

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2020, Legislative Day No. 23

Resolution No. 112-20

Mr. David Marks, Councilman

By the County Council, October 5, 2020

A Resolution of the Baltimore County Council to approve the review of a proposed general development planned unit development in accordance with County law.

WHEREAS, County law requires that an application for approval of a site for a planned unit development be submitted to the County Councilmember in whose district the development is proposed to be located; and

WHEREAS, on March 31, 2020, Magnolia Grove Investments, LLC (“Applicant”) submitted an application for review and approval of a 10± acre site within the Urban Rural Demarcation Line zoned DR 1, located on the north side of Magnolia Road, and is south of Torpoint Road, in the Perry Hall area in the 5th Councilmanic District, to be developed as a general development planned unit development (PUD) known as Magnolia; and

WHEREAS, the PUD proposes the development of a townhome community that will provide a housing choice of a modern amenity filled community for residents in Baltimore County; and

WHEREAS, the County Council finds that the density and uses permitted should be amended and modified to allow 58 single-family attached dwellings in accordance with Section 32-4-242 of the County Code; and

WHEREAS, the County Council finds that the proposed PUD will provide community benefits described herein below which the Council approves as acceptable pursuant to Section 32-4-242(b)(6) of the County Code; and

WHEREAS, Applicant has conducted a post-submission community meeting on June 18, 2020 in compliance with Section 32-4-242(c) of the County Code; and

WHEREAS, Applicant has compiled comprehensive minutes of the meeting, together with a record of the names, addresses, and electronic mail addresses, if available, of the attendees and has forwarded same to the Council member in whose district the property is located and to the Department of Permits, Approvals and Inspections; and

WHEREAS, Applicant has submitted copies of the application to the Department of Permits, Approvals and Inspections, and the appropriate County reviewing agencies have provided a written preliminary evaluation of the proposed PUD to the Councilmember, all of which has been posted on the County's internet website; and

WHEREAS, the County has posted the subject property at least 10 business days prior to the final vote on the Resolution in accordance with Section 32-4-242(d)(1) of the County Code; and

WHEREAS, after review of the application and related materials, written preliminary evaluation from County agencies, and input from attendees of the post-submission community meeting, the County Council finds that the proposed PUD will achieve a development of substantially higher quality than a conventional development and will achieve a compatible and efficient use of land; and

WHEREAS, having considered the Baltimore County Master Plan 2020, the County Council finds this proposed development is in conformance with the goals, objectives, and recommendations of the Master Plan; and

WHEREAS, the Master Plan designated this area as the Community Conservation Area (“CCA”), containing the County’s more densely populated, established communities. Likewise, the Proposed Land Use Map designation of this property is T-3 (Sub-Urban Zone) in the Master Plan, which specifically encourages townhouses; now therefore

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the proposed site for the general development planned unit development filed by Magnolia Grove Investments, LLC is eligible for County review in accordance with Section 32-4-241, et seq. of the County Code; and

BE IT FURTHER RESOLVED, that the County Council approves the contribution by the Applicant of \$50,000 to Baltimore County to assist in funding the installation of a traffic signal at Honeygo Boulevard and Joppa View Elementary School as being an appropriate community benefit under Section 32-4-242(b)(6) of the County Code; and

BE IT FURTHER RESOLVED, that the County Council views the installation of a traffic signal at Honeygo Boulevard and Joppa View Elementary School as critical to the public safety of the area and as such, the County should compel the installation of the traffic signal to the greatest extent feasible; and

BE IT FURTHER RESOLVED, that, if a traffic signal cannot be installed at Honeygo Boulevard and Joppa View Elementary School for any reason, the Councilmember for the 5th Councilmanic District shall be consulted on and approve alternative uses for the Applicant's \$50,000 community benefit contribution; and

BE IT FURTHER RESOLVED, that there shall be no direct access or entrance to/from Magnolia onto Torpoint Road, nor should the right of way for Torpoint Road be extended through the site; and

BE IT FURTHER RESOLVED, that Applicant shall design the community of Magnolia without the ability to directly access Torpoint Road from the site; and

BE IT FURTHER RESOLVED, that the Applicant shall provide a ~~fence~~ black iron fence at least six feet tall from Magnolia to Torpoint Road to prohibit foot traffic from Magnolia to Torpoint Road; and

BE IT FURTHER RESOLVED, that due to the community benefit that stems from the PUD, the County Council approves a modification of the density and uses permitted for the proposed PUD to permit no more than 58 single-family attached dwellings; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the Baltimore County Department of Permits, Approvals and Inspections and the Department of Planning.



LEGISLATION DETAIL

LEGISLATION _____

DISPOSITION _____

ENACTED _____

EFFECTIVE _____

AMENDMENTS _____

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell