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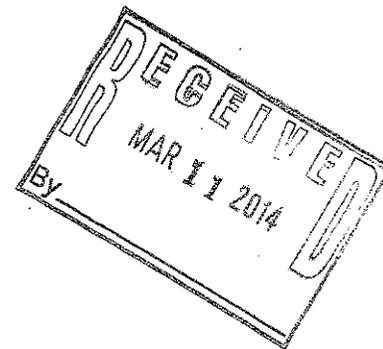
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March 11, 2014



Sent via Hand Delivery

Councilman John Olszewski
Baltimore County Council
400 Washington Avenue
Towson, MD 21204

**Re: Vanguard Commercial Development, Inc.
PUD - North Point Government Center**

Dear Councilman Olszewski:

In compliance with Baltimore County Code ("BCC") § 32-4-242, Vanguard Commercial Development, Inc. ("Vanguard") submits this application for a general development Planned Unit Development ("PUD").

The PUD is for a 27.43 ± acre site in the Dundalk/North Point area of the County. The site is the location of the former North Point Government Center, and is in the North Point Commercial Revitalization District.

In 2013, Baltimore County issued Request for Proposal ("RFP") No. P-101 for several sites, including the North Point Government Center. The North Point Government Center was in need of some costly repairs and its annual upkeep proved to be expensive as the building was deemed functionally obsolete. The RFP noted that the site would allow for "intensive development" and the bidders could assume that the County and Council would support a PUD. After carefully considering all of the bids, the County selected Vanguard's bid which included a village concept with retail/restaurants/offices with strong linkages to a new \$2.2 million commercial recreational and arts facility, an amphitheater/pavilion and redesigned and significantly improved outdoor ball fields. Vanguard's proposal stressed the importance of creating a gathering place for the Dundalk residences where they could enjoy all of the amenities of the village in a walkable way, and have the adjacent recreational offerings significantly upgraded.

During the RFP process, the community expressed concerns about losing the existing commercial recreational and arts facility, and the existing ball fields, through the sale of the

County property. Vanguard listened to the community. As a result, the PUD proposes the

replacement of the facility with a new and improved version at a cost of approximately \$2.2 million, and the ball fields will also receive a much needed makeover. This significant capital investment will ensure that this pivotal recreational space will be ready to serve future generations of Dundalk/North Point community members.

The submission of the PUD Application is the first of many steps which afford the community numerous opportunities to offer its input regarding this important recreational space.

I. GENERAL DEVELOPMENT PUD REQUIREMENTS

The applicant is required to include data and a schematic representation of the development to illustrate what is being proposed, which is attached with this packet, as well as a draft PUD Resolution for your review.

A. Location of PUD and Compliance with Zoning Criteria

As previously provided, the PUD is located in the Dundalk/North Point area of the County. Specifically, it will be located at what is considered to be the current site of the North Point Government Center, the southeast intersection of Merritt Boulevard and Wise Avenue, in the North Point Commercial Revitalization District. The total tract acreage is 27.43 acres.

The instant general development PUD meets the zoning criteria required. It is located entirely within the Urban Rural Demarcation Line ("URDL") as provided in BCZR § 430.3.A. The amendment or modification of the uses permitted allow nonresidential uses, including but not limited to the commercial recreational and arts facility use, in the underlying zone in accordance with BCC § 32-4-242.

B. Schematic Representation

A schematic representation of the PUD is attached hereto for your review. The schematic representation consists of a site plan, aerials and elevations depicting the proposed layout and uses.

The proposed uses consist of a village concept with retail/restaurants/offices, a \$2.2 million commercial recreational and arts facility, and significantly improved and reconfigured ball fields. The pivotal components of this development will of course be the commercial recreational and arts facility building, which will be able to be used year round, and the improved ball fields. There will be no dwelling units or residential component.

C. Contrast Plan

This prong of the PUD application requirements is not applicable to the proposed nonresidential development. The maximum gross residential density permitted by the underlying zone is 10.5 dwelling units per acre. However, the number of density units proposed in the PUD is zero. Correspondingly, there is no floor area ratio ("FAR") required in the underlying zone. As such, it is impossible to contrast the FAR required in the underlying zone with the FAR proposed in the PUD.

D. Chart Showing Compliance with Zoning Criteria

Proposed PUD Site Acreage:	27.43 ± Acres
Existing Zoning:	DR 10.5
Existing Use:	Commercial Recreational and Arts Facility and outdoor ball fields
Proposed Use:	Retail/restaurants/office, commercial recreational and arts facility, amphitheater/ pavilion and outdoor ball fields
Permitted Density:	10.5 dwelling units per acre
Proposed Density:	N/A
Allowed Floor Area Ratio:	N/A
Proposed Floor Area Ratio:	0.09
Required Number of Parking Spaces:	979
Proposed Number of Parking Spaces:	1,079

II. DESCRIPTION OF PROJECTED IMPACT, COMPATIBILITY AND COMMUNITY BENEFIT OF PUD.

A. PROJECTED IMPACT OF PUD

The PUD application is required to provide "the projected impact of the [PUD] on the surrounding community." The following information will address these issues.

1. Water/Sewer: The retail park, recreational facility and outdoor ball fields will be served by public water and sewer. According to the 2013 Baltimore County Basic Services Maps (and proposed 2014 Basic Services Maps), the property is not located within a deficient area or area of special concern for either water or sewer. The public water and sewer service is sufficiently sized to accommodate the project. Therefore, the project will not result in any negative impacts to the County's water and sewer infrastructure.

2. **Transportation/Roads:** According to the 2013 Basic Services Maps (and proposed 2014 Basic Services Maps), the site is not within a deficient area for transportation. The PUD will be replacing the North Point Government Center with a retail park, commercial recreational and arts facility, amphitheater/pavilion and outdoor ball fields. The proposed PUD will not have a negative impact on the traffic conditions in the area. The site is within the North Point Commercial Revitalization area.
3. **Environmental:** There are no regulated wetlands or forest conservation areas on the 27.43 acre site. The applicant will adapt and reconfigure the stormwater management facilities to provide the required level of water quality treatment for the PUD.
4. **Schools:** The property is served by Grange Elementary, General John Stricker Middle School and Dundalk High School and Patapsco High School. However, there will be no pupil yield from the PUD. The Adequate Public Facilities provision regarding schools expressly provides that the section only applies to "residential development." BCC § 32-5-108.
5. **Police and Fire Resources:** The proposed development will not adversely impact the County's ability to provide police and fire services, specifically, from the Dundalk and North Point Area precincts. The retail park, amphitheater/pavilion and commercial recreational facility buildings will meet all County and State Building and Fire Code Regulations.

B. COMPATIBILITY

A PUD application must include a statement of how the development will comply with the compatibility objectives as provided in BCC § 32-4-242(b)(5).

BCC § 32-4-402 outlines compatibility requirements and includes eight (8) objectives, which can be broken down into categories as follows: (1) Site Development Context, (2) Building and Parking Layout, (3) Road Widths and Sidewalks, (4) Open Space Planning, (5) Site Features, (6) Site Landscaping, Streetscape and Buffers, (7) Exterior Signs, Lighting and Accessory Structures, and (8) Architectural Design.

The development must be analyzed in relation to the "neighborhood" when addressing the compatibility objectives. BCC § 32-4-402(a) defines "neighborhood" as the existing buildings and land uses adjacent to and extending from the proposed development to a definable boundary, an area with a significant change in character or land use or a major natural feature.

Applying this definition, the neighborhood for this PUD would be defined by, in a clockwise direction beginning at the intersection of Church Road and Trappe Road to the northeast of the site, heading south along Church Road until it turns into Searles Road and

bears west/northwest as it crosses Merritt Boulevard until turning east on Westfield Road, south on Weldon Road, east on Trappe Road until reconnecting with the Trappe Road/Church Road intersection.

The zoning within the neighborhood varies from principally business zoning gravitating towards the confluence of Merritt Boulevard and Wise Avenue with the exception of the instant site, to higher density residential and residential office zoning on the outskirts of the neighborhood.

1. SITE DEVELOPMENT CONTEXT

Pursuant to BCC § 32-4-402(d)(1) the Site Development Context objective contemplates whether, “[t]he arrangement and orientation of the proposed buildings and site improvements are patterned in a similar manner to those in the neighborhood.”

The proposed site design envisions a village core with linkages to the recreational uses while still taking advantage of the retail opportunities at the intersection of Merritt Boulevard and Wise Avenue. The proposed commercial recreational and arts facility and renovated ball fields effectively buffers the residential community to the east and elementary school to the south.

2. BUILDING AND PARKING LAYOUT

Pursuant to BCC § 32-4-402(d)(2) the Building and Parking Layout objective contemplates whether, “[t]he building and parking lot layouts reinforce existing building and streetscape patterns and assure that the placement of buildings and parking lots have no adverse impact on the neighborhood.”

The orientation of the new retail buildings will reinforce the existing building patterns on adjacent lots. The architecture, materials and colors of the proposed buildings will invoke a modern and efficient layout.

The mix of uses and upgraded facilities will bring a village concept to this longstanding recreational space. The landscaped pedestrian and vehicular linkages will constitute the beginning of a new era for Dundalk/North Point.

3. ROAD WIDTHS AND SIDEWALKS

Pursuant to BCC § 32-4-402(d)(3) the Road Widths and Sidewalks objective contemplates whether, “[t]he proposed streets are connected with the existing neighborhood road network wherever possible and the proposed sidewalks are located to support the functional patterns of the neighborhood.”

The PUD's ingress and egress to Merritt Boulevard, Wise Avenue and Church Road will be designed and constructed to efficiently provide access to the site. The internal drive aisles will similarly provide for efficient flow of traffic both within the site and the surrounding street system. The sidewalks along Merritt Boulevard, Wise Avenue and Church road and within the PUD will provide efficient access to the site from the neighborhood for pedestrians.

4. OPEN SPACE PLANNING

Pursuant to BCC § 32-4-402(d)(4) the Open Space Planning objective contemplates whether, "[t]he open spaces of the proposed development reinforce the open space patterns of the neighborhood in form and siting and complement existing open space systems."

The dominant open space feature is, of course, the existing ballfields. These ballfields will be reconfigured and improved in a much more efficient use of the land. Significant efforts were made to design a sense of place where residents could enjoy the use of the recreational uses on the property, while also enjoying the new amenities provided by this development. It is envisioned one could make one trip to this property to recreate, dine and shop, thereby taking traffic off the roads and encouraging a walkable destination.

Open space also will be provided along the street frontages in order to complement the renovated ball fields, amphitheater/pavilion and commercial recreational and arts facility building. All of these elements will combine to create recreational space which will bring together the neighborhood.

The landscaping will facilitate the integration of the mixed uses from retail to recreational as you move south towards the elementary school with numerous ball fields between, thereby preserving the historical village concept of the site.

5. SITE FEATURES

Pursuant to BCC § 32-4-402(d)(5) the Site Features objective contemplates whether, "[l]ocally significant features of the site such as distinctive buildings or vistas are integrated into the site design." There are no locally significant features of the site, including buildings or vistas. The site is currently unimproved without significant views, thereby providing no opportunities to incorporate these features.

The PUD is located on the parcel that served the neighborhood for many years as the North Point Government Center. The commercial recreational and arts facility, amphitheater/pavilion and renovated ball fields will begin a new chapter for this community gathering place. The convenience of the proposed retail and office pad sites will compliment this new era for the neighborhood and provide a wonderful gathering spot.

6. SITE LANDSCAPING, STREETSCAPES AND BUFFERS

Pursuant to BCC § 32-4-402(d)(6) the Site Landscaping, Streetscapes and Buffers objective contemplates whether, “[t]he proposed landscape design complements the neighborhood's landscape patterns and reinforces its functional qualities.”

The other three (3) properties which lie on the corner of Merritt Boulevard and Wise Avenue have commercial uses with varying amounts of landscaping. The corner lots west and northwest of the subject site have some trees and bushes screening the properties, while the lot to the north has no landscaping. The PUD will complement the neighborhood's landscape patterns by conforming with Class “A” screening as provided in the Baltimore County Landscape Manual.

7. EXTERIOR SIGNS, LIGHTING, AND ACCESSORY STRUCTURES

Pursuant to BCC § 32-4-402(d)(7) the Exterior Signs, Lighting and Accessory Structures objective contemplates whether, “[t]he exterior signs, site lighting and accessory structures support a uniform architectural theme and present a harmonious visual relationship with the surrounding neighborhood.”

The PUD will have several monument and freestanding signs at the primary entrances off of Merritt Boulevard and Wise Avenue. Individual tenants of the retail pad sites will have signage which is consistent with the newest signage packages. Site lighting will have fixtures which dim or cut off at set times so as not to cast light onto adjacent properties.

8. ARCHITECTURAL DESIGN

Pursuant to BCC § 32-4-402(d)(8) the Architectural Design objective is as follows: “[t]he scale, proportions, massing and detailing of the proposed buildings are in proportion to those existing in the neighborhood.”

The scale, proportions, massing and detailing of the buildings will be comparable or superior to those existing in the neighborhood.

C. COMMUNITY BENEFIT

BCC § 32-4-242(b) requires that an applicant state how the PUD will provide a community benefit. Following meetings with your office and representatives from Baltimore County's Department of Recreation and Parks, the applicant will be making a (1) land use benefit, (2) capital improvement benefit and (3) public policy benefit.

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The land use benefit is comprised of the demolition of the existing commercial recreational and arts facility building and construction of a new commercial recreational and arts facility building at a cost of approximately \$2.2 million along with construction of an amphitheater/pavilion and the renovation of certain ball fields.

The capital improvement benefit will be provided by an onsite or nearby County-owned property.

The public policy benefit results from the promotion of economic development opportunities by locating the PUD in the North Point Commercial Revitalization District.

D. SUMMARY

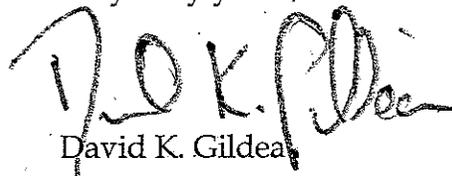
In conclusion, this development is a game changer. The mixed use project will first and foremost preserve the recreational space for future generations. Correspondingly, the retail/restaurant /offices uses will provide a number of quality dining options and retail options for the neighborhood with cohesive pedestrian and vehicular linkages.

The proposed development satisfies the statutory PUD criteria and will have no adverse impact on the surrounding neighborhood. Likewise, the proposal meets the compatibility requirements contained in the Baltimore County Development Regulations, Zoning Regulations and the Comprehensive Manual of Development Policies.

The introduction of the resolution for a PUD is only the beginning of the review and approval process. Community involvement and feedback as well as agency review are required following submission of this application and throughout the entire review and approval process.

As always, it is understood this feedback may necessitate changes to the plan. The petitioner is committed to working with these stakeholders in order to secure the ultimate PUD approval.

Very truly yours,



David K. Gildea

DKG: sf

Enclosures

CC: Arnold Jablon, Director, Permits, Approvals and Inspections (w/enclosures x 10)
Thomas Peddicord, Baltimore County Council (w/enclosures)
Colleen Kelly, Department of Permits, Approvals and Inspections

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