

**MINUTES**  
**Baltimore County Planning Board Meeting,**  
**June 18, 2009**

*Contents*

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

**Review of today's Agenda**

**Minutes of the June 4, 2009 meeting**

**Item for Introduction**

- \*\* 1. Request for a Planned Unit Development, (PUD), PDM No. XIV-472, known as Brandywine. Introductory remarks by Office of Planning Staff. Public hearing scheduled for July 2, 2009.
  
- \*\* 2. Request for Cycle Zoning Reclassification:
  - a. 14345 Jarrettsville Pike, Case No. R-2009-0270
  
  - b. 1206 Molesworth Road, Case No. CR-2009-0269

**Item for Further Discussion and Vote**

- 3. Request for Planned Unit Development, (PUD), PDM # XII-153, known as Yorkway

**Other Business**

- 4. Report of the Landmarks Preservation Commission Meeting of June 11, 2009

**Adjournment of the Board meeting**

## **Appendices**

- Appendix A** Advance Revised Tentative Agenda
- Appendix B** Approved Minutes of June 4, 2009 meeting
- Appendix C** Planned Unit Development known as Brandywine, PDM # XIV-472: Planning Staff report; copy of PowerPoint Presentation
- Appendix D** Request for Cycle I zoning reclassification; Presentation; Petition; copy of Power Point
- Appendix E** Request for Planned Unit Development known as Yorkway Redevelopment, PDM # XII-153; Draft of PUD Approval Form; additional comments from community
- Appendix F** Report of the Landmarks Preservation Commission Meeting of June 11, 2009

Minutes  
June 18, 2009

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

Chair Mr. Edward Gilliss called the regularly scheduled meeting of the Baltimore County Planning Board to order at 4:03 p.m. The following Board members were:

Present

Dr. Robert Gregory  
Mr. Wayne C. McGinnis  
Mr. Dennis P. Hoover  
Ms. Dorothy Foos (4:10 p.m.)  
Mr. William Moore  
Mr. Dean Hoover  
Mr. Gordon K. Harden, Jr.  
Mr. Adam T. Sampson  
Mr. Gerard Wit (4:35 p.m.)  
Mr. H. Edward Parker  
Mr. Paul Miller  
Mr. Aaron Dock

Absent

Mr. Robert J. Palmer  
Ms. Nellie Grinage

County staff present included Pat Keller, Jeff Long, Curtis Murray, Barbara Weaver, Krystle Patchak, Lynn Lanham, Jeff Mayhew, Jen Nugent, and Jessie Bialek from the Office of Planning.

**Review of today's Agenda**

The agenda was revised, deleting the Plinlimmon PUD scheduled as "Items for Further Discussion." The revised agenda of the June 18, 2009 meeting is filed as Appendix A.

**Minutes of the June 4, 2009 meeting**

Mr. Dennis Hoover moved the acceptance of the minutes of the June 4, 2009 meeting as published. The motion was seconded by Mr. Ed Parker and passed unanimously at 4:06 p.m. Absent were Messrs. Palmer, Wit, Ms. Grinage and Ms. Foos. A copy of the approved Minutes of the June 4, 2009 meeting is filed as Appendix B.

**Items for Introduction**

1. Request for a Planned Unit Development, (PUD), PDM No. XIV-472, known as Brandywine.

Ms. Nugent introduced the request for a Planned Unit Development (PUD) known as Brandywine, located in the 6<sup>th</sup> Councilmanic District, E/S Kenwood Avenue @ NE corner Delege Road. The applicant proposes a Planned Unit Development (PUD) of 72 residential townhouse units on 7.44 acres of land zoned BL, BLR, DR 3.5 and DR 5.5. The PUD will take advantage of the DR 16 density zoning allowed for PUDs.

The County Council found the site eligible for County review, and by the adoption of Resolution No. 65-08 approved the continued review of the PUD in accordance with Section 32-4-242. A Pre-Concept Plan Conference was held on September 30, 2008, a Concept Plan Conference on January 12, 2009, and a Community Input Meeting on February 18, 2009. The County Council passed Resolution 31-09 amending the community benefit on June 1, 2009 from contribution funds to Franklin Square Hospital to contributing \$1000 per unit to improvements to the existing Rosedale Park.

As detailed in the Report of the Planning Staff, which is filed as Appendix C, (and also available on line at [www.baltimorecountymd.gov/agencies/planning/PUD/index.html](http://www.baltimorecountymd.gov/agencies/planning/PUD/index.html)), the proposed PUD:

- Will provide a community benefit by providing improvements to Rosedale Park
- Is in keeping with the Master Plan 2010's urban strategy
- Is compatible with the eight objectives as spelled out in Section 32-4-402 of The Baltimore County Code
- The five Modifications of Standards, which focus primarily on setbacks, allow for redevelopment design that meets the goals of the Master Plan, allows the housing types desired by the Community and is compatible to the neighborhood.
- There were no agency comments that would prohibit proceeding. However, DEPRM has not completed its stormwater management evaluation at this point. Their report is expected at the next meeting.

The Planning Staff recommends approval with conditions, which are also spelled out under Recommendations in the Staff Report filed as Appendix C and on line. A Public Hearing is scheduled for July 2, 2009.

Questions raised included:

- What is the expected sale price for the homes?
- Regarding the Community Benefit: What specific use is expected for the funds?

Mr. Joseph Leake, who resides in Greenview Park, Rosedale, and had attended the Community Input Meeting, expressed his opposition to the Board regarding the Brandywine PUD based on (1) overcrowding of current Shady Spring school and (2) increased traffic. As an alternative, Mr. Leake suggested the creation of a music-theater Park on the proposed PUD site.

## 2. Request for Cycle I Zoning Reclassifications:

- a. 14345 Jarrettsville Pike, Case No. R-2009-0270

Lawrence E. Schmidt, Esquire, representing the Petitioner, Howard Lintz, outlined the specifics of the request to reclassify the site from RC 5 to RO-CR and RC 5-CR. Using a projected map, Mr. Schmidt pointed out the property in question which is improved with three existing single-family detached dwellings, close to the road. Only one is currently being used as an office, the other two are vacant. Behind the structures are spaces for parking and an open field. The zoning change was requested first during the 2008 Comprehensive Map Zoning Process (CZMP). Planning recommended a split zoning with RO-CR in the front where the buildings are located and RC 5-CR in the rear. The County Council left the zoning at RC 5. Planning concurs with the Petitioner in his request for reclassification, and would support the request with the submission of a documented site plan. Ms. Bialek, 3<sup>rd</sup> District Community Planner, explained the cycle zoning process, which occurs between the Comprehensive Zoning Map Process that is scheduled every 4 years.

b. 1206 Molesworth Road, Case No. CR-2009-0269

Lawrence E. Schmidt, Esquire, presented the Petition for property owner Neal Jacobs for reclassification of property currently zoned RC 7 to RC 4. A panhandle driveway off Molesworth Road accesses the property. In recounting the zoning history of the property, Mr. Schmidt noted that the property was rezoned from RC 5 to RC 4 in the 2004 CZMP. It was again rezoned from RC 4 to RC 7 in the 2008 CZMP. The Petitioner was in the midst of the process of recording a minor subdivision in 2008 and was unaware that there was also a CZMP issue going forward at the same time. Under the circumstances, the Petitioner feels it is appropriate that he be allowed to move forward and present his case to the Board of Appeals. Ms. Bialek noted that the Planning Office recommends that the Petitioner be allowed to move forward.

Board Member Mr. Miller suggested that postings for properties being considered for a zoning change be displayed more prominently.

Copies of the Petitions, illustrative maps, and a copy of the PowerPoint are filed as Appendix D.

**Item for further deliberation and vote**

3. Request for Planned Unit Development (PUD), PDM # XII-153, known as Yorkway

Dr. Gregory moved that the Baltimore County Planning Board as a result of the inter-agency and public comments on the proposed Yorkway Redevelopment Planned Unit Development (PUD), PDM # XII-153, recommendations from the Office of Planning, input from the public hearing on June 4, 2009 and further deliberations on June 18, 2009, APPROVE the PUD and the requested Modifications of Standards as fully articulated in the Baltimore County Planned Unit Development Approval document (DRAFT) for Yorkway Redevelopment in accordance with Section 32-4-245 of the Baltimore County Code (see attached). Mr. Parker seconded the Motion.

Mr. Dean Hoover recused himself from the deliberation and vote.

Discussion by the Planning Board suggested the following additions and clarifications to the Approval Form:

- Clarify: That community resident Christine Ames who lives directly across from the proposed development in the 2600 block of Yorkway, between Leeway and Kentway, asks to modify the PUD design to show rear load garages in that block as there is a viable alley to accommodate. Furthermore, this would make the narrow street safer and relieve parking congestion.
- Correct omission: On Page 9, Modification # 8, the lot numbers should read “18 and 46.”
- The community benefit, as indicated in Resolution No. 9-09, will provide improvements to Heritage Park, which serves the greater Dundalk community.

The Motion was voted on at 5:20 p.m. and passed unanimously. Absent were Mr. Palmer and Ms. Grinage.

Other comments by Board members and staff:

- It is the Board’s prerogative is to amend the draft of the Approval Document.
- Recommendations in the Approval Form are the same as in the Staff Report
- The Draft Approval Form in anticipation of a vote should be expected 2 weeks prior to the vote.
- Mr. Dean Hoover suggested that the Planning Office get assistance from the Office of Law in preparing the Approval Document.
- Mr. Long commented that the individual attorneys on the PUD’s have been most helpful.
- Mr. Parker commends the preparation and sophistication of the communities’ input.

A copy of the Draft Approval Form, Resolution 9-09 and additional written comments are filed as Appendix E.

### **Other Business**

#### **4. Report of the Landmarks Preservation Commission Meeting of June 11, 2009**

Mr. Dean Hoover referred the Board to the Report of the Landmarks Preservation Commission which contained the highlights of major issues addressed at the June 11, 2009 meeting. The report is filed as Appendix F.

### **Adjournment of the Board meeting**

Dr. Gregory moved the adjournment of the Board meeting. The Motion was seconded by Mr. Parker and passed unanimously at 5:26 p.m. Absent were Mr. Palmer and Ms. Grinage.

bw

Approved 7/2/09