

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2014, Legislative Day No. 11

Resolution No. 52-14

Mr. John Olszewski, Sr., Councilman

By the County Council, June 2, 2014

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 Council member in whose district the development is proposed to be located; and

WHEREAS, the site is the location of the former North Point Government Center for which the County issued a Request for Proposals in 2013 and selected Vanguard Commercial Development, Inc.'s bid after carefully considering all of the bids which were received; and

WHEREAS, the County felt that the greatest opportunity for community input on the development would be afforded by the PUD process so it expressly provided that the development would be processed as a PUD in the Request for Proposals; and

WHEREAS, *Vanguard Commercial Development, Inc.* has submitted an application for continued review of a 27.43 acre ± site within the Urban Rural Demarcation Line zoned D.R. 10.5 and with a street address of 7701 Wise Avenue in the

Seventh Councilmanic District to be developed as a general development planned unit development known as Merritt Pavilion; and

WHEREAS, the PUD proposes the development of a retail center, a commercial recreational and arts facility, an amphitheater and outdoor ball fields; and

WHEREAS, the Merritt Pavilion PUD is to be a family friendly destination with high quality uses, site design, and architecture to complement an improved public recreational and arts facility and outdoor ball fields;

WHEREAS, the County Council finds that the uses permitted should be amended or modified to allow all nonresidential uses by right, except liquor stores, pawn shops, tattoo or body piercing establishments, massage establishments, adult entertainment businesses, hookah or vapor lounges, bail bondsman businesses, check cashing businesses, stand alone cigarette sales, trucking facilities, or service garages, which shall be prohibited uses, in accordance with Section 32-4-242 of the County Code; and

WHEREAS, the County Council approves the community benefit proposed by the PUD of a land use benefit, a capital improvement benefit, and public policy benefit. The land use benefit is comprised of the demolition of the existing commercial recreational and arts facility building and construction of a ~~state-of-the-art~~ commercial recreational and arts facility building at a cost of ~~approximately~~ a minimum of \$2.2 million along with the construction of an amphitheater and the renovation of certain ball fields on the site. The capital improvement benefit will consist of the renovation of ball fields and sports courts at Grange Elementary School and a monetary contribution of a minimum of twenty-five (25%) of the total cost, and sufficient when combined with other funding identified by the County, to fully fund all work required to construct a full-sized synthetic

turf multi-purpose field and lights on County-owned property in the same recreation council district. The public policy benefit results from the promotion of economic development opportunities by locating the PUD in the North Point Commercial Revitalization District; 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 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 has 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 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; 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 *Vanguard Commercial Development, Inc.* is eligible for County review in accordance with Section 32-4-241, et seq. of the County Code; and be it further

RESOLVED, that due to the land use benefit, capital improvement benefit and public policy benefit that stem from the PUD, the County Council approves a modification of the uses for the proposed PUD to permit nonresidential uses; and be it further

RESOLVED, that nonresidential uses are permitted by right in accordance with Section 32-4-242 of the County Code, but no liquor stores, pawn shops, tattoo or body piercing establishments, massage establishments, adult entertainment businesses, hookah or vapor lounges, bail bondsman businesses, check cashing businesses, stand alone cigarette sales, trucking facilities, or service garages, shall be permitted; 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.