

MINUTES
Baltimore County Planning Board
January 3, 2008

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Public Hearing**
by the
Baltimore County Planning Board
5 p.m.
Edward J. Gilliss, Chairman

*Global View, Planned Unit Development Application,
PDM No. VIII-858*

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

**Comments by citizens

Adjournment of Public Hearing

Reconvene Board Meeting to continue business meeting.

Adjournment of the Board meeting

Appendices

- Appendix A** Advance Tentative Agenda

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- Appendix C** Draft 1 03 08 Basic Services and Triennial W & S disk

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Minutes
January 3, 2008

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

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

:

Present

Mr. H. Edward Parker
Mr. Wayne C. McGinnis
Mr. Robert J. Palmer
Mr. Dennis P. Hoover
Ms. Nellie Grinage
Dr. Robert Gregory
Ms. Dorothy Foos
Mr. Paul G. Miller
Mr. Dean Hoover
Mr. Gerard J. Wit
Mr. Adam T. Sampson

Absent

Mr. Gordon K. Harden, Jr.
Mr. R. Craig Witzke, Jr.
Mr. Aaron E. Dock, Sr.

County staff present included Arnold F. ‘Pat’ Keller, III, Jeffrey Long, Curtis Murray, Barbara Weaver, Krystle Patchak, Lynn Lanham, Jeffrey Mayhew, Kathy Schlabach, and Julia Haskins from the Office of Planning; William Korpman and David Thomas, from the Department of Public Works.

Mr. Gilliss opened the meeting by expressing his gratitude to Mr. Frank Heintz for his stellar service to the County as Chair of the Planning Board over the last several years. He congratulated Dr. Gregory on his appointment to the Vice Chair position and commended the latest reappointees, Mr. Palmer and Mr. Wit. He welcomed Mr. Adam Sampson, who was appointed by the Executive to a term effective January 1, 2008 through December 31, 2010.

Review of today’s Agenda

The published Agenda is filed as Appendix A.

Minutes of the November 15, 2007 meeting

Two minor corrections were noted to the Minutes of the November 15, 2007 meeting—the misspelling of the word **Riparius** on Page 1, Item 1 and a typo on Page 5. The third to the last line should begin “The motion was seconded **by** Mr. Miller. . .” Mr. Miller moved the acceptance of the corrected Minutes of the November 15, 2007 Baltimore County Planning Board meeting. The Motion was seconded by Dr. Gregory and passed

unanimously. Messrs. Sampson and Gilliss abstained. Absent were Messrs. Harden, Witzke and Dock. The Minutes are filed as Appendix B.

Items for introduction and initial discussion

1. Annual review of the Basic Services Maps: Initial discussion for approval of recommendations to the County Council. Distribution and explanation of information by the Department of Public Works

Mr. David Thomas, Assistant to the Director of Public Works, passed out a CD to each member. The CD, which is filed as Appendix C, contains information about Basic Services as well as the Triennial Review. He asked the Board to please consider the issues presented. There will be an opportunity for public comment at the January 17, 2008 meeting prior to the Board vote. Issues spotlighted included:

- Transportation: The intersection at Honeygo and White Marsh Blvd. has been downgraded to an E rating. It should be relatively easy to bring up one level to a D rating. Previous F rated intersections remain at the same level.
- Water: One of five different areas has been addressed.
- Sewerage: The County is particularly careful about issuing any new permits in areas identified as “of concern” for possible sanitary sewer overflows. (See map on CD for details).

2. Triennial review of Water and Sewer: Initial discussion for approval of recommendations to the County Council

Mr. Thomas introduced the Triennial Review of the Master Water and Sewerage Plan, noting that details are contained on the same CD that outlines Basic Services. He explained that Section 9-503(b) of the Annotated Code of Maryland requires each county governing body to review its water supply plan and sewerage plan “at least once every three years in accordance with a schedule set by the Department” (Maryland Department of the Environment). The due date for the Baltimore County Plan is April 18, 2008, as established in the letter dated August 17, 2005 from the MDE’s Water Management Administration to the County Executive.

In order to allow time for action by the County Council, the Planning Board resolution will be needed by early February, 2008. He noted that the Triennial Review is different from the annual amendment cycles under the executive order of April 11, 1990. The Cycle Amendments are intended to address petitions for individual properties; the Triennial Review is the review and update of the general master plan for water and sewer.

Mr. Thomas advised that there is an extensive sophisticated GIS project underway to provide greater detail on the maps.

Mr. Parker moved that a public hearing on the Triennial Review be set for February 7, 2008. The motion was seconded by Mr. Dennis Hoover and passed unanimously. Messrs. Sampson and Gilliss abstained. Absent were Messrs. Harden, Witzke and Dock.

3. Amendments to the Zoning Regulations Regarding Changeable Copy Sign Regulations

Mr. Lloyd Moxley, Planner, summarized the background on regulations regarding changeable copy signs and outlined the proposed changes as contained in the Staff Report dated January 3, 2008 that is filed as Appendix E along with a copy of the PowerPoint presentation. In 1997, the Baltimore County Council approved Bill 89-1997, which comprehensively revised the BCZR Sign Regulations. More than nine years have elapsed since those comprehensive sign regulations were adopted. At this time, the BCZR now requires more specific regulation regarding changeable copy signs and window-mounted signage. In its application, the Baltimore County Zoning Review Office has found that the regulations governing changeable copy are not adequate to ensure the general findings and policies found in Section 450 of the BCZR.

In particular, the Code is silent on the frequency of the change of copy. Planning is recommending that the frequency be set at a maximum of one change per hour cycle. Use in CR Districts or outside the URDL would be excluded. The question was raised as to how the proposed amendments to the regulations would impact any public changeable signs. Mr. Keller is of the opinion that signs on public property would be exempt. Following much discussion, it was agreed that all would benefit from a public hearing as well as further research into practices of other counties. Dr. Gregory moved that a public hearing on changeable copy signs be set for February 7, 2008. The Motion was seconded by Ms. Foos and passed unanimously. Messrs. Sampson and Gilliss abstained. Absent were Messrs. Harden, Witzke and Dock.

Other business (taken out of sequence)

5. Legislation of interest to the Planning Board.

- a. Bill No. 77-07: A Bill for the purpose of expanding the portion of the Towson C.T. District to which certain special regulations are applicable, revising certain regulations.
- b. Bill No. 88-07: A Bill, which amends the Dundalk-Yorkway Renaissance Opportunity Area in the 7th Councilmanic District.
- c. Resolution No. 100-07: A Resolution to approve the review of a proposed general planned unit development, (PUD) in the 5th District, as submitted by Stevenson Taylor Investments LLC, in accordance with County law.
- d. Resolution No. 112-07: A Resolution for the purpose of creating the Lansdowne Commercial Revitalization Action District, encompassing properties along Hammonds Ferry Road between Hollins Ferry Road and Lansdowne Boulevard.

Public Hearing
Global View, Planned Unit Development Application, PDM No. VIII-858

The Board meeting was recessed at 5 p.m. for a Public Hearing so that the Board could hear testimony in regard to the Global View, Planned Unit Development Application, PDM No. VIII-858. Mr. Gilliss explained that speakers would have two minutes in which to present their points.

Mr. Murray summarized the proposal for a planned unit development, known as Global View, which had been introduced on October 18, 2007. The site is located on 6.2 acres, zoned MR, on the E/S York Road opposite Landstreet Road, in the 3rd District. The applicant, Keelty Company, is proposing a mixed use project consisting of a retail/office building with underground parking and an eight-story 214-unit residential condominium building over a three-story parking structure (with two levels underground). The current structure will be demolished. The Director of Planning advised that the Concept Plan Submittal meets the objectives of the PUD and Section 32-4-243 of the Baltimore County Code and recommends approval subject to any conditions that may be made by the Baltimore County Planning Board.

Mr. Murray noted an additional modification that was proposed by the applicant: *M-6 To permit a building length of 380 feet in lieu of the permitted 240 feet.*

Mr. John Gontrum, attorney for the applicant, outlined the work done with two neighboring community entities—the Greater Timonium Community Council and the Stratford Community Association. Agreement was reached with the GTCC that was endorsed by Stratford previously. Mr. Gontrum advised that today, there was a supplement presented by Stratford 10 minutes prior to the meeting that would address issues common primarily to the Stratford community.

Comments from the four members of the community were all in support of the PUD proceeding. Mr. Louis Miller, a longtime resident and former president of GTCC, concurred with the agreements worked out with the communities and the applicant over the past two years, but did not find Stratford’s agreement of January 3, 2008 acceptable. Additional written comment is filed as Appendix H along with a copy of the original Staff report dated October 18, 2007.

The Board meeting was reconvened at 5:20 p.m. to continue with the business on the Agenda.

Items for discussion and vote

- 4. Riparius Center at Owings Mills Lot # 4 – Master Plan Conflict.
Recommendation for Resolution by the County Council

Mr. Bruce Seeley, a member of the Planning Office Staff, presented a brief summary of the issue, explaining that the request for construction of a building on the site presents a Master Plan Conflict with the State Highway Administration (SHA) potential plans for a future interchange. He referred the Board members to a Memorandum from Mr. Edward

Adams, Director of Public Works, which explains that the area must be placed in reservation until the SHA study is complete. Copies of the memo, map, and Staff Report are filed as Appendix F.

Dr. Gregory moved that: *Whereas*, on November 15, 2007, in accordance with § 32-2-301 of the Baltimore County Code (the Code) the Director of Planning reported to the Planning Board that the subject property is in conflict with the *Master Plan 2010*;

Whereas, on November 15, 2007, in accordance with § 32-2-301 of the Code the Planning Board resolved to direct the Director of Planning to refer the matter to the appropriate county agency for review and report;

Whereas, on January 3, 2008, in accordance with § 32-2-302 of the Baltimore County Code (the Code) the Director of Public Works reported to the Planning Board that the subject property is in conflict with the *Master Plan 2010* because the future roadway interchange with Interstate 795 and Dolfield Boulevard is shown on this property;

Whereas, § 32-2-302 of the Code states, in part “the Planning Board shall have a period of 30 days after the date of the agency’s report to submit its recommendations to the County Council for their consideration.”

Now therefore, be it resolved that the Planning Board of Baltimore County hereby recommends to the County Council to pass a resolution imposing a public reservation on the subject property and describe the land to be reserved in accordance with § 32-2-303 of the Code.

The Motion was seconded by Mr. Dennis Hoover and approved unanimously. Messrs. Sampson and Gilliss abstained. Absent were Messrs. Harden, Witzke and Dock.

Item for discussion and vote after Public Hearing

Global View, Planned Unit Development Application

Discussion by the members of the Board focused on the January 3, 2008 agreement presented by Mr. Gontrum at the public hearing. Concerns expressed included:

- Not having any time to review beforehand
- Questioning the appropriateness of getting involved in a private agreement

Mr. Miller moved that the Planning Board of Baltimore County, as a result of the inter-agency and public comments, recommendations from the Office of Planning, and input from a public hearing on January 3, 2008, recommends that the Concept Plan Submittal for the Global View PUD meets the objectives of the PUD and Section 32-4-245(d) of the Baltimore County Code as follows:

1. The proposed development meets the intent, purpose, conditions, and standards of this section;

2. The proposed development will conform with Section 502.1.A, B, C, D, E and F of the Baltimore County Zoning Regulations and will constitute a good design, use, and layout of the proposed site;
3. There is a reasonable expectation that the proposed development, including development schedules contained in the concept plan, will be developed to the full extent possible;
4. The development is in compliance with Section 430 of the Baltimore County Zoning Regulations
5. The Development Plan is in conformance with the goals, objectives, and recommendations of the Master Plan or area plans

And that in addition, the modification of standards pursuant to BCC Section 32-4-245 (C)(3) as proposed by the developer be approved:

- M-1. For Development Plan Approval in the MR Zone
- M-2. To terminate the relief granted in zoning cases 3903, 92-312SPH and 95-377 SPHA
- M-3. To permit side yard setbacks of 26 feet and 31 feet in lieu of 50 feet (residential building)
- M-4. To permit a distance of 105 feet between buildings in lieu of 125 feet (residential and retail/office building)
- M-5 To permit a floor area ratio of 1.75 in lieu of the maximum 0.4
- M-6 To permit a building length of 380 feet in lieu of the permitted 240 feet.

The Motion was seconded by Mr. Dean Hoover. Dr. Gregory suggested that the Office of Planning review the agreement between Global View and the Stratford Community Association to determine if some or all of it should be incorporated into the pattern book; he offered the comment as a friendly amendment to the motion which the movants accepted. Proceeding with the vote, Mr. Parker voted nay; the rest of the members present voted in favor of the Motion. Messrs. Sampson and Gilliss abstained. Absent were Messrs. Harden, Witzke and Dock

Miscellaneous Business

Mr. McGinnis, Chair of the Rural Roads Committee, commented on the role of the Board regarding rural roads and noted that there would be a Committee meeting on January 7, 2008.

Commenting on the Stratford agreement, Mr. Dean Hoover expressed his opinion that the County should not be pulled in to act as a referee in private agreements.

Dr. Gregory moved the adjournment of the meeting. Ms. Foos seconded the Motion that was passed unanimously at 5:45 p.m. Messrs. Sampson and Gilliss abstained. Absent were Messrs. Harden, Witzke and Dock

Bw

Approved as of February 7, 2008

