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HAND-DELIVERED

April 27, 2022

The Honorable David Marks
The Baltimore County Council
400 Washington Avenue, Second Floor
Towson, Maryland 21204

RE: Application for Planned Unit Development
The Residence at Southland Hills
400 Georgia Court, Tax Map 70, Parcel 763
5th Councilmanic District, 9th Election District

Dear Councilman Marks:

In compliance with Section 32-4-242 of the Baltimore County Code (“BCC”), LCB Berkshire Senior Living Holdings III, LLC (“Applicant”), contract purchaser, submits this application for a General Development Planned Unit Development (“PUD”) for a 4.5± acre property located at 400 Georgia Court in the Southland Hills area of Towson (“Property”). As explained below, through the use of the PUD process, Applicant seeks to develop the Property with an assisted living and memory care facility. After reviewing the enclosed information, we hope that you will support Applicant’s proposal for *The Residence at Southland Hills* and allow it to proceed through the PUD process.

I. BACKGROUND OF THE PROPERTY:

The Property is zoned DR 5.5 (Density, Residential – 5.5 dwelling units per acre) and is located entirely within the Urban-Rural Demarcation Line. This rectangular-shaped lot is bounded on three sides by public roads: Dixie Drive to the west, Georgia Court to the south, and Florida Road to the east. Lots improved with single-family homes abut the Property along its northern boundary.

The Property is currently improved with a 73,000± square foot building with a footprint of 29,000± square feet that was used for decades as a convalescent care facility/continuing care

The Honorable David Marks
April 27, 2022
Page 2

facility.¹ The building consists of a 3-story square center structure, known as the “Bosley Mansion,” and several large additions, varying from 2-3 stories, constructed between 1946-1999. Records indicate that the convalescent care facility/continuing care facility was established in 1929 and later authorized by special exception. According to a zoning approval granted in 2005 to expand the use, the facility was permitted to have as many as 100 beds.² The facility ceased operations in 2016 when the owner/operator announced plans to invest in a larger, newer facility in Harford County.

The existing building fronts on Georgia Court and is accessed by way of an arch-shaped driveway with entrances at the southwest and southeast corners of the lot. There is parking located on the driveway, and additional parking is provided in lots located on both the northeast and northwest sides of the Property. The unimproved areas of the Property consist of maintained lawn and landscaping. There are no forests, naturally vegetated areas, or environmentally sensitive areas on site.

II. DESCRIPTION OF PUD PROPOSAL:

Applicant is proposing to redevelop the Property with a new state-of-the-art assisted living and memory care facility with a total of 107 beds. Given the age and condition of the existing building, Applicant proposes to demolish the majority of the structure with the exception of the 3-story center section, the façade of which will be incorporated into the design of the new structure. The new building is proposed to be a 3-story, 89,000± square foot facility with a footprint of 31,000± square feet. The 107 beds would be a combination of memory care beds (20 beds) and assisted living beds (87 beds). Applicant proposes a mix of studio, one bedroom and two bedroom units.³

The *Residence at Southland Hills* will offer a variety of amenities and services to its assisted living residents, including dining and activity areas, fitness/physical therapy space, library, bistro, theater, sunroom, and salon. Memory care residents will enjoy dining and activity areas, living room, lounge, and sunroom. Outdoor amenities will also be offered for the residents. Memory care residents will have a secure designated courtyard and garden; assisted living

¹ The term “convalescent care facility” was replaced with the term “continuing care facility,” which was defined to include assisted living and nursing care for persons 60 years of age or older. See former Section 101 of the Baltimore County Zoning Regulations.

² The 1988 zoning case authorized the facility to have as many as 127 beds, but the State of Maryland limited that number to 100 beds. For the full zoning history, see Case Nos. 1955-3624-X, 1988-004-SPH, and 2005-222-SHP.

³ The total number of units is 93. Each of the two-bedroom units could accommodate 2 beds.

The Honorable David Marks
April 27, 2022
Page 3

residents will have access to an outdoor patio with a fire pit, walking paths, sitting areas, and the substantial green space onsite.

The Property has two notable features: Bosley Mansion and the significant area of green space located in front of the existing structure. As reflected on its Conceptual Plan Illustrative, Applicant's proposed layout maintains a majority of this green space. The façade of the Bosley Mansion will be maintained in order to highlight the historic charm of the Southland Hills neighborhood. As indicated above, exterior amenities and features will include a patio with a fire pit overlooking the lawn, walking paths, and sitting areas with landscape plantings. Discreet site lighting and a sustainable stormwater design further enhance the layout.

Both in Baltimore County and throughout the State of Maryland, the percentage of older adults, as a share of the total population, is increasing at a rapid rate. According to the Maryland Department of Aging, by 2040, approximately 27.6% of residents in Baltimore County will be over the age of 60. See Maryland Department of Aging, *2022-2025 State Plan on Aging*. Further, Baltimore County has and is projected to have the third largest population of older adults in Maryland, behind only Montgomery County and Baltimore City. With this aging population comes a demand for quality senior housing and senior care options that is currently unmet in the County, and the proposed facility will help satisfy some of that demand. Based on Applicant's research, the Towson area, in particular, is underserved.⁴

In the early stages of this project, Applicant met with adjacent property owners and area community associations, including the Board of Directors of Southland Hills Neighborhood Association, to introduce itself and to get feedback on the proposed project. Applicant has

⁴ A major factor in determining an appropriate market area and draw, as well as where to concentrate marketing efforts, is the density/concentration of adult children of seniors, who are often responsible for the decision making in the later years of their parent's lives. This demographic – "Qualified Caregivers" – is defined as households aged 45-64 with incomes of \$100,000 or greater. Typically, 5,000 households within the Primary Market Area ("PMA") are viewed as the threshold. Towson's PMA has a total of 11,117 Qualified Caregiver households, more than twice the threshold. "Qualified Seniors" are defined as households aged 75 or greater with incomes of \$35,000 or greater. Typically, 1,500 households within the PMA are viewed as the threshold. Towson's PMA totals 5,759 qualified senior households and is projected to increase 5.3% to 6,065 over the next five years, which is four times the threshold. Market penetration refers to the percentage of age/income qualified households that must be captured in order for all competitive units to be filled from within the market. An income level of \$35,000+ for assisted living and \$50,000+ for memory care is utilized. Typically, a 30% market penetration is viewed as the threshold. Current assisted living and memory care penetration rates among Qualified Seniors in the area are well under that threshold – 5.5% for assisted living and 3.7% for memory care. With the development of the project, these rates are projected to increase slightly to 6.7% and 4.1%. The penetration rates provided include existing facilities in addition to *The Residence at Southland Hills* project. These figures demonstrate the significant need for senior care options in the area.

The Honorable David Marks
April 27, 2022
Page 4

continued this outreach, meeting as recently as April 19, 2022. The overwhelming sentiment expressed has been in favor of both the use and design. The neighborhood's priorities as described to Applicant were: (1) maintaining as much of the front lawn/green space as feasible; and (2) incorporating the façade of the Bosley Mansion into the design.

Applicant's layout accomplishes these two objectives. As reflected on the Conceptual Plan Illustrative, the existing "front lawn" or area of green space has been largely maintained, although the functional front of the building will be oriented away from Georgia Court. The lawn will be utilized as open space for the senior residents and will be improved with walking paths, benches, bird feeders and bird houses, and landscape beds. This layout also significantly increases building setbacks to the northern property line. Further, although it was not originally intending to retain the existing structure, Applicant has agreed to retain and reuse the 3-story square center portion of the Bosley Mansion and to incorporate this structure into the façade of the new facility.

III. COMPLIANCE WITH MASTER PLAN 2020:

Given the prior development and long-standing use of the Property, which pre-dated both Baltimore County's zoning regulations and the master planning process, Applicant expects that this project will fit seamlessly into the neighborhood and will be considered to be in compliance with Baltimore County's *Master Plan 2020*.

According to *Master Plan 2020*, the Property is identified on the Proposed Land Use Map as being within the T-4 (General Urban) Transect, which is "characterized by mixed-use, but is primarily residential urban fabric." *Master Plan 2020*, p. 29. The Property is located within the designated "Community Conservation Area" as reflected on the Land Management Area Map. *Master Plan 2020*, p. 40. As described in the *Master Plan 2020*, the Community Conservation Area encompasses "the County's more densely populated, established communities" and "[n]early 75% of the County's population lives in these areas." Community Conservation Areas were established to "conserve, revitalize and enhance our older communities." *Master Plan 2020*, p. 39.

The *Master Plan 2020* recognized the changing demographics of the population and the need for the County to "develop innovative strategies to promote compatible infill, revitalization, and sustainable design and construction of residential and non-residential structures" and to provide "diverse housing choices" and "a larger variety of services" for residents, particularly the County's growing senior population. *Master Plan 2020*, p. 21.

The Honorable David Marks
April 27, 2022
Page 5

The Property is also within the boundary of the *Towson Community Plan*, which similarly identifies the Property as being within the Community Conservation Area and, in particular, within the “Inner Neighborhood,” given its proximity to the County government and courthouse buildings. As explained in that plan, certain businesses would likely find Inner Neighborhood properties desirable due to their proximity to the core of Towson. The *Towson Community Plan* recommends that measures be taken to protect existing neighborhoods from commercial encroachment associated with the Towson core, while encouraging appropriate development/redevelopment and investment in older areas with community involvement. For infill development, the plan recommends that green space be preserved to the extent possible.

As described in more detail in Section IV.D below, the neighborhood contains a wide variety of uses, including all types of residential units, institutional uses, and offices/office buildings. Two continuing care facilities are also located within the neighborhood. The proposed assisted living facility will contribute to the mixed-use nature of the neighborhood similar to the prior Presbyterian Home of Maryland and is consistent with both the transect designation and the land use designation contained in the *Master Plan 2020*. With Applicant’s outreach to the community and its resulting commitment to eliminate existing paving and to retain the green space facing Georgia Court, the proposal is also consistent with the *Towson Community Plan*.

IV. REQUIREMENTS FOR PUD APPLICATION:

BCC Section 32-4-242(b) specifically requires an applicant to describe the projected impacts of the PUD on the surrounding area, to define the proposed community benefit, and to demonstrate how the project will meet the compatibility objectives outlined in BCC Section 32-4-402. The following information will address those requirements.

A. PROJECTED IMPACTS OF DEVELOPMENT:

Water/Sewer: The PUD Area is located inside Baltimore County’s Urban-Rural Demarcation Line, indicating that the property is served by public water and public sewer. Based on Baltimore County’s current 2021 (and draft 2022) Basic Services Maps for Water Supply and Sewer, the site is not located within a water or sewer deficient location or an area of concern. Applicant proposes to connect to the existing 12-inch water line in Georgia Court and the 8-inch sewer main within Dixie Drive, both of which have adequate capacity to accommodate this project without negatively impacting service in the area.

The Honorable David Marks
April 27, 2022
Page 6

Transportation/Roads: As indicated by the County's current 2021 (and draft 2022) Basic Services Maps for Transportation, the site is not located within a deficient traffic shed ("E" or "F" Traffic Shed). The proposed facility will utilize the existing road network. No new roads are proposed. Vehicular access is proposed from Dixie Drive, which is one-way in the northbound direction, and from Florida Road, which is unrestricted. With the proposed layout, no vehicular access will be taken from Georgia Court. During Applicant's meetings with members of the community, requests were made that, to the extent possible, Applicant limit the improvements to these local roads to retain the character of the neighborhood. Applicant does propose to replace or upgrade sidewalks on Dixie Drive, Florida Road, and Georgia Court. The facility will not have an adverse impact on surrounding roadways, particularly in light of the use being similar to what was previously in place.

Environmental: There are no regulated streams, wetlands, floodplains, buffers, forests, naturally vegetated areas, or environmentally sensitive areas on or near the site. Several trees exist onsite that are considered specimen trees under the Forest Conservation Act and that would likely be impacted by development of the Property. These trees have been evaluated by a licensed tree expert, who has determined that most of the trees are in fair, poor, or extremely poor condition. Even if not impacted by the development, some of the trees in poor or extremely poor condition may be recommended to be moved due to their condition. The site, including the 1.9± acres of impervious surface, has never had any stormwater management measures to mitigate runoff from the site. Should this project go forward, Applicant's stormwater design would address both quality and quantity treatment requirements. These requirements would likely be satisfied through a combination of water quality micro-bioretenion features and either a surface or a below-grade extended detention facility.

Schools: The proposed PUD development will not have any impact on area schools as no students will reside within the building.

Police and Fire Resources: The Property is served by the Baltimore County Police Precinct 6-Towson and the Baltimore County Fire Station 1-Towson. The revised development scheme will not impact the County's ability to provide police and fire services. The proposed buildings will meet all County and State Building and Fire Code Regulations.

The Honorable David Marks
April 27, 2022
Page 7

B. DEVELOPMENT PROPOSAL:

Because there is an approved CRG Plan and associated special exception for the Property, that plan and approved use should serve as the “contrast plan” for comparison purposes. The following comparison/tabulation is provided as required by BCZR Section 32-4-242(b)(3):

Existing:

Existing Tract:	4.5± Acres
Existing Zoning:	DR 5.5
Permitted Use:	Convalescent Home – 100 beds (by special exception)*
Permitted Density:	25 dwelling units (.25 dwelling units per bed)*
Permitted Floor Area Ratio (FAR):	Not applicable
Required Parking:	34 parking spaces (1 space per 3 beds)
Existing Parking:	56 parking spaces

* Use and density permitted by special exception granted in Case No. 1955-3624-X as amended by Case Nos. 1988-004-SPH and 2005-222-SHP.

Proposed:

Proposed PUD Area:	4.5± Acres
Existing Zoning:	DR 5.5
Proposed Use:	Assisted living and memory care facility – 107 beds*
Proposed Density:	26.75 dwelling units (.25 dwelling units per bed)*
Proposed Floor Area Ratio (FAR):	Not applicable
Required Parking:	36 parking spaces (1 space per 3 beds)
Proposed Parking:	56 parking spaces

* Applicant will request a modification for the proposed PUD to permit the intended use and density under the property’s existing zoning classification. Modifications of bulk and area requirements may be requested in the Concept Plan and Development Plan submittals.

The Honorable David Marks
April 27, 2022
Page 8

C. COMMUNITY BENEFIT:

BCC Section 32-4-242(b)(6) requires that an applicant state how the planned unit development will provide a community benefit. Pursuant to BCC Section 32-4-242(b)(6)(i), Applicant proposes an environmental benefit by proposing to achieve at least a silver rating according to the National Green Building Standards (NGBS). Additionally, as encouraged by members of the community, Applicant proposes to: (1) retain and reuse the 3-story square center structure, known as the “Bosley Mansion,” and to incorporate this structure into the façade of the new facility; and (2) maintain, to the extent possible, the lawn area facing Georgia Court to provide a visual buffer for the adjacent neighbors.

D. COMPATIBILITY ANALYSIS:

Pursuant to BCC Section 32-4-242(b)(5), an application for a Planned Unit Development must include a statement of how the development will comply with the compatibility objectives of BCC Section 32-4-402. In addressing the compatibility objectives, the proposed development must be judged in relation to the “neighborhood.” Section 32-4-402(a) defines “neighborhood” to include existing buildings adjacent to and extending from the proposed development to a definable boundary, such as a primary collector or arterial street, an area with a significant change in character or land use, or a major natural feature.

Using this definition, the neighborhood would be defined as extending from Joppa Road to the north, Bosley Avenue to the east, Towson Boulevard to the south, and Charles Street to the west. This neighborhood contains a wide variety of uses, including residential (single-family detached units, single-family attached units, and multi-family units), senior care facilities (Pickersgill, Blakehurst, and ManorCare), miscellaneous institutional uses (The Orokawa Y in Towson, Towson Presbyterian Church, Mt. Moriah Masonic Lodge, and Loyola Blakefield), and offices and office buildings (Greenwood Administration Building, 305 Chesapeake Avenue, 611 Central Avenue, and Towson University’s General Service and Public Safety buildings).

Compatibility Objectives:

- 1. The arrangement and orientation of the proposed buildings and site improvements are patterned in a similar manner to those in the neighborhood.**

The eastern half of the neighborhood (Southland Hills) features buildings fronting on public streets, many of which are laid out in a traditional grid pattern. The western half of the neighborhood (west of Chestnut Avenue) features residential lots primarily on cul-de-sacs and

The Honorable David Marks
April 27, 2022
Page 9

institutional uses on large campuses. The proposed building has been designed to be consistent with the arrangement of area buildings within Southland Hills. The main entrance of the building will be oriented to face the northwest corner of the Property towards the access point to Florida Road. Although the functional entrance of the building is changing, the actual footprint and layout of the building is very similar to existing building and preserves the large open area and façade of the existing Bosley Mansion along Georgia Court.

- 2. The building and parking lot layouts reinforce existing building and streetscape patterns to assure that the placement of buildings and parking lots have no adverse impact on the neighborhood.**

The proposed community will modify the orientation of the existing facility to create a better overall layout of the Property and to provide access to existing roads. Presently, the site has four points of vehicular access, and parking is distributed throughout the site. The new layout will focus vehicular circulation and associated parking areas for staff and visitors on the north side of the Property with access from both Dixie Drive and Florida Road. This design is an improvement over existing conditions.

- 3. The proposed streets are connected with the existing neighborhood road network wherever possible and the proposed sidewalks are located to support the functional patterns of the neighborhood.**

The Residence at Southland Hills will utilize existing public roads, which adjoin the Property on three sides. Applicant proposes to reconfigure access and vehicular circulation and to take access from Dixie Drive and Florida Road with associated parking being provided on the northeast and northwest sides of the Property. The existing driveway and paving on the southern portion of the Property will be removed, improving the green space. Sidewalks will be provided along the proposed parking areas with connections to both Dixie Drive and Florida Road. The existing walk on the property along Georgia Court will remain. Sidewalks along the road frontages will be widened to meet applicable regulations.

- 4. The open spaces of the proposed development reinforce the open space patterns of the neighborhood in form and siting and complement existing open space systems.**

The proposed open space will focus on the use and enjoyment of *The Residence at Southland Hills*' residents. Applicant proposes to create a courtyard area for residents, staff, and visitors to sit, rest, and relax. Amenities will include an outdoor fireplace with seating area, a shade structure with seating, an outdoor grill and planters. There will also be a memory care courtyard

The Honorable David Marks
April 27, 2022
Page 10

with a walking path, shade structure with seating, a vertical garden, and planter areas. The relocation of access and parking as described above minimizes impacts to the southern portion of the property and allows for that portion of the Property, north of Georgia Court, to be maintained as open space for its senior residents and to provide a visual buffer for the adjacent neighbors.

5. Locally significant features of the site such as distinctive buildings or vistas are integrated into the site design.

The most significant feature of the Property is the Bosley Mansion. As indicated above, Applicant has committed to incorporating the center section of this structure into the façade of the new building. Additionally, the Property has a distinctive large “front lawn” (green space area) along Georgia Court and an existing stone wall within this area. Applicant’s design will retain and highlight these unique features.

6. The proposed landscape design complements the neighborhood’s landscape patterns and reinforces its functional qualities.

The proposed landscaping includes the addition of street trees along the abutting public roads and screening along the existing adjacent residential properties to the north. Shade and ornamental trees are proposed within the parking areas and drive isles. Any equipment will be appropriately screened. Low-level landscaping and flowering plants are proposed in several locations on the site to soften the impervious areas.

7. The exterior signs, site lighting, and accessory structures support a uniform architectural theme and present a harmonious visual relationship with the surrounding neighborhood.

Cues for the project’s design were taken from the architecture of the Bosley Mansion and the surrounding residential properties. Proposed site lighting, signs, and other exterior features will be designed to complement and/or support this overriding architectural design theme. Lighting for the parking lots will be “cut-off” fixtures, specifically designed to have minimal impacts on adjacent properties. Applicant proposes to have site identification signs at the vehicular entrances into the Property. These signs will complement the architectural theme of the building and be respectful of the neighborhood.

The Honorable David Marks
April 27, 2022
Page 11

8. The scale, proportions, massing, and detailing of the proposed buildings are in proportion to those existing in the neighborhood.

The buildings in the neighborhood range in scale from ranch-style homes to large institutional facilities and office buildings. Some of the buildings in the neighborhood are five and six stories in height. Applicant proposes to replace the existing structure (with the exception of the center section) with a new 3-story building centrally located within the context of the Property. As compared with the existing building, the project will provide more generous building setbacks to adjacent properties. To help further reduce the building's scale, the building will feature a mansard roof with a mix of gable and shed roof windows. This building style also provides architectural screening of rooftop equipment, minimizing the need for ground-mounted equipment. Applicant proposes a combination of brick and in addition to fiber cement siding that will complement the surrounding homes.

Once you have had an opportunity to review the application, conceptual site plan, and presentation booklet, we hope that you will support Applicant's request for a General Development PUD for *The Residence at Southland Hills*.

Very truly yours,



Patricia A. Malone

Enclosures: Statement of Financial Disclosure
Conceptual Plan Illustrative

cc: Lee Bloom
Thomas H. Bostwick (via email transmission)
Lloyd T. Moxley (via email transmission)

**Statement of Financial Disclosure for
The Residence at Southland Hills
400 Georgia Court**

In satisfaction of Section 32-4-242(b)(7) of the Baltimore County Code, the Applicant provides the following disclosure of all persons or entities with a financial interest in either the Property or the Planned Unit Development:

Property Owner:

Presbyterian Homes of Maryland

PUD Applicant:

LCB Berkshire Senior Living Holdings III, LLC

Any partner, member, director,
or any other person with ownership
interest in LCB Berkshire Senior
Living Holdings III, LLC:

LCB Senior Living Holdings III, LLC:

Michael Stoller

Tim DuRoss

Danielle Breton

Jonathan Kuhn

Karen Foley

Chris Spencer

Leo Jacques

Rob Schiller

Ted Doyle

Ed SanClemente

BRV II Senior, LLC:

(Pension Fund)

