

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2010, Legislative Day No. 11

Resolution No. 50-10

Mr. John Olszewski, Sr., Councilman

By the County Council, June 7, 2010

A RESOLUTION of the Baltimore County Council to approve an alternate review of a proposed planned unit development, and setting forth the process for such review, in accordance with County laws.

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, Villages of Bear Creek: Lynch Cove, LLC submitted an application for approval of an 11.7 acre site in the Seventh Councilmanic District, to be developed as a general development planned unit development (PUD) known as Sheltered Harbor; and

WHEREAS, on September 7, 2004, the County Council, by adoption of Resolution 87-04, authorized the review of the PUD proposal; and

WHEREAS, a PUD Concept Plan was thereafter submitted and reviewed in accordance with the requirements for such plans, as provided in the Baltimore County Code, including the presentation of the plan at a Community Input Meeting and review and recommendation by the Director of the Office of Planning. The PUD Concept Plan reflected development of the property with a mixed use retail, office, and residential community; and

WHEREAS, following a public hearing on May 18, 2006, the Planning Board unanimously approved the PUD Concept Plan. The Hearing Officer subsequently affirmed the Planning Board's approval; and

WHEREAS, Village of Bear Creek; Lynch Cove, LLC attempted to market the approved PUD Concept Plan without success; and

WHEREAS, Village of Bear Creek; Lynch Cove, LLC now seeks approval of an alternate to the approved PUD Concept Plan for the development of the site with not to exceed 90 single-family attached fee simple units and to separate the 5.3 acre residential portion of the approved PUD from the retail and office portion of the approved PUD ("Alternate PUD Plan"); and

WHEREAS, Village of Bear Creek; Lynch Cove, LLC requests approval of the Alternate PUD Plan through the PUD process to (i) provide the community land use benefit, including higher architectural design because of an improved site layout that provides fee simple homes and thus shoreline protection and view corridors for residents and neighbors not provided by the existing PUD Plan with its approved high rise condominium units, and (ii) utilization of available density without regard to zone lines; and

WHEREAS, compared with the prior approved PUD Concept Plan, the Council finds that this Alternate PUD Plan will have the aforesaid community land use benefit resulting in reduced impacts on the surrounding community, is independent of the retail and office portion of the approved PUD and should be permitted to be reviewed and approved in the manner described herein; now, therefore,

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Alternate PUD Plan should be reviewed and approved in the following manner: (1) Villages of Bear Creek; Lynch Cove, LLC may file a proposed PUD Plan, meeting the requirements of Section 32-4-243 of the Baltimore County Code as an Alternate PUD Plan. If approved, the Alternate PUD Plan may be further processed in accordance with the Baltimore County Code; and be it further

RESOLVED, that a copy of this Resolution be sent to the Baltimore County Department of Permits and Development Management and the Office of Planning.

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