

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2014, Legislative Day No. 17

Resolution No. 98-14

Mr. Todd Huff, Councilman

By the County Council, October 20, 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 located in the Hunt Valley/Timonium area of the County, west of W. Aylesbury Road, east of the Timonium Business Park light rail stop and just north of Business Park Drive; and

WHEREAS, *Fore Property Company* has submitted an application for continued review of a site which is 11.24 ± gross acres (10.5 ± net acres) within the Urban Rural Demarcation Line zoned M.L.-I.M. and with a street address of 15 Aylesbury Road in the Third Councilmanic District to be developed as a general development planned unit development known as 15 W. Aylesbury Road; and

WHEREAS, the PUD proposes the development of a mixed use community consisting of apartments, which are to be built in two phases, along with a restaurant with the option of adding additional retail and/or office uses; and

WHEREAS, the County Council finds that the density and uses permitted should be amended or modified to allow a total of 727 multi-family dwellings (328 in Phase I and 399 in Phase II) in accordance with Section 32-4-242 of the County Code; and

WHEREAS, although only one community benefit is required to be included, Applicant proposes an environmental benefit, a land use benefit and a capital improvement benefit. The environmental benefit results from the fact that the project will achieve at least a silver rating according to the U.S. Green Building Council's LEED Green Building Rating System or proposing residential structures that achieve at least a silver rating according to the ANSI (American National Standards Institute) NGBS (National Green Building Standard). The land use benefit will be provided by proposing a higher quality architectural design or use of higher quality building materials that enhance the development for its residents. The capital improvement benefit will be provided by a financial contribution of thirty-five thousand dollars (\$35,000.00) to the Lutherville Volunteer Fire Company ("VFC"), the VFC that serves the PUD. The County Council approves the community benefit as being an appropriate capital improvement benefit under Section 32-4-242(b)(6)(i), (ii) and (iii); and

WHEREAS, Applicant conducted a post-submission community meeting on October 1, 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 *Fore Property Company* is eligible for County review in accordance with Section 32-4-241, et seq. of the County Code; and be it further

RESOLVED, that, based upon the community benefit that stem from the PUD, the County Council approves a modification of the density and uses permitted for the proposed PUD from 40 density units/acre to 56 density units/acre to allow a total of 727 multi-family dwellings (328 in Phase I and 399 in Phase II); 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.