

MINUTES
Baltimore County Planning Board Meeting,
Hearing on Plinlimmon PUD and Involvement of a Historic Structure
November 6, 2008

Contents

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

Review of today's Agenda

Minutes of the October 16, 2008 meeting

Other business

1. Legislation of interest to the Board
 - a. Resolution 72-08: Alternate review of the Bristol Green PUD
 - b. Resolution 80-08: Adopts new rural road standards

Items for introduction and initial discussion

2. Amendment to the Baltimore County Zoning Regulations with respect to creameries
3. Plinlimmon
 - a. Application for a Planned Unit Development, PDM # II-739
 - b. Involvement of a Historical Structure

Adjournment of Board Meeting

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

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

Plinlimmon Planned Unit Development, PDM # II-739

**Comments by citizens

Adjournment of Public Hearing

Appendices

- Appendix A** Advance Tentative Agenda
- Appendix B** Approved Minutes of October 16, 2008 meeting
- Appendix C** Legislation:
- (1) Resolution 72-08 Alternate review of Bristol Green PUD; Copy of original Staff Report on Bristol Green PUD
 - (2) Resolution 80-08, Adopts Rural Roads Standards; Copy of the Rural Roads Standards
- Appendix D** Staff Report - Proposed Amendment to the Baltimore County Zoning Regulations with respect to creameries; copy of PowerPoint presentation
- Appendix E** Plinlimmon
- (1) Staff Report regarding Application for a Planned Unit Development, PDM # II-739; other supporting illustrative material, including developer's presentation on CD
 - (2) Staff Report regarding Involvement of a Historical Structure

Minutes
November 6, 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. Paul Miller
Mr. Wayne C. McGinnis
Mr. Dennis P. Hoover
Ms. Dorothy Foos
Mr. William Moore
Mr. Dean Hoover
Mr. Edward Parker
Mr. Adam T. Sampson
Mr. Gordon K. Harden, Jr.
Mr. Robert J. Palmer
Dr. Robert Gregory

Absent

Mr. Gerard Wit
Ms. Nellie Grinage
Mr. Aaron Dock

County staff present included Pat Keller, Curtis Murray, Barbara Weaver, Krystle Patchak, Lynn Lanham, Jenifer Nugent, Jeffrey Mayhew, 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 October 16, 2008 meeting

Mr. Parker moved to accept the minutes of the October 16, 2008 meeting as published. The motion was seconded by Dr. Gregory and passed unanimously at 4:05 p.m. Absent were Messrs. Wit, Dock, Ms. Foos, and Ms. Grinage. A copy of the approved Minutes of October 16, 2008 is filed as Appendix B.

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 October 20, 2008:

- a. Resolution 72-08. The original application for a Planned Unit Development, located in the 1st Councilmanic District, encompassing approximately 8 acres, known as Bristol Green, could not be successfully marketed with a mix of retail, office, and residential structures, as proposed and approved by the Planning Board on November 15, 2007. The new proposal calls for developing the site with 61 attached single-family units.
- b. Resolution 80-08. The County Council adopted the new Rural Roads Standards as outlined in the Planning Board's May 15, 2008 Report on Design Standards and Policies for Rural Baltimore County Roads.

Copies of the Legislation, along with a copy of the original request for the PUD known as Bristol Green and a copy of the Rural Roads Standards, are filed as Appendix C.

Items for introduction and initial discussion

2. Amendment to the Baltimore County Zoning Regulation with respect to creameries

Ms. Haskins presented proposed amendments to the Baltimore County Zoning Regulations with respect to creameries. These amendments are in response to the large agricultural industry in Baltimore County and the fact that the use of creameries in Resource Conservation (R.C.) zones is not clearly defined. These amendments will seek to protect the agricultural industry in the County and also to promote the sale of locally grown and produced products. The Planning Office proposes amendments that will clearly define a creamery as an establishment where dairy products such as milk, butter, cheese, ice cream and yogurt are made or where dairy products are prepared or sold. The amendments will also address the production of farm products as well as issues associated with inconveniences of locating creameries. The use of creameries in certain R.C. and M.L. zones was also revised.

Mr. Moore questioned the intent of the "Inconvenience, arising from agricultural operations" section, and the purpose of setting the 24-hour time period. Members discussed how the language could be amended.

Ms. Foos moved to set a public hearing on amendments to the Baltimore County Zoning Regulations concerning creameries. The motion was seconded by Mr. McGinnis and

passed unanimously at 4:10 p.m. Absent were Messrs. Wit, Dock, and Ms. Grinage. A copy of the staff report on the proposed amendments to the BCZR with respect to creameries is filed as Appendix D.

3. Plinlimmon

- a. Application for a Planned Unit Development, PDM # II-739
- b. Involvement of a Historical Structure

David Thaler, president, D.S. Thaler & Associates, introduced the members of the development team to the Board and spoke briefly about the Planned Unit Development known as Plinlimmon Farms.

The site is located in the 4th District, 9401 Lyons Mill Road; E Lyonswood Drive. The County Council found the site is eligible for County review and by adoption of Resolution No. 84-07 approved the continued review of the PUD in accordance with Section 32-4-242 of the County Code.

The applicant is proposing to develop a Planned Unit Development (PUD plan) consisting of 646 residential units in lieu of the maximum permitted density (431 dwelling units under the property's zoning classification), 24,000 square feet of retail and office space, and a community /gathering place complete with a pool and meeting facilities on 105.06 acres of land currently zoned RC 3.5, DR 16, and DR 5.5. The applicant further proposes to retain the historic Plinlimmon house and several ancillary buildings located on the site and convert them to community use.

As the required public benefit, the developer proposes to designate approximately 14 acres for public space dedicated to Baltimore County, at least 10 of which shall not be environmentally constrained. The PUD concept plan also contemplates a workforce-housing component of approximately 75 dwelling units. Approximately 209 dwelling units will be age-targeted to lessen impact on existing schools.

Regarding the historic involvement, Plinlimmon is one of the oldest farmsteads in Owings Mills. The early 19th century house is an excellent example of a vernacular farmhouse. Features include stone, shutters, porches and dormers, which will be carried through the proposed planned unit development. The Landmarks Preservation Commission (LPC) expressed its unanimous support for the Plinlimmon PUD as presented at its October 15th, 2008 meeting, with certain conditions as suggested by the LPC Technical Committee and incorporated by the developer.

Mr. Jeff Henneman, Henneman & Associates, Architects, stressed the primary design goal of incorporating elements to reinforce a sense of community. Mr. Thaler addressed the long list of modification of standards that are being requested and explained the interpretation of the complex table in the pattern book.

Comments and questions by Board members included: adding a condition for a walk/jog trail; adding a condition that would reduce the negative aspects of vinyl siding by use of HardiPlank; and, presenting a cross section drawing to the Board members so that relative heights can be observed.

The Board meeting was recessed at 5:00 p.m.

The meeting was reconvened at 5:15 p.m. Ms. Nugent, as a preliminary overview for the Public Hearing that will follow, outlined aspects of the PUD and the involvement of a Historic Structure. In addition to points previously noted, she highlighted that the PUD is consistent with the Master Plan and is appropriate for the Owings Mills Growth Area which encompasses not only residences, but also retail, employment opportunities and recreation. She described the retail office area, with parking behind it, the gathering area, which will utilize the historic building and stressed that the compatibility analysis emphasizes a “main street” feel. Certain public works waivers will be required as outlined on Page 10 of the Staff Report. The Planning Office recommends approval of the PUD with conditions as outlined on Page 12 of the Staff Report. (See Appendix E.)

Mr. Moore asked for clarification regarding the possibility of changing over to rental units. If the project were to involve apartments, the developer would have to come back to the Planning Board.

Robert Hoffman, Esquire, spoke briefly on behalf of the developer regarding the 209 units designated age-targeted by the developer relative to the impact on the schools. He explained that through marketing and design, the best results are obtained with age-targeted units as opposed to age-restricted.

Adjournment of the Board meeting

The Board meeting was adjourned at 5:45 p.m.

Public Hearing
by the
Baltimore County Planning Board
Edward J.Gilliss, Chair**

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

Plinlimmon PUD PDM # II-739

Comments by citizens

Ms. Emily Wolfson stressed that she would like the area to remain open space with single-family detached dwellings. She stated that the project was urban in nature and not suburban. She also requested that the development be accessible by public roads. She noted that gas lines cross the open area limiting its use and pointed out that the developer

is requesting 29 modifications and many waivers. Ms. Wolfson was also concerned with a decrease in property values and change in character of the neighborhood, which would result if the plan were approved.

Mr. Randy Thompson, President of the Whitehurst Homeowners Association, complimented the developer on the outreach to the community. His main concerns, though, included traffic issues, especially on Lyons Mill Road, property value decline and the possible overcrowding of schools.

Mr. Bill Bralove added to Ms. Wolfson's comments, stressing his concerns with school overcrowding and traffic issues. He also questioned the quality of materials to be used and the idea of age-targeted vs. age-restricted units. He feels commitment is needed from the developer.

Ms. Lucy Fink, on behalf of the Owings Mills New Town Community Association, stated strong opposition to the project. The community association is concerned with the proposed public benefit, school overcrowding, and also age targeted vs. age-restricted units.

Mr. Hector Saradpon, of the Lyons Gate Homeowner Association, expressed his disappointment with the project. He would like the property to remain a farm and if the property were to be developed, he would like to see the number of units reduced. Mr. Saradpon was also concerned with increased traffic problems.

Mr. Gil Tyler was also concerned with the increased traffic in the area. He suggested a possible cross street to break up some of the traffic problems.

Mr. Jim Urbanski, of the Lyons Gate Community, stressed his concerns about traffic and the questioned the possibility of rental units and unoccupied units due to the problems of the economy.

Ms. Linda Strowbridge, was again concerned with traffic and suggested a possible 4-way stop traffic light to ease some of the problems. Ms. Strowbridge also questioned how the community benefit really benefits the whole community and how the development is moving forward with the troubled economy. She also would like to see a better quality of materials.

Mr. George Harmon, of the Reisterstown Owings Mills Coordinating Council, was concerned about the scope and scale of the project as a whole, and especially, the impact on public schools. He was also concerned with the fact that there was not ample time to gain enough public input in the process. Mr. Harmon questioned the public benefit, with the issue of gas pipelines in the proposed green space area.

Ms. Paula Pierce agreed with all of the previous comments and also suggested a possible traffic light on Lyons Mill Road. Ms. Pierce also stated that both Lyonhart and Owings

Mills schools need to be concerned with overcrowding. Units becoming rental properties was also a concern.

Ms. Paula Hendricks, of the Lyonswood Homeowner Association, stated that she is totally opposed to the PUD. She also had the same concerns as the others with regards to traffic, property values, etc. Ms. Hendricks suggested that the developer come up with a community benefit that would actually invest money into the community.

Ms. Anne Badin was also concerned with the development of this property due to the current economy issues. She also commented on land preservation in the area and the fact that there is not much land left at all that is preserved. Ms. Badin echoed the others' concerns with regards to school overcrowding and traffic. She also stated that there are burial grounds on the property.

Mr. Shelton Kilby shared all of the concerns of the other speakers.

Robert Hoffman, Esquire, of Venable LLP, spoke on behalf of the developers, explaining the open space public benefit and the proposed fields. The cost of constructing the ball fields along with the provided parking and utilities will total approximately \$1 million dollars. The developer will turn it over to Baltimore County after it is complete. Mr. Hoffman also explained that if single-family detached homes were built on the site it would generate more school children and more traffic. He also stated that Lyons Mill Road would be widened and that an archaeological study indicated that there were no burial sites on the property. Mr. Hoffman also advised that school impact was calculated without consideration of "age-targeted" units.

The public hearing was adjourned at 6:18 p.m.

kp/bw

Approved 11/20/08