

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2016, Legislative Day No. 17

Resolution No. 113-16

Mr. David Marks, Councilman

By the County Council, October 3, 2016

A RESOLUTION of the Baltimore County Council to approve the review of a proposed 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 Council member in whose district the development is proposed to be located; and

WHEREAS, Applicant CVP-TF LLC has submitted an application for review and approval of a 5.80± acre property, located at 800 York Road in the 5th Councilmanic District, to be developed as a general development planned unit development (PUD) known as Towson Station; and

WHEREAS, the property is currently zoned BM-CT (Business, Major – Commercial, Town-Center Core), and it is located within the Urban Rural Demarcation Line (URDL). On the property, Applicant proposes a subdivision into an approximately 0.38± acre lot (to be retained by Baltimore County) and an approximately 4.65± acre lot (the “Development Parcel”), and Applicant proposes to develop the Development Parcel with an upscale commercial center containing a fuel service station with no more than 12 fuel service spaces and retail/restaurant uses and a convenience store/carry out restaurant; and

WHEREAS, the Development Parcel's zoning classification of BM-CT would not permit the fuel service station without utilization of the PUD process under Section 430.3 of the Baltimore County Zoning Regulations and Section 32-4-241, et seq. of the Baltimore County Code; and

WHEREAS, the contract between Baltimore County and the Applicant for the sale of the subject property requires the Applicant to follow the PUD process for the proposed project; and

WHEREAS, Applicant has conducted a post-submission community meeting in compliance with Section 32-4-242(c) of the Baltimore 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 the same to the Council Member 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 for circulation, and the appropriate County reviewing agencies have provided a written preliminary evaluation of the proposed PUD to the Council Member, which have been posted on the County's internet website; and

WHEREAS, after review of the application and related materials, written preliminary evaluations 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

WHEREAS, the Council hereby modifies the uses permitted to allow the Development Parcel to be used for the uses described in this Resolution, including a fuel service station with no more than 12 fuel service spaces and a convenience store/carry out restaurant; and

WHEREAS, the County approves, as an appropriate community benefit under Section 32-4-242(b)(6)(iii), a contribution of (1) \$44,000 to NeighborSpace of Baltimore County, Inc., \$40,000 of which is to be used for improvements to the West Towson Trail, as identified in Resolution 43-12, and \$4,000 for tree plantings throughout the West Towson community, and (2) \$6,000 for two solar-powered speed display signs, one on Stevenson Road west of York Road and one on Stevenson Lane east of York Road; the \$6,000 shall be used for the West Towson Trail if the speed display signs are previously erected by the County; and

WHEREAS, notwithstanding the provisions of Section 5 of Bill 49-16, the project shall be reviewed by the Baltimore County Design Review Panel; The Panel shall make recommendations regarding (1) methods of protecting the Immaculate Conception Church property and (2) the consistency of the design theme throughout the project, including the use of high-quality materials, a natural color palette, and enhanced architectural elements, and to ensure that building materials used throughout the site are similar to those found in traditional Towson settings, such as the former Towson jail, and that intrusive lighting is minimized, and that the landscaping design for the project includes the use of lush plantings, and that the landscape design at the corner of York Road and Bosley Avenue includes the use of attractive “Towson” stone retaining walls accented by decorative black fencing and that existing mature trees that surround the site are protected; and

~~WHEREAS, the existing forest habitat buffer between the eastern property line of the project and the Immaculate Conception playing fields shall be preserved; and~~

WHEREAS, Applicant 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 Baltimore County Code, providing the required public notice; 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 Applicant, is eligible for County review in accordance with Section 32-4-241, et seq. of the County Code; 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 for processing the PUD plan in accordance with law.