

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2016, Legislative Day No. 12

Resolution No. 80-16

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Mr. David Marks, Councilman

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By the County Council, July 5, 2016

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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, Village Development Group (Applicant) has submitted an application for review and approval of a 110± acre site located on the south side of White Marsh Boulevard, west of Perry Hall Boulevard, in the White Marsh area in the 5<sup>th</sup> Councilmanic District, to be developed as a general development planned unit development (PUD); and

WHEREAS, the PUD site is an accumulation of properties zoned RAE-1, DR 10.5, and DR 5.5. Many of the parcels are improved with single-family dwellings, accessory structures, or, in one instance, a church building. The PUD site is located entirely within the Urban Rural Demarcation Line (URDL); and

WHEREAS, Applicant proposes to develop the site with a master-planned residential community, to be known as The Villages of White Marsh, featuring single-family detached dwellings, single-family attached (townhome) dwellings and condominium/apartment units with

the possibility of a portion of the site being used for senior housing (assisted living beds or independent living units for residents 60 years of age or older), all within walking distance of shopping, employment, and onsite recreational and open space opportunities, and with strong streetscaping provided along major roads within the development. The existing church will be relocated to a new facility on the south side of Bucks Schoolhouse Road; and

WHEREAS, Applicant proposes to develop the site with a maximum of 844 residential units. This number of units does not exceed the total number of dwelling and/or density units permitted by the property's current underlying zoning classifications, which would permit over 1300 units; and

WHEREAS, to allow a maximum permitted density of 844 dwelling units (with each of the 844 residential units being considered a dwelling unit, regardless of the number of bedrooms, with the exception of any assisted living beds, which shall be calculated at 0.25 residential living unit per bed.); and

WHEREAS, the Baltimore County Council believes that a Planned Unit Development that reduces density by nearly 40 percent, and guides growth in a coherent manner, is preferable to the existing zoning which would allow for the construction of over 1,300 units; and

WHEREAS, the South Perry Hall-White Marsh Area Plan, which was adopted by the Baltimore County Council on May 7, 2001, notes a major deficiency of open space and parkland in this area of northeastern Baltimore County, a problem that will be addressed. The Plan notes that there are no local parks or primary recreation facilities within the boundaries of the South Perry Hall-White Marsh Planning Area. The Department of Recreation and Parks' community supervisors for Overlea-Fullerton were consulted regarding the need for parks and recreation facilities in the area. The community supervisors stated that the most needed facilities are

additional 60'-75' ball diamonds to meet the demand for youth baseball and softball, and additional athletic fields to meet the demand for field sports, particularly soccer. Other parks and recreation facilities that the community supervisors feel would be of benefit to the community include an indoor soccer arena, walking trails, and additional neighborhood and community parks with passive amenities such as gazebos, picnic facilities, and small concert stages. For this reason, the resolution emphasizes the importance of preserving large green corridors throughout the development area; ~~and~~ and extending the Northeast Trail to White Marsh Boulevard; and

WHEREAS, Applicant originally proposed a trail system extending into the designated Recreational Greenway and along White Marsh Run. The Department of Environmental Protection and Sustainability expressed some concern about having trails within the stream buffer areas. Instead of those trails, Applicant now proposes to provide a bicycle/pedestrian pathway (which will become a portion of the Northeast Trail) within a proposed park area to be offered for dedication to Baltimore County. This pathway will extend through the property in a north-south direction; and

WHEREAS, the current capital budget allocates funding for development of a new elementary school to support this area. Parkville Middle and Overlea High School are below the county's threshold for overcrowding as defined by the Adequate Facilities Ordinance; and

WHEREAS, as a capital improvement benefit under BCC Section 32-4-242(b)(6)(iii), Applicant offers to dedicate  $\approx 20$  acres to Baltimore County within the Villages of White Marsh development for an ~~athletic field~~ public use and a park to be identified as White Marsh Park, which will connect to and include the area of designated Recreational Greenway on the property; to construct a bicycle/pedestrian pathway within that park ~~from the northern end of the development to Bucks Schoolhouse Road, which would be available for future connection to the~~

~~County's proposed trail system; to construct part of the Northeast Trail, as identified in Resolution 17-11, along the section of Perry Hall Boulevard bordering or including the development, as well as the publicly owned part of Perry Hall Boulevard from Honeygo Boulevard to Silver Spring Road, to be constructed in consultation with the Department of Public Works and within one year of the approval of the project by the Administrative Law Judge from just south of White Marsh Boulevard to the existing trail terminus on Perry Hall Boulevard, as shown on the attached drawing. This pathway will become a portion of the Northeast Trail. Signage (similar to that located at Perry Hall High School) will be placed at either end of the trail section; to prohibit access to White Marsh Road except for emergency access regulated by Baltimore County government; and to contribute up to \$100,000 towards the installation of a traffic signal at Perry Hall Boulevard and Bucks Schoolhouse Road; and~~

~~WHEREAS, applicant agrees to comply with the residential performance standards identified in the South Perry Hall White Marsh Area Plan; and~~

WHEREAS, Applicant has conducted a post-submission community meeting in compliance with BCC Section 32-4-242(c); 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; and

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, pursuant to BCC Section 32-4-242(d)(2), the Council finds the requested modification of uses and densities to allow the 844 residential units as described herein to be appropriate and, hereby, grants the modification; and

WHEREAS, the Council finds this proposal to be consistent with the site's classification as T-4 (General Urban Zone) and the visions and goals of the *Master Plan 2020*. To the extent the South Perry Hall-White Marsh Area Plan varies from Master Plan 2020, the visions and goals of Master Plan 2020 shall govern; and

WHEREAS, the Council approves Applicant's offer to dedicate  $\approx 20$  acres to Baltimore County within the Villages of White Marsh development for an athletic field and a park; to construct a pedestrian pathway within that park ~~from the northern end of the development to Bucks Schoolhouse Road, which would be available for future connection to the County's proposed trail system;~~ to construct part of the Northeast Trail, as identified in Resolution 17-11, ~~along the section of Perry Hall Boulevard bordering or including the development, as well as the publicly owned part of Perry Hall Boulevard from Honeygo Boulevard to Silver Spring Road, to be constructed in consultation with the Department of Public Works and within one year of the approval of the project by the Administrative Law Judge~~ from just south of White Marsh Boulevard to the existing trail terminus on Perry Hall Boulevard, as shown on the attached drawing. This pathway will become a portion of the Northeast Trail. Signage (similar to that

located at Perry Hall High School) will be placed at either end of the trail section; to prohibit access to White Marsh Road except for emergency access regulated by Baltimore County government; and to contribute up to \$100,000 towards the installation of a traffic signal at Perry Hall Boulevard and Bucks Schoolhouse Road, to be an appropriate capital improvement benefit under BCC Section 32-4-242(b)(6)(iii). The ~~8 20± acres to be dedicated to the County shall be counted towards~~ offered for dedication to the County shall satisfy the Applicant's local open space requirement under BCC Section 32-6-108; and

WHEREAS, Applicant has posted the subject property at least 10 business days prior to the final vote on the resolution in accordance with BCC Section 32-4-242(d)(1); and

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 BCC Section 32-4-241; 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.