

**MINUTES**  
**Baltimore County Planning Board Meeting,**  
**Hearing Regarding Patapsco Overlook PUD**  
**April 2, 2009**

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  - b. Resolution No. 13-09: Request for a planned unit development, (PUD), known as the Center at Owings Mills
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  - a. Applicant
  - b. Office of Planning Staff

**Adjournment of the Board meeting**

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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

*Planned Unit Development, PDM No. 01-557,  
known as Patapsco Overlook*

\*\*Comments by citizens

**Adjournment of Public Hearing**

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**Appendices**

- Appendix A** Revised Tentative Agenda
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- Appendix D** Legislation: Bill No. 8-09 (O.T. Zone) and Res. No. 13-09 (request for PUD known as the Center at Owings Mills)
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Minutes  
April 2, 2009

**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. Dean Hoover  
Mr. Dennis P. Hoover  
Ms. Dorothy Foos  
Mr. William Moore  
Ms. Nellie Grinage (4:12)  
Mr. Gerard Wit  
Dr. Robert Gregory (4:10)  
Mr. Robert J. Palmer  
Mr. Adam T. Sampson (4:25)

Absent

Mr. Edward Parker  
Mr. Gordon K. Harden, Jr.  
Mr. Aaron Dock

County staff present included Pat Keller, Jeff Long, Curtis Murray, Barbara Weaver, Krystle Patchak, Lynn Lanham, Jeff Mayhew, Bruce Seeley, and Lloyd Moxley from the Office of Planning.

**Review of today's Agenda**

There were no changes to the Revised Tentative Agenda as published, which is filed as Appendix A.

**Minutes of the March 5, 2009 meeting**

Mr. Dennis Hoover moved to accept the minutes of the March 5, 2009 meeting as published. The motion was seconded by Mr. Wayne McGinnis and passed unanimously at 4:03 p.m. Absent were Messrs. Dock, Harden, Parker, Sampson, Gregory, and Ms. Grinage. A copy of the approved Minutes of the March 5, 2009 meeting is filed as Appendix B.

**Business**

1. Update on Community Plan Work Program

Mr. Seeley and Mr. Mayhew addressed the Master Plan and Community Plan Work Program. Mr. Seeley began the presentation by giving an overview of a Master Plan. He highlighted Maryland State Requirements for a Master Plan and referenced the County

Charter and County Code as they relate to the Master Plan. Two new elements will be included in the amended Plan. The first involves a "priority preservation area element," designed to enhance the protection of the agricultural industry and the rural areas. This amendment is slated for introduction to the Planning Board in July 2009. The second is called the "water resources element," and requires a thorough analysis of the impacts of current and future land development on all water resources in the county. This amendment to the Master Plan will be introduced to the Board in winter 2010.

In comparison to the Master Plan, which is the overall guide for development and contains broad policies to be implemented Countywide, Community Plans provide detailed recommendations for specific areas in the County and are in keeping with the goals and policies adopted in the Master Plan. Each plan is unique, explained Mr. Mayhew. For instance the Honeygo Plan of 1994 was a broad based effort led by the Planning Office. Ruxton-Riderwood-Lake Roland was spearheaded by the community with oversight by the Office of Planning. Currently, fifteen local planning efforts are in various stages of progress. These include Turner Station, for which there is a charrette coming in early June, and Pulaski Highway. Complete details of the presentation are filed as Appendix C.

## 2. Legislation

Mr. Murray brought the Board up to date on recent legislation, highlighting:

- a. Bill No. 8-09: O.T. Zone. This Bill prohibits residential uses as a matter of right in the O.T. Zone in certain areas of the County, and generally relates to permitted uses in the O.T. Zone.
- b. Resolution No. 13-09: This Resolution is a request for a planned unit development, (PUD), known as the Center at Owings Mills.

Copies of the legislation are filed as Appendix D.

## 3. Landmarks Preservation Commission Report on March 12, 2009 meeting

Mr. Dean Hoover reported to the Board on highlights of the Landmarks Preservation Commission's meeting. A copy is filed as Appendix E.

4. Request for a Planned Unit Development, (PUD), PDM No. 01-557, known as Patapsco Overlook. Introductory remarks in preparation for public hearing to follow.

Robert Hoffman, Esquire, presented the application for the PUD known as Patapsco Overlook on behalf of the applicant, J. Kirby Development, LLC. The proposed PUD is located on the E/S Thistle Road, S Frederick Road in the First Councilmanic District. The property to be developed is zoned DR 3.5 and DR 2. (7.54 acres) The RC 2 portion of the property (0.7 ±) is not part of the PUD. The total tract equals 8.19 acres.

Mr. Hoffman noted that a Court Reporter was present to record the meeting and public hearing. For the Record, he indicated that a proffer had been prepared and distributed by mail. He submitted an addendum to the proffer, which outlined the qualifications of Mr. Michael Nalepa, Traffic expert. Mr. Hoffman also presented a page listing the proposed Modifications of Standards, noting some changes as underlined on the submission, which clarified “setback” and “buffer” and “associated parking.” He wanted to be sure that all submissions were made part of the Record, including documents posted on the website, such as plans, reports, and studies. Chair, Mr. Edward Gilliss assured Mr. Hoffman that these were a part of the file as a matter of course, but that going forward, additionally, hard copies of all electronic data would be maintained in the Office of Planning. Any person interested in ensuring that the file reflects the submission should review the file and provide needed copies as appropriate. If an apparent problem exists, speak to Mr. Gilliss or Mr. Keller.

Mr. Hoffman described the proposed development as an age restricted (minimum age requirement of 55 years) residential condominium development of 80 units contained in 5 four-story buildings with ancillary clubhouse and parking. County Council Resolution No. 47-08 passed on July 7, 2008 stipulated that the PUD was eligible for Baltimore County review. The PUD will provide a community benefit by increasing the number of residential units available to the senior population while at the same time not having an adverse impact upon certain public services such as area schools. In addition, the developer will contribute \$10,000 to the Catonsville Boosters Club for the Comet Park Stadium Renovation Project.

Mr. Scott R. Woolford, AICP, RLA, Landscape Architect and Planner, showed representative projects in nearby areas of the state to demonstrate the good design and pointed out the context in the surrounding neighborhood. The project adheres to the permitted use, is within the Urban Rural Demarcation Line (URDL), and supports the goals of the Master Plan for more senior housing. Clustering preserves maximum green space and the senior population results in the least impact on County roads and schools.

Mr. Logan C. Schultz, AIA, Architect, focused on the aesthetics of the development, with the condominium units clustered around a clubhouse. Each unit is an “end” giving a wide view of the surrounding green space. Using manufactured stone and vinyl siding is designed to give the development the look of nearby Ellicott City. Most of the parking is underground.

For the next meeting, Mr. Dean Hoover would like to see a comparison of materials used in by right developments with the higher quality materials asserted are to be used in this PUD. He was also interested in the “buildable area” on the Patapsco Overlook site. Mr. Moore and Mr. Wit expressed their concerns about quality of material.

Michael M. Nalepa, Traffic Engineer, addressed the State Highway Administration (SHA) Traffic Study comments. Studies on peak hours indicated 10 trips in the morning hours and 13 in the evening. The SHA letter stated that the proposed development could be supported by the existing road network based upon the intersection capacity analysis.

Mr. Nalepa would defer to the State's recommendation on modifying the intersection of Thistle Road and Frederick Road to improve safety with a right turn only. Mr. Moore suggested that a traffic light would alleviate the community's frustration with the turn modification. Dr. Gregory felt that a way to make a left turn safely was needed to head toward old Ellicott City.

Ms. Foos expressed concern regarding the level of public benefit.

Mr. Hoffman noted that the costs of the units would be in the low \$300,000's.

The Staff Report; Update of Modification of Standards; Copy of PowerPoint; Addendum, Resume, Traffic Engineer Michael Nalepa; and disk are filed as Appendix F of the Minutes. For reference, the complete PUD Application file is stored in the Development Review Section, under No. 01-557, Patapsco Overlook. All submissions are also available on line at [www.baltimorecountymd.gov/agencies/planning/PUD/index.html](http://www.baltimorecountymd.gov/agencies/planning/PUD/index.html).

**Adjournment of the Board meeting**

Ms. Foos moved the adjournment of the Board meeting. The Motion was seconded by Mr. Dean Hoover and passed unanimously at 5:50 p.m. Absent were Messrs. Dock, Harden and Parker.

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**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

***Planned Unit Development, PDM No. 01-557,  
known as Patapsco Overlook***

**Comments by citizens**

Ms. Lori Granderson, Park Drive, Catonsville, is especially concerned that attention be given to the safe removal of a pile of roofing material, visible from the road, that may contain asbestos, left over from previous owners. She is also concerned with increased traffic and environmental impacts that will change the character of the neighborhood.

Ms. Ellen Sawaya, Thistle Road, appreciates her small neighborhood, where she operates a part time Bed and Breakfast. The pristine nature of Thistle Road is what drew her there in the first place. She feels this would be disturbed by increased traffic from the PUD. The tallest structure in the neighborhood is currently 35 feet as opposed to the 60-foot structures that are being proposed.

Ms. Dorothy Rout, also of Thistle Road, finds the proposed development incompatible

with the scenic, historic nature of the area and feels it will have an adverse impact on the community.

Mr. Rob Brennan, Rosewood Ave., spoke, in part, from his experience as an architect in Catonsville. He feels that although the project is well developed, putting 80 families in the middle of a woods without facilities is not helping the area's goals of walkability and sustainability. He'd like to see the project more environmentally friendly.

The Board anticipates deliberation and possible vote on this PUD at the April 16, 2009 meeting. Mr. Gilliss invited anyone to provide his or her written summaries of fact testimony and of application with those facts to the legal standards prior to the meeting and directed that it be submitted no later than close of business Monday, April 13, 2009 in order for the Board to have time to review.

The public hearing was adjourned at 6:00 p.m.

bw

Approved 4/16/09