

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2014, Legislative Day No. 19

Resolution No. 114-14

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Mr. David Marks, Councilman

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By the County Council, November 17, 2014

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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 Warehime Property, aka McDaniel Orchards, which is located east of Honeygo Boulevard and south of East Joppa Road in between Gough Park and the Honeygo Village Center; and

WHEREAS, *Joppa-Chapel Investments, LLC* has submitted an application for continued review of a 7.26 acre ± site within the Urban Rural Demarcation Line zoned D.R. 3.5H and with a street address of 5021 Joppa Road in the Fifth Councilmanic District to be developed as a general development planned unit development known as McDaniel Orchards; and

WHEREAS, the PUD proposes the development of a townhome community that will connect Gough Park and the Honeygo Village Center and give rise to a village concept; and

WHEREAS, the County Council finds that the density and uses permitted should be amended or modified to allow 65 single-family attached dwellings in accordance with Section 32-4-242 of the County Code; and

WHEREAS, the County Council finds that the proposed PUD will provide community benefits described herein below which the Council approves as acceptable pursuant to Section 32-4-242(b)(6)(iii) of the Baltimore County Code; and

WHEREAS, Applicant has conducted a post-submission community meeting on September 8, 2014 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, all of 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 *Joppa-Chapel Investments, LLC* 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 that the proposed PUD will provide community benefits in accordance with Sections 32-4-242(b)(6)(ii) & (iii) as it will provide a land use benefit and a capital improvement benefit of \$20,000 to be used for improvements as follows:

1. Construction of a sidewalk from the entrance to the Soukup Arena west to Ryans Way, with the approval of the Departments of Public Works and Recreation and Parks in such a manner that it is consistent with future road widening and improvement efforts, IF SUCH A SIDEWALK HAS NO BEEN CONSTRUCTED.
2. Fund ~~and erect~~ a sign TO BE ERECTED, under the supervision of the Department of Public Works OR OTHER COUNTY AGENCY, to the bottom of the Honeygo Boulevard bridge at Honeygo Park. This sign will be at least ten feet in length and say, in styling similar to the Honeygo Run image on nearby parks, "Welcome to the Villages of Honeygo in Perry Hall." The sign design will be reviewed by the County Council office in which the project is located, as well as the Department of Permits, Approvals and Inspections; and
3. The balance of the community benefit funds shall be allotted to Angel Park; and

BE IT FURTHER RESOLVED, that as an additional community benefit, any local open space waiver funding from the PUD shall be directed to the following projects:

1. To adequately screen area residences of Sunni Shade Court and Raxis Avenue from Gough Park, and to properly fence Gough Park along Raxis Avenue, the local open space waiver funds shall be allocated for the installation of:
  - a. A row of scotch pines ~~and fencing~~, SPACED NO MORE THAN 12 FEET APART, between 9033 - 9041 Sunni Shade Court and Gough Park; and
  - b. Two rows of scotch pines ~~and fencing~~ between 9096 - 9100 Raxis Avenue and Gough Park; ~~and~~ SPACED NO MORE THAN 12 FEET APART;
  - c. ~~Fencing along the Gough Park frontage of Raxis Avenue.~~

C. A ROW OF SCOTCH PINES, SPACED NO MORE THAN 12 FEET APART, ALONG THE GOUGH PARK FRONTAGE IN THE VICINITY OF 9119 - 9129 REXIS AVENUE; AND

D. A DOUBLE ROW OF THUJA GREEN GIANT ARBORVITAE TREES, SPACED NO MORE THAN 12 FEET APART, ALONG THE BOUNDARY WITH GOUGH PARK, THE PROPOSED ALLEY, AND 9136 REXIS AVENUE.

IN ADDITION, A CAPITAL IMPROVEMENT BENEFIT OF \$5,000, IN ACCORDANCE WITH SECTION 32-4-242(B)(6)(III), SHALL BE PROVIDED TO THE WHITE MARSH VOLUNTEER FIRE COMPANY.

2. The balance of the local open space waiver funds generated by this development shall be allocated to Angel Park; and

BE IT FURTHER RESOLVED, that the eastern perimeter of the project, and the southern boundary from the southwest corner to the existing tree stand, be planted with fast-growing Thuja Green Giant Arborvitae trees at a spacing of between 5-7 feet apart to create a privacy barrier. There shall be no entrance from the development onto Rexis Avenue, and the Applicant shall construct a ~~cul-de-sac~~ TRAFFIC ISLAND and any necessary infrastructure to ~~close~~ SLOW TRAFFIC ON Rexis Avenue ~~east~~ SOUTH of the forest stand outlined in the development plan, after coordination with the Department of Public Works.

AS OUTLINED ON THE DEVELOPMENT PLAN, THE DEVELOPER HAS PROPOSED DOUBLE ROWS OF TREES STRETCHING ALONG EAST JOPPA ROAD TO COWENTON AVENUE. THIS CONCEPT SHALL BE INCORPORATED INTO THE FINAL DEVELOPMENT PLAN, WITH THE GOAL OF SHIELDING AND BEAUTIFYING THE PROPERTY TO THE WEST OF THE TRAFFIC CIRCLE; and

BE IT FURTHER RESOLVED, that due to the land use benefit and capital improvement benefit that stems from the PUD, the County Council approves a modification of the density and uses permitted for the proposed PUD to permit ~~65~~ NO MORE THAN 59 single-family attached dwellings; 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.