

MINUTES
Baltimore County Planning Board Meeting,
Hearing on The Greens at Liberty Rd.,
and Public Meeting on the Capital Improvement Program
October 2, 2008

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by the
Baltimore County Planning Board
Adam Sampson, Acting Chair

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

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**Comments by citizens

Adjournment of Public Meeting

Reconvene Board Meeting to continue with unfinished business, if necessary

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Minutes
October 2, 2008

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

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

Present
Mr. Paul Miller
Mr. Wayne C. McGinnis
Mr. Dennis P. Hoover (late)
Ms. Dorothy Foos
Mr. William Moore
Mr. Dean Hoover
Mr. Gerard J. Wit
Mr. Adam T. Sampson
Mr. Gordon K. Harden, Jr.
Mr. Robert J. Palmer
Ms. Nellie Grinage (late)

Absent
Mr. Edward Parker
Mr. Edward Gilliss
Dr. Robert Gregory

County staff present included Pat Keller, Curtis Murray, Barbara Weaver, Krystle Patchak, Lynn Lanham, Jeffrey Mayhew, Kathy Schlabach, and Julia Haskins from the Office of Planning.

Review of today's Agenda

There were no changes to the Agenda as published. It is filed as Appendix A.

Minutes of the September 4, 2008 and September 18, 2008 Meetings

The September 4, 2008 Minutes were updated with some minor changes in addition to amending Mr. Miller's comments on the 2801 Bay Drive PUD. Ms. Foos moved to accept the Minutes of the September 4, 2008 meeting as amended. The motion was seconded by Mr. Miller and passed unanimously at 4:06 p.m. Absent were Messrs. Gilliss, Parker, Dennis Hoover, Ms. Grinage, and Dr. Gregory. A copy of the Minutes of September 4, 2008 is filed as Appendix B.

Mr. Miller moved the acceptance of the September 18, 2008 Minutes as circulated. Mr. McGinnis seconded the motion, which passed unanimously at 4:07 p.m. Absent were Messrs. Gilliss, Parker, Dennis Hoover, Ms. Grinage, and Dr. Gregory. A copy of the Minutes of September 18, 2008 is filed as Appendix C.

Other business

1. Legislation of interest to the Planning Board.

Ms. Haskins brought the Board up to date on the following legislation, which was passed by the County Council on September 15, 2008. In both cases, the Council found that the proposed sites for the PUDs are eligible for County review:

- a. Resolution 64-08. This application for a Planned Unit Development, located in the 7th Councilmanic District, encompassing .948 acres, known as 9230 North Point Road, seeks approval for the development of 5 condominium units with grade level parking
- b. Resolution 65-08. Known as Brandywine, this request for a PUD, located in the 6th Councilmanic District, encompasses 7.44 acres at Kenwood Avenue and Delege Rd. The developer is seeking to demolish the existing dwelling on the site and to develop the property with 73 townhouses on individual lots.

Copies of the Legislation are filed as Appendix D.

Items for discussion and vote

2. Reisterstown Crossing –PUD – PDM # 4-697

The request for the Planned Unit Development known as Reisterstown Crossing, located in the 3rd District, NE/S Westminster Pike; E Butler Road, was presented at the September 18, 2008 meeting of the Planning Board. Afterward, there was a public hearing to receive community testimony.

Mr. Miller moved that as a result of the inter-agency and public comments on the proposed Reisterstown Crossing Planned Unit Development (PUD), recommendations from the Office of Planning, and input from public hearing on September 18, 2008, the Planning Board of Baltimore County APPROVES the PUD and the requested Modifications of Standards listed below in accordance with Section 32-4-245 of the Baltimore County Code as stated in the Action of Summary dated October 2, 2008, as follows:

MODIFICATIONS OF STANDARDS

1. To permit a building to front property line setback of 15 feet regardless of any front yard averaging required by BCZR Section 303.2
2. To permit a side building face to tract boundary setback of 10 feet in lieu of the 15 feet required by BCZR section 235.2 (BCZR Section 232.2.B and BCZR Section 1B01.2.C.1.b).
3. To permit a rear yard setback of 10 feet in lieu of the minimum permitted 20 feet pursuant to BCZR section 235.3 (BCZR Section 232.3.B).
4. To permit a 6.5 foot landscape strip in lieu of the required 15 foot landscape strip for parking lots adjacent to residential properties pursuant to the Baltimore County Landscape Manual (Condition B, Standard 1.c.1, Page 19).

5. To permit a building height of 40 feet in lieu of the maximum permitted 35 feet within 750 feet of an RC zone pursuant to BCZR Section 235C.1.A.
6. Signage (BCZR Section 450)
 - a. To allow a freestanding directory sign with a height of 7 feet in lieu of the maximum permitted 6 feet pursuant to BCZR Section 450.4.I.4.
 - b. To allow lettering on a freestanding directory sign to be as large as 6 inches high in lieu of the maximum permitted 2-3 inches high pursuant to BCZR Section 450.7.A.1.
 - c. To allow a freestanding directional sign with an area of 12 square feet in lieu of the maximum permitted 3 square feet pursuant to BCZR Section 450.4.I.3.
 - d. To allow 3 freestanding real estate signs per frontage in lieu of the permitted 1 per frontage pursuant to BCZR Section 450.4.I.15.
 - e. To allow 2 wall-mounted enterprise signs and 2 canopy signs for each commercial entity of retail buildings on the front/rear facades regardless of whether there is a separate exterior customer entrance on such façade pursuant to BCZR 450.4.I.5.d.
 - f. To allow wall-mounted enterprise signs and/or canopy signs on the side facades of retail buildings for a commercial entity that has no separate exterior customer entrance on such side façade pursuant to BCZR Section 450.4.I.5.d.
 - g. To allow a building address sign with a copy height of 18 inches in lieu of the maximum permitted 8 inches pursuant to BCZR Section 450.2.C.8.

Mr. Wit recused himself from the discussion and voting on the issue. Mr. Harden seconded the Motion, which passed unanimously at 4:09 p.m. Absent were Messrs. Gilliss, Parker, Ms. Grinage, and Dr. Gregory. A copy of the Staff Report is filed as Appendix E.

3. Taylor Avenue-PUD, PDM 9-760

The application to develop the 13.60 acres in the 5th Councilmanic District, N/S Taylor Avenue; W Hillendale Road, containing the unoccupied Bendix manufacturing plant and other structures, was presented at the September 18, 2008 Board meeting. A public hearing followed.

Ms. Foos moved that as a result of the inter-agency and public comments on the 1400 Taylor Avenue PUD, recommendations from the Office of Planning, and input from public hearing on September 18, 2008, the Planning Board of Baltimore County APPROVES the PUD and the requested Modifications of Standards listed below in accordance with Section 32-4-245 of the Baltimore County Code, and subject to the listed conditions:

MODIFICATIONS OF STANDARDS

1. To permit 456 parking spaces in lieu of the required 595 spaces per section 409.6A.2 of the B.C.Z.R or in the alternative the developer may substitute a maximum of 3,500 square feet of retail uses, including standard or carry out restaurants, in place of the proposed bank. The Planning Board approves an adjustment to the Modifications of Standards for this project to allow a minimum of 456 parking spaces to be provided in lieu of the 640 parking spaces required to accommodate the substitution of the bank square footage.
2. To permit a wireless telecommunications tower to be located 130' from a residential property line in lieu of the 200' required per section 426.6A.1 of the B.C.Z.R.
3. To permit a free-standing joint identification sign 40 feet from a residential zone on the same side of the street in lieu of the required 100 feet per section 450.5.B.4.b of the B.C.Z.R.
4. To permit a wall-mounted enterprise sign with an area of 310 square feet in lieu of the allowed maximum of 150 square feet per section 450.4.1.5. of the B.C.Z.R.

D.E.P.R.M. Variance

1. Variance from the forest conservation regulations to permit modifications to an existing forest conservation easement.

CONDITIONS

1. The developer may substitute a maximum of 3,500 square feet of retail uses, including standard or carry out restaurants, in place of the proposed bank.
2. Fast food restaurants, such as Burger King or McDonald's, may not be substituted for the bank square footage.
3. If such a substitution does occur, the architecture of the reconfigured building shall be consistent with the design elements shown in the Pattern Book.

The motion was seconded by Mr. Dennis Hoover and passed unanimously. Absent were Messrs. Gilliss, Parker, Ms. Grinage, and Dr. Gregory. A copy of the Staff Report is filed as Appendix F.

Item for introduction and public hearing

4. The Greens at Liberty Road PUD, PDM #II-743

Jason Vettori, Esquire, introduced the application for the Planned Unit Development known as The Greens at Liberty Road, Enterprise House Corporation, developers. The 6.75 +/- acre site is located in the 4th District, S/S Liberty Road; E Marriottsville Road. The applicant proposes to subdivide the property into two lots. The existing memorial park and associated improvements will be retained on one lot. The applicant proposes an affordable senior housing Planned Unit Development on the other lot that will house 105

units and other tenant amenity space on 6.75± acres of land zoned DR 3.5. The PUD portion of the site is currently vacant and wooded, with steeper grades and wetlands on the eastern side of the property. The County Council found the site eligible for County review and by adoption of Resolution No. 22-08, approved the continued review of the PUD.

Mr. Corey Powell of Enterprise Housing Corporation, with the aid of a PowerPoint went into further detail on the project, highlighting;

- The site location
- Dates of Concept Plan Conference and Community Input Meeting
- Relation to Master Plan 2010
- Compatibility
- Modification of Standards
- Density Bonus (for affordable senior housing)
- Recommendations

Mr. Powell stressed the tremendous need for quality affordable senior housing. He noted that Enterprise is waiting to hear back from the State Highway Administration regarding two proposals for the entrance Road, (A or B).

Mr. Curtis Murray, Development Planner, presented the Office of Planning’s Staff Report which recommended 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 any conditions the Baltimore County Planning Board may deem appropriate, as well as the density bonus and the requested Modifications of Standards.

A period of questions by Board members clarified that, regarding forest mitigation, few acres will remain forested along with paying into a “tree bank,” and that the development will be “age-restricted.” A copy of the Staff Report along with a copy of the PowerPoint is filed as Appendix G.

Adjournment of the Board meeting

Mr. Harden moved the adjournment of the Board meeting. The motion was seconded by Ms. Foos and passed unanimously at 4:44 p.m. Absent were Messrs. Gilliss, Parker, and Dr. Gregory

The Board will reconvene at 5:00 p.m. for the public hearing on The Greens at Liberty Road.

Public Hearing**
by the
Baltimore County Planning Board
Adam Sampson, Acting Chair

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

The Greens at Liberty Road PUD, PDM #II-743

Comments by citizens

Ms. Emily Wolfson stressed that affordable housing for seniors is needed in the community and urged the Board to vote in favor of the PUD.

Michelle Huggins, President, The Woodlands of Deer Park Community Association, raised the question of the timeframe for breaking ground on the development. December 2009 is the target date per the applicant's representative.

The Public Hearing was adjourned at 5:07 p.m.

Public Meeting
For the Capital Improvement Program (CIP)
6 p.m.

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

Present to hear citizens' comments on the Capital Improvement Program were the following Agency Representatives:

- Joanne Williams, Department of Aging
- Mary Harvey, Office of Community Conservation
- Sharon Klots, Department of Economic Development
- Thomas Vidmar, Department of Environmental Protection and Resource Management
- Captain Ross Cooke, Fire Department
- Andrew Spera, Department of Libraries
- Major Joseph Burris, Police Department
- William Korpman, Department of Public Works
- Bud Chrismer, Department of Recreation and Parks

The Public Meeting on the CIP was adjourned at 6:50 p.m. A final bound version of last year's Capital Improvement Program, 2009-2014 is filed as Appendix H.

Bw

Approved 10/16/08