

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2014, Legislative Day No. 4

Resolution No, 12-14

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Mr. Kenneth N. Oliver, Councilman

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By the County Council, February 18, 2014

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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, property owners Dellcrest Properties 3, LLC and Dellcrest Properties 4, LLC (Applicant) have submitted an application for review and approval of a 16.36± acre site located on the west side of Dolfield Boulevard, south of Easter Court, in the Owings Mills area in the 4<sup>th</sup> Councilmanic District, to be developed as a general development planned unit development (PUD) known as the Residences at Soldiers Delight. The property is zoned ML-IM and is located within the Urban Rural Demarcation Line (URDL); and

WHEREAS, Applicant proposes to develop the property with a high-end market-rate rental apartment building, featuring 312± units and related amenities; and

WHEREAS, the new residential community would be added to the existing Dolfield Business Park, located within the Red Run Employment Corridor, a sub-area of the Owings Mills Growth Area as identified in *Master Plan 2020*. *Master Plan 2020* recommends that any residential development and non-auxiliary retail added to this sub-area should be a true mixed-use concept and promote job creation. This new residential component, coupled with recently added commercial zoning on the frontage, will create a true mixed-use community within the

context of the existing research and development/flex/office park. Offering high-quality housing, such as that proposed, within close proximity to places of employment can reduce vehicle miles traveled, help support retail and commercial uses in the area, and spur economic development efforts. The County Council finds that this proposal agrees with the recommendations of Master Plan 2020.

WHEREAS, with approval of a PUD, property classified as a manufacturing zone may be developed for residential purposes up to a maximum residential density of 40 density units per acre. Using this calculation, the property would support a density of 654± density units. Applicant proposes 288± density units. The proposed project will not exceed the maximum density permitted.

WHEREAS, Applicant proposes a capital improvement benefit of \$40,000 to New Town High School for the construction of a football stadium. In addition to this amount, Applicant will pay an open space waiver fee of \$40,000, which will also be contributed to New Town High School, for a total contribution of \$80,000, for construction of the football stadium. The County Council approves the contribution as an acceptable capital improvement benefit pursuant to Section 32-4-242(b)(6)(iii) of the Baltimore County Code; 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 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 Council Member, which have been posted on the County's internet website; 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;

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, the County Council finds that the proposed site for the PUD is eligible for County review in accordance with Section 32-4-241, et seq. of the County Code and has given public notice of this Resolution as required by law; 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 the County Council finds, as set forth herein, that the proposed PUD will provide an acceptable community benefit pursuant to Section 32-4-242(b)(6)(iii) 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.