

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2015, Legislative Day No. 12

Resolution No. 57-15

Mr. Julian E. Jones, Jr., Councilman

By the County Council, July 6, 2015

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 Beazer Homes Corp. has submitted an application for review and approval of an 18± acre portion of the Quarry Place property, located at the intersection of Franklin Boulevard and Nicodemus Road in the 4th Councilmanic District, to be developed as a general development planned unit development (PUD); and

WHEREAS, the property is currently zoned OR-2 (Office Building – Residential) and BM (Business, Major), and it is located within the Urban Rural Demarcation Line (URDL). Applicant proposes to revise a prior approved development proposal for the property to remove the 136,500 square foot office component and, in its place, construct a 70,000 square foot retail/commercial “village center.” This proposal, however, is not consistent with the underlying zoning lines. In particular, the property’s zoning classification of OR-2, a residential/ office zone, would not permit the proposed commercial retail development without utilization of the

PUD process under Section 430 of the Baltimore County Zoning Regulations and Section 32-4-241, et seq. 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 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 will achieve a compatible and efficient use of land; and

WHEREAS, the Council finds the proposed use of the property as described in the application to be appropriate and hereby modifies the uses permitted by the underlying zoning classifications of OR-2 (Office Building – Residential) and BM (Business, Major) to allow the entire 18± acre PUD area to be used for retail/commercial purposes consistent with the regulations pertaining to the BM zone regardless of the underlying zoning; and

WHEREAS, having reviewed the *Baltimore County Master Plan 2020*, the Council finds that the proposed development is consistent with the property's designation of the property as "T4 - General Urban" and with the goals and objectives of the *Master Plan 2020*; and

WHEREAS, the County approves, as an appropriate capital improvement benefit under Section 32-4-242(b)(6)(iii), \$35,000 for improvements to support recreational activities and site amenities at Kiwanis Park. Kiwanis Park is located within the 118+ acre Quarry Place property and is to be conveyed to Baltimore County Department of Recreation and Parks for use as a public park. The types of improvements being considered include a place name/welcome sign for "Kiwanis Park," benches, bleachers, soccer goals, sporting equipment, and/or a storage shed; 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.