D, will be on the Agenda in two weeks for a vote.

Items for discussion and referral to staff

3. Wells McComas Community Conservation Plan Amendments and Related Zoning Issues

The Amendment to the Wells McComas Community Conservation Plan was introduced to the Planning Board on September 6, 2007. A Public Hearing was held September 20th. At this point, Staff is recommending that the issue be reviewed further. Mr. Miller moved that the Planning Board of Baltimore County refer the Wells McComas Community Plan Amendments, Draft, July 2007, back to the Office of Planning for further study and review. The motion was seconded by Mr. Dock and passed unanimously. Absent were Messers. Parker and Witzke. Additional comments from the Wells McComas community are filed as Appendix E.

Mr. Rick Colbert of Economic Development stressed that his department was particularly interested in working with the community and all concerned. Mr. Gilliss would like to see the re-energizing of the Advisory Committee so issues can be better addressed.

Other business

4. Legislation of interest to the Planning Board.

- Resolution No. 84-07: Proposed Planned Unit Development – Plinlimmon Farms, LLC

Ms. Haskins referred the Board to their copies of Resolution No. 84-07, which approves the review of a proposed planned unit development. Plinlimmon Farms located south of Lakeside Boulevard between Lyonswood Drive and Wynfield Drive would be developed featuring a total of 750 dwelling units consisting of single-family attached and multi-family dwelling units, a service retail component, and other community features. This would be the first PUD to come before the Board that requires the demonstration of a community benefit. A copy of Resolution No. 84-07 is filed as Appendix F.

5. Report from the Landmarks Preservation Commission—September 19, 2007

Dr. Gregory highlighted several items on the written report, including the nomination of four structures and settings to the Preliminary Landmarks List, approval of alterations, and tax credit applications. He noted that, on October 15, 2007, the County Council would be holding a public hearing on five properties that are currently on the Preliminary Landmarks List. The LPC Report is filed as Appendix G.

In conclusion of the meeting, technical questions were raised regarding just how far the Board could deviate from language of a PUD proposal as approved by the County Council. The Planning Office will pursue the following with the Law Office:

- Issuance of building permits in an “F” level traffic shed
- Authority for changing “age-targeted” to “age-restricted”

Adjournment of the Board meeting

Mr. Palmer moved the adjournment of the meeting at 5:15 p.m. The motion was seconded by Mr. Miller and approved unanimously. Absent were Messrs. Parker and Witzke.

CITIZEN INPUT MEETING

For the Capital Improvement Program (CIP)

The Capital Improvement Program Citizen Input Meeting followed. Present to hear citizen’s comments were: Joanne Williams, Department of Aging; Mary Harvey, Office of Community Conservation; Tom Vidmar, Department of Environmental Protection and Resource Management; Sharon Klots, Department of Economic Development; Jerry Pfeifer, Fire Department; Jim Fish, Library; Major Joe Burris, Police Department; Bill Korpman, Department of Public Works; and John Markley, Department of Recreation and Parks. Eight citizens gave testimony. The meeting was adjourned at 6:35 p.m. bw

Approved 10/18/07