The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2(b) to permit 1,810 parking spaces in lieu of the required 2.913 spaces on the Developer's Mall parcel, thereby reducing the total required number of spaces within the shopping center from 7,011 to 5,908. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) (See attached sheet) Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. WHITE MARSH MALL ASSOCIATES, WHITE MARSH MALL INC. General Headquarters Building P. Douglas Dollenberg umia, Maryland 21044 Campbell Building on P. Fisher, Jr. 100 W. Pennsylvania Ave. 825-0545 Radon P. File V. Towson, Maryland 21204 Signature 300 Mercantile Bank & Trust Bldg. Hopkins Plaza Name, address and phone number of legal owner, contract purchaser or representative to be contacted limore, Maryland 21201 NOTTINGHAM VILLAGE, INC. Name 100 W. Pennsylvania Ave. Towson, Maryland 21204 825-0545 ORDERED By The Zoning Commissioner of Baltimore County, this 2nd 19_81, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____6th ___day of August ____, 19.81 , at 10:00 o'clock A.M.RESCHEDULED TO: September 17, 1981 at 10:30 A.M.

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2(b) to permit 1,810 narking spaces in lieu of the required 2.913 spaces on the Developer's Mall parcel, thereby reducing the total required number of spaces within the shopping center from 7,011 to 5,908.

of the Zoning tegulations of Baltimore County, to the Zoning Law of Baltimore County; for the following easons: (indicate hardship or practical difficulty) (See attached sheet)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law Fo. Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition Ground Lessee MARSH MALL, INC., General

Headquarters Building Columbia, Maryland 21044 City and State

Attorney for Petitioner: Campbell Building Morton P. Fisher, Jr. 100 W. Pennsylvania Ave. 825-0545 Chrono P. Fisher Towson, Maryland 21204 1305 Mercantile Bank & Trust Bldg. Two Hopkins Plaza

Name, address and phone number of legal owner, con-tract purchaser or representative to be contacted Baltimore, Maryland 21201 NOTTINGHAM VILLAGE, INC. 100 W. Pennsylvania Ave. Towson, Maryland 21204 825-0545 547-0500

ORDERED By The Zoning Commissioner of Baltimore County, this 204 of ______, 19 21, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the _____ day of August 10:00 o'clock

RESCHEDULED TO: September 17, 1981 at 10:30 A. M.

Nacton P. Fisher, Jr., Esquire 1300 Mercantile Bank & Trust Eldg.

Petitioner Mottirghee Villege, Inc.

Two Rooking Plans

Beltimers, Ma. 21201

Zoning Commissioner of Baltimore County,

cos Whitmen, Requards & Associates 2°15 St. Paul Street

Baltimore, Mi. 21218

WILLIAM E. HAMMOND

Chairman, Zoning Plans

Advisory Committee

Zoning Commissioner

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

111 W. Chesapeake Avenue

Petitioner's Attorney Norten P. Pisher, Jr., Bet. Reviewed by: full by Nicholas B. Commodari

Towson, Maryland 21204

County Office Building

Your Petition has been received and accepted for filing this

6. The requested variance to the parking requirements would be in strict harmony with the spirit and intent of the zoning regulations and would not adversely affect the health, safety, and general welfare of the community.

and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 21st day of December, 1981, that the herein Petition for Variance to permit 1,810 parking spaces in lieu of the required 2,913 spaces on the developer's mall parcel of White Marsh Mall, thereby reducing the total required number of spaces within the shopping center from 7,011 to 5,908, in accordance with Petitioner's Exhibit 1, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening required for approval by the Current Planning and Development Division.

outy Zoning Commessioner of

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond Date July 27, 1981 Zoning Commissioner Norman E. Gerber, Director FROM Office of Planning and Zoning Petition No. 82-34-A Item 223

Petition for Variance Northeast corner of Perry Hall and Honeygo Boulevards Petitioner -- Nottingham Village, Inc.

Fourteenth District

HEARING: Thursday, August 6, 1981 (10:00 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Office of Planning and Zoning

NEG: JGH: ab

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 23, 1981

Morton P. Fisher, Jr., Esquire 111 W. Chesapeake Ave. Towson, Maryland 21204 1300 Mercantile Bank & Trust Bldg. Two Hopkins Plaza Baltimore, Maryland 21201 Nicholas B. Commodari

FD: Item No. 223 Petitioner - Nottingham Village, Inc. Variance Petition

Dear Mr. Fisher:

Chairman

Bureau of

Bureau of

Industrial

Engineering

Department of

Traffic Engineering

State Poads Commiss:

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This hearing is required as a result of your clients' proposal to reduce the required number of parking spaces for the Whitemarsh Mall. Since certain parcels are owned by various department stores, which are providing the required parking for their proposed buildings, this variance only applies to the land owned by the developer. The end result will be that 5908 spaces will be provided in lieu of the required 7011 spaces for the entire site.

Particular attention should be afforded to the comments of the Department of Permits and Licenses.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

I few to by recognizers NICHOLAS B. COMMODARI, Chairman Zoning Plans Advisory Committee

NBC:bsc Enclosures

cc: Whitman, Requardt & Associates 2315 St. Paul Street Baltimore, Md. 21218

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E. DIRECTOR

July 7, 1981

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Item #223 (1980-1981) Property Owner: Nottingham Village, Inc. N/W 4540.77 from centerline of Perry Hall Blvd. and Beaconsfield Drive Acres: 28.1416 Distric 14th

Dear Mr. Hammond

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Baltimore County highway and utility improvements are not directly involved and are secured by Public Works Agreement 147604, executed in conjunction with the development of White Marsh Mall, see plats "Whitemarsh Mall, Sheets 1, 2 and 3 of 3", recorded E.H.K., Jr. 45, Folios 134, 135 and 136, respectively.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 223 (1980-1981).

RAM: EAM: FWR: SS

cc: Jack Wimbley Catherine Warfiell

M-NW, SE & SW Key Sheets 28-30 NE 26-30 Pos. Sheets NE 7 & A H Topo 82 Tax Map

appearing that by reason of the following finding of facts:

- 1. The herein petitioner requests a variance to permit 1,810 parking spaces in lieu of the required 2,913 spaces for the developer's mali parcel of White Marsh Mall, which would reduce the total number of required spaces within the shopping center from 7,011 to 5,908.
- 2. Testimony presented by and on behalf of the petitioner indicated:
 - a. Nationally recognized industry standards for regional shopping centers calculate the number of parking spaces needed using gross leasable square feet rather than total floor area, as required by the Baltimore County Zoning Regulations.
 - White Marsh Mall, zoned B.M.-C.T., is a key element in the concept of White Marsh as a town center with a detailed plan.
 - Denial of the variance would result in additional energy spent to pave large areas; additional impervious surfaces with accompanying runoff; additional maintenance and security; and unnecessary, unattractive, hard-surficed areas that few persons would use for parking because of their location outside of the ring road and their distance from the enclosed mall.
 - Office uses are proposed for areas adjacent to the shopping center; residential uses are presently being developed nearby.
 - e. It is anticipated that some of the nearby residents and office employees will walk to the enclosed mall.
 - f. Reciprocal easements and/or lease arrangements allow customers, employers, and employees to use any of the parking areaswithin the shopping center. Several major department stores have expansion parcels outside of the
- Sections 259. 2. D and 409. 2d and f of the Baltimore County Zoning Regulations, as well as Bill No. 210-80, address the intent of the district designation of a town center with a planned shopping center, modification of parking space requirements in town centers, and special parking standards consistent with a detailed plan.
- No protestants appeared at the hearing in opposition to the petition.
- As shown on the site plan prepared by Whitman, Requardt and Associates, dated May 8, 1981, Parcels A and F, located outside of the ring road of the shopping center, will not be needed for parking for users of the enclosed mall, would be conducive to misuse if paved for parking, and could be better used in the continuing development of White Marsh as a designated town center.

appearing that by reason of the following finding of facts:

1. The herein petitioner requests a variance to permit 1,810 parking spaces in lieu of the required 2,913 spaces for the developer's mail parcel of White Marsh Mall, which would reduce the total number of required spaces within the shopping center from 7,011 to 5,908.

- 2. Test. your presented by and on behalf of the petitioner indicated:
 - a. Nationally recognized industry standards for regional shopping centers calculate the number of parking spaces needed using gross leasable square feet rather than total floor area, as regaired by the Baltimore County Zoning Regulations.
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 - c. Denial of the variance would result in additional energy spent to pave large areas; additional impervious surfaces with accompanying runoff; additional maintenance and security; and unnecessary, unattractive, hard-surfered s sas that few persons would use for parking because of their location outside of the ring road and their distance from the enclosed mall.
 - d. Office uses are proposed for areas adjacent to the shopping center; residential uses are presently being developed nearby.
 - e. It is anticipated that some of the nearby residents and office employees will walk to the enclosed mall.
 - Reciproral easements and/or tease arrangements allow customers, employers, and employees to use any of the parking areas within the shopping center. Several major department stores have expansion parcels outside of the ring road.
- 3. Sections 25%. 2. D and 409. 2d and f of the Baltimore County Zoning Regulations, as well as Bill No. 210-80, address the intent of the district designation of a town center with a planned shopping center, modification of parking space requirements in town centers, and special parking standards consistent with a detailed plan.
- 4. No protestants appeared at the hearing in opposition to the petition.
- 5. As shown on the site plan prepared by Whitman, Requardt and Associates, dated May 8, 1981, Parcels A and F, located outside of the ring road of the shopping center, will not be reeded for parking for users of the enclosed mail, would be conducive to misuse if paved for parking, and could be better used in the contiming development of White Marsh as a designated town center.



Mr. William Hommond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Lear Mr. Hammond:

Comments on Item #223, Zoning Advisory Committee Meeting, June 2, 1981, are as follows:

Property Owner: Nottingham Village, Inc. Location: N/W 4540.77' from centerline of Perry Hall Blvd and Beaconsfield Drive Acres: 28,1416 District: 14th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

John L. Wimbley Planner III

Current Planning and Development

BALTIMORE COUNTY, MARYLAID

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner Date Juno 15, 1981 Office of Planning and Zoning

FROM Ian J. Forrest

SUBJECT Zoning Variance Items

The Baltimore County Depart ent of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

Item #204 - Michael B. and Mary Lynn Phillips

Item #205 - Randall M. Hall

Item #206 - John & Margaret Jansen

Item #211 - Crrille I. & Norma E. Wilson

Item #214 - John E. & Alice M. Parks

Item #215 - Fairgrounds Business Center Company

Item #216 - Janes W. & Barbara H. Houck, Jr.

Item #220 - Richard P. & Sally A. Rakowski Item #221 - Armond J. & Helen M. Gold

/Item #223 - Nottingham Village, Inc.

Item #224 - Reuben & Sara Rice

Item #225 - Peggy W. Downes

Item #228 - Geffery G. Auffarth, et al

Item #229 - Maxine R. Hopkins

Item #235 - Robert V. & Bessie M. Selty

Item #237 - Evelyn G. Snedegar

Item #238 - Earl S. & Charlene B. Oxley

Tan J. Forgest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/fth



Mr. William Hammond **Toning Commissioner** Office of Planning and Zoning Baltimore County Office Building

Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Nottingham Village, Inc.

Location: N/W 4540.77' from centerline of Perry Hall Blvd. & Beaconsfield Drive Zoning Agenda: Jun 2, 1981

Pursuant to your request, the referenced property has been surveyed by this

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall Association Standard No. 101 *Life Safety Code*, 1976 Edition prior to occupancy.
- (XX) 7. The Fire Prevention Bureau has no comments, at this time.

Special Inspection Division

Fire Prevention Bureau

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610 TED ZALESKI, JR.

June 5, 1981

County Office Building

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning

Zoning Advisory Committee Meeting, June 2, 1981

Nottingham Village, Inc N/W 4540.77' from centerline of Perry Hall Blvd & Beaconsfield Drive Existing Zoning: BM-CT Proposed Zoning: Variance to permit 1,810 parking spaces in lieu of the required 2,913 on the Developer's Mall parcel, thereby reducing the total required number of spaces within the shopping center from 7,011 to 5,908.

Acres: 28.1416

1Lth

District:

X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application. E. In wood frame construction an exterior wall erected within 6' 0 of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0 of lot line. A minimum 8" mesonry firewall is required if construction

P. Requested variance conflicts with the Baltimore County Building Code,

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set s of drawings indicating how the structure

Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the requirements of the requi

X I. Comments A revision in the required number of spaces will directly affect the required number of handicapped spaces by reducing from 81 spaces to 61 spaces. All spaces shall be located so as not to require the hardicapped to pass behind parked vehicles. Each space will require a conforming sign, it shall ve not less submitted to the office of Planning and Zoning and are not intended to and not more than be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #1225% grade. (Plans Review) at 111 West Chesapeake Ave.. Towson.

baltimore county department of traffic engineering TOWSON, MARYLAND 21204 (301) 494-3050

STEPHEN E. COLLINS DIRECTOR

August 26, 1981

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments regarding

irems number 218, 219, 220, 221, 222, 223, 224, 225, 227, and 228.

Traffic Engineering Associate II

MSF/jem

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: May 27, 1981

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C., Meeting of: June 2, 1931

RE: Item No: 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228 Property Owner: Location: Present Zc ing: Proposed Coning:

> District: No. Acres:

Dear Mr. Hammond

All of the above have no bearing on student population.

/ery truly youry, Nm. Nick Petrovich, Assistant Department of Planning

Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

EXCEEDS the maximum allowed by the Fire Department.

comply with all applicable requirements of the National Fire Protection

() 6. Site plans are approved, as drawn.

REVIEWER: Cast Graph Tell, 7-15-81 Approved:

POITION FOR VARIANCE

14th DISTRICT

Petition for Variance ZONING:

Northeast corner of Perry Hall and Honeygo Boulevards LOCATION:

DATE & TIME:

Room 106, County Office Building, 111 W. Chesapeake

Thursday, September 17, 1981 at 10:30 A.M.

PUBLIC HEARING: Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

> Petition for Variance to permit 1,810 parking spaces in lieu of the required 2,913 spaces on the Developer's Mall parcel, thereby reducing the total required number of spaces within the shopping center from 7,011 to 5,908

The Zoning Regulation to be excepted as follows:

Section 409.2(b) - Minimum required parking spaces in a B. M. -C. T. Zone

All that parcel of land in the Fourteenth District of Baltimore County

Being the property of Notthingham Village, Inc., as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, September 17, 1981 at 10:30 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

> BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

The same of the sa 会社・計画 BALTIMORE COUNTY OFFICE OF P. THING & ZONING TOWSON, MA. AND 21204

WILLIAM E. HAMMOND ZONING COMMISSIONER

December 21, 1981

Morton P. Fisher, Jr., Esquire 1300 Mercantile Bank & Trust Building Two Hopkins Plaza Baltimore, Maryland 21201

> RE: Petition for Variance NE/corner of Perry Hall & Honeygo Boulevards - 14th Election District Nottingham Village, Inc. - Petitioner NO. 82-34-A (Item No. 223)

Dear Mr. Fisher:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Service and the service of the servi

Very truly yours, Law M. N. Juna JEAN M.H. JUNG Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Nottingham Village, Inc. 100 West Pennsylvania Avenue Towson, Maryland 21204

> W. Lee Thomas, Esquire Suite 314 409 Washington Avenue Towson, Maryland 21204

John W. Hessian, III, Esquire People's Counsel

EXHIBIT TO APPLICATION FOR VARIANCE LEGAL DESCRIPTION:

The Parcel which is the subject of this Application consist or the following described parcels of land lying and being in Election District No. 14 of Baltimore County, Maryland. PARCEL I

PEGINNING for the same at a point being North 0°35" West 4540.77 feet from the existing intersection center line of Perry Hall Boulevard and Beaconsfield Drive, said point being on the curved line having a radius of 347.00 feet, and a length of 176.88 feet, thence leaving said curved line and binding the following eighteen courses and distances, (1) North 47°27'20" East, 478.84 feet; (2) North 42°32'40" West, 72.50 feet; (3) North 47°27'20" East, 237.43 feet; (4) South 87°32' 40" East, 15.32 feet; (5) North 47°27'20" East, 74.32 feet; (6) South 42°32'40" East, 60.50 feet; (7) North 47°27'20" East, 58.00 feet; (3) South 42°32'40" East, 133.00 feet; (9) South 47°27'20" West, 58.00 feet; (10) South 42°32'40" East, 160.00 feet; (11) North 47°27'20" East, 339.50 feet; (12) South 54°48'39" East, 47.07 feet; (13) North 79°00'00" East, 321.85 feet; (14) South 11°00'00" East, 355.00 feet; (15) South 79°00'00" West, 24.13 feet; (16) South 42°32'40" East, 346.41 feet; (17) Northeasterly along a curve to the left, having a radius of 332.00 feet, for a distance of 85.67 feet, being subtended by a Chord bearing and distance of North 18°19'43" East, 85.43 feet; (18) North 10°56'11" East, 260.46 feet; thence binding for the following twenty courses and distances, (19) Northwesterly along a curve to the left, having a radius of 632.00 feet, for a distance of 241.97 feet, heing subtended by a Chord bearing and distance of North 00°01'55" West, 240.49 feet; (20) North 11°00'00" West, 423.25 feet; (21) Northwesterly along a curve to the left, having a radius of 932.00 feet, for a distance of 116.09 feet, being subtended by a Chord bearing and distance of North 14°34'06" West, 116.01 feet;

LIBERS 185 PAGES 84

MPF,Jr./4-23-80 1031B

ARTICLE 29. DEVELOPER FRINGE PARCELS

Section 29.1. Developer Fringe Parcels Separate from Shopping Center Site

The Developer Fringe Parcels (each such individual Developer Fringe Parcel or separately owned portion thereof is herein referred to individually as a "Fringe Parcel" and collectively as the "Fringe Parcels" and the owner thereof and any ground lessee, including Developer, of all or any portion of a Fringe Parcel is herein referred to as a "Fringe Parcel Owner" or "Fringe Parcel Owners") shall be treated for all purposes of this REA as separate and apart from the Shopping Center Site. and the Fringe Parcels shall not be subject to, or restricted by, any provision of this REA except as provided in this Article 29. The definitions contained in Article 3 of the PEA (including those definitions referred to in the Index of Additional Defined Terms) and the provisions of Article 27 are incorporated herein by reference for convenience.

Section 29.2. Use Restrictions on Fringe Parcels

The Developer Fringe Parcels shall not be used for any use which would be prohibited on the Shopping Center under Section 16.2 of this REA. A Major which is using its own Parcel for any use which is in violation of Section 16.2 of the REA shall not be entitled to object to such use.

Section 29.3. Parking Requirements for Fringe Parcels Each Fringe Parcel Owner shall be required, prior to opening for business or commencing any other use and at all times, to construct and thereafter to maintain at all times that number of Car Spaces set forth below for the indicated use:

- 1. Retail 5.5 Car Spaces for each 1,000 square feet
- 2. Office 3 Car Spaces for each 1,000 square feet of Floor Area;

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East, 189.00 feet; (24) South 79°00'00" West, 370.14 feet; (25) South 11°00'00" East, 25.00 feet; (26) South 79°00'00" West, 72.65 feet; (27) North 42°32'40" West, 139.93 feet; (28) South 47°27'20" West, 63.50 feet; (29) North 42°32'40" West 254.00 feet; (30) North 47°27'20" East, 63.50 feet; (31) North 42°32'40" West, 115.85 feet; (32) North 22°27'20" East, 707.35 feet; (33) North 73°59'25" West, 507.21 feet; (34) South 22°27'20" West, 206.73 feet; (35) South 67°32'40" East, 252.00 feet; (36) South 22°27'20" West, 326.17 feet; (37) South 42°32'40" East, 24.40 feet; (38) South 47°27'20" West, 381.50 feet; thence binding for the following fourteen courses and distances, (39) South 42°32'40" East, 50.00 feet; (40) North 47°27'20" East, 70.00 feet; (41) South 42°32'40" East, 48.42 feet; (42) North 47°27'20" East, 35.00 feet; (43) South 42°32'40" East, 256.16 feet; (44) South 47°27'20" West, 103.97 feet; (45) South 02°27'20" West, 9.00 feet; (46) South 47°27'20" West, 33.35 feet; (47) South 02°27'20" West, 49.09 feet; (48) South 47°27'20" West, 202.25 feet; (49) North 48°00'59" West, 9.53 feet; (50) South 47°27'20" West, 503.03 feet; (51) South 42°32'40" East 185.28 feet; (52) Southeasterly along a curve to the left, having a radius of 347.00 feet, for a distance of 132.96 feet, being subtended by a Chord bearing and distance of South 53°31'16" East, 132.14 feet to the point of BEGINNING.

(22) South 79°00'00" West, 370.78 feet; (23) South 11°00'00"

Containing 7.9089 acres of land, more or less. Said Parcel also being Lots One-A and One-B as shown on the Plats of "WHITEMARSH MALL, SHEET 2 of 3, REVISED", and on "WHITEMARSH MALL, SHEET 3 of 3, REVISED", recorded among the Plat Records of Paltimore County, Maryland in Plat Book E.H.K., Jr. No. 46 at folios 62 and 63 respectively.

LIBERS 135 PAGES 85

- 2 -

 $MPF_{*}Jr_{*}/4-23-80$

3. Residential:

(a) Permanent - 1 1/2 Car Spaces per unit,

(b) Transient - 1 Car Space per unit;

- Recreational Facility 1 Car Space per unit for each 3 seats;
- 5. Other uses or combined uses As required by the Baltimore County Zoning Code.

Section 29.4. Easements for Fringe Parcels to Use Access Roads and the Ring Road

- (a) Developer grants and reserves as to the Access Roads and as to those portions of the Ring Road on the Developer Parcel and Sears, Penney, Macy, Hutzlers and W&L each grant, as to those portions of the Ring Road on its respective Parcel, for the benefit of each Fringe Parcel a perpetual nonexclusive easement for use in common with others over the Access Roads and Ring Road for pedestrian and vehicular traffic subject to the provisions of subsection (b) hereof.
- (b) Entrances to the Access Roads and the Ring Road from each Fringe Parcel, and to each Fringe Parcel from the Access Roads and Ring Road, shall be permitted only at those locations and in those design dimensions and only for vehicular movements in the directions shown on the Site Plan, with the right of any Fringe Parcel Owner to vary the locations of entrances to its respective Fringe Parcel, but not the vehicular movements, by up to twenty-five feet (25') in any direction. Nothing herein contained shall prohibit any Fringe Parcel Owner which is entitled to the use of an entrance to the Access Roads or Ring Road from granting easements over its own Fringe Parcel for the use of such entrance to any other Fringe Parcel.

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PARCEL II

BEGINNING for the same at a point being North 11°30'49" East 3468.45 feet from the existing intersection center line of Perry Hall Boulevard and Beaconsfield Drive, said point being at the southerly end of the curved line of a radius of 535.00 feet and 420.20 feet in length; thence binding on said line the following two courses and distances, (1) Northeasterly along a curve o the right, having a radius of 535.00 feet, for a distance of 420.20 feet, being subtended by a Chord bearing and distance of North 30°09'15" East, 439.48 feet; (2) North 52°39'16" East, 32.46 feet, thence leaving said line and binding the following two courses and distances, (3) South 03°53'24" West, 388.60 feet, (4) North 86°06'36" West, 205.61 feet to the point of BEGINNING.

Containing 1.2327 acres of land, more or less. Being Lot J as shown on the Plat of "WHITEMAPSH MALL, SHEET 1 of 3, REVISED" recorded among the Plat Records of Baltimore County, Maryland in Plat Book E.H.K., Jr. No. 46 at folio 61.

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Section 29.5. Easements for Fringe Parcels to Use

- Common Utility Facilities (a) Developer grants and reserves as to the Common Utility Facilities on the Developer Parcel and on the Off-Site Easement Areas, and Sears, Penney, Macy, Hutzlers and W&L each grant as to those portions of the Common Utility Facilities on its respective Parcel for the benefit of each Fringe Parcel perpetual non-exclusive easements for use in common with others for its respective intended purpose each Common Utility Facility System, subject to the provisions of this Section 29.5.
- (b) Each Fringe Parcel shall be entitled to drain into the Prainage Easement Area, provided that any conduit or outlet for such drainage (x) shall not be located on the Parcel of a Major coon such Major's Expansion Parcel without such Major's consent and (y) shall not be connected to the storm drainage System on the Shopping Center Site without the consent of each Major.
- (c) No other Common Utility Facility System (i.e., other than storm drainage) shall be utilized by any Fringe Parcel Owner until each of the following requirements has been satisfied:
- (i) Consent shall first be obtained from each Major, any portion of whose Parcel or whose Expansion Parcel is sought to be utilized for the installation of any line, conduit or other connection,
- (ii) Approval shall be obtained from each Major before connecting to any Common Utility Pacility located on the Shopping Center Site in respect of each of the following:
- (aa) Plans, reports and data showing the precise location of installation of any line, conduit or other facilities and setting forth adequate data as to the capacity required by any improvement to be connected thereto to evidence

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that sufficient capacity exists in such System and that all lines and conduits are adequately sized to service the Fringe Parcel in question and any improvement contemplated thereca, taking into account any expansion by a Major as permitted under this REA;

(bb) Preliminary development plans and a schedule for connection to any such System evidencing that no interruption to business operations of any Party will occur and that all construction in connection with such installation shall meet all construction requirements set forth in Article 5 of this REA;

- (iii) Such other plans, data and documents as any Major shall reasonably request shall be provided in order to assure such Major that its Parcel will not be damaged or its business operations impaired, temporarily or permanently, by the installation, connection to or use of any such facilities;
- (iv) An indemnity agreement shall be submitted to each Major pursuant to which the Fringe Parcel Owner agrees to indemnify and hold harmless each Major against any loss or damage resulting from interruption of its business as a result of installation or connection and, in the case of any Major whose Parcel is directly affected, against injury to any person or damage to any property thereon;

Any consent or approval requested under this subsection (c) shall not be unreasonably withheld.

(d) Any party on whose Parcel any installation of, connection to or other use of Common Utility Facilities is made by any Fringe Parcel Owner pursuant to this Section 29.5 shall be entitled to relocate in the same manner as is provided in Section 10.4(b) of this REA.

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ARTICLE 16

GENERAL COVENANTS

Section 16.1. Height Limitation

No building or other Improvement shall be constructed on the Shopping Center Site which contains more than three (3) levels or which exceeds a height of sixty (60) feet above the finished floor elevation of the ground floor level of the Enclosed Mall. Mechanical equipment, parapets, antennas, mechanical or building equipment penthouses and screening to hide the mechanical equipment on buildings may exceed the aforesaid maximum height limitations.

Section 16.2. Limitation on Detrimental Characteristics

Until the Termination Date, or in the event of the Exclusion of a Major's Parcel, until the exclusion of the Parcel in question, no use, operation or occupancy will be made, conducted or permitted on any part of the Shopping Center Site which use or operation is obviously detrimental to the operation of the Shopping Center. Included among the uses or operations which shall be prohibited because of their obvious detriment to a balanced and diversified grouping of retail stores, merchandise and services of the sorts usually found in a retail center, as well as their obvious detrimental effect upon the general appearance of the Shopping Center, and because they would conflict with the reasonable standards of appearance, maintenance and housekeeping required by this REA, are uses or operations which produce or are accompanied by characteristics such as, but not limited to, the following:

(a) Any noise, litter, odor or other activity which may constitute a public or private nuisance;

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(e) Following installation of any facility pursuant to this Section, the Fringe Parcel Owner in question shall submit to each Major an as-built survey showing the precise location thereof.

> Section 29.6. Height and Sign Limitations on Fringe Parcels

(a) No building on any Fringe Parcel shall exceed sixty feet (60') in height above mean ground level without the approval of each Major whose visibility might be obstructed from any adjoining roadway.

(b) No sign on any Fringe Parce' shall be in violation of the following criteria:

- (i) There shall be no exterior flashing, rotating or moving signs or markers of any type.
 - (ii) There shall be no roof-top signs.
- (iii) There shall be no pylon signs which exceed the height limits under subsection (a) above.

Section 29.7. Developer Election to Include Expansion Parcels as Fringe Parcels

Following the recordation of a declaration entered into by Developer and Macy as to the Macy Expansion Parcel, Sears as to the Sears Expansion Parcel or Hutzlers as to the Hutzlers Expansion Parcel, as the case may be, that the Major in question no longer has any right to acquire its respective Expansion Parcel, as provided in its respective separate agreement with Developer, such Expansion Parcel shall, at the option of Developer as set forth in such declaration or thereafter in a separately recorded declaration, thereupon cease to be part of the Developer Parcel and the Shopping Center Site and thereupon become a Fringe Parcel, following which this Article 29 shall apply to any such Fringe Parcel.

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- (b) Any storage or production of explosives or other unusually hazardous materials;
- (c) Any assembly or manufacturing operation which would be permitted only in a heavy manufacturing or industrial zone, or any distillation, refining, smelting, industrial or mining operation;
- (d) Any trailer court, mobile home park, lot for sale of used motor vehicles, except as may be strictly ancillary to the operation of a retail facility, junk yard, stock yard or animal raising (other than pet shops and veterinarians);
- (e) Any dumping, disposal, incineration or reduction of garbage or refuse other than handling or reducing such waste if produced on the Shopping Center Site from permitted uses and if handled in a reasonably clean and sanitary manner.

No Party shall have the right to object to a use or operation on another Party's Parcel solely on the ground that the use objected to is then being carried on by the objecting

Section 16.3. Theatre Location

Any Floor Area used for any Recreational Facility shall be located only in an area approved by each Major. Section 16.4. Non-Interference with Permittee

Circulation

(a) So as not to interfere with efficient pedestrian traffic flow in the Enclosed Mall, no selling or rental activity or special events or exhibitions shall be conducted in the Enclosed Mall other than (i) in non-movable kiosk structures located in areas therefor as shown on the Plans approved by each Major, provided, however, that the exterior walls of any such kiosk shall be located at least twelve (12) feet (which figure shall be reduced to ten (10) feet in those cases in which an additional four (4) feet is added to the Ploor Area as

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Section 29.8. Contributions by Fringe Parcel Owners to Basic Common Area

Although no provision is made herein for contribution by Fringe Parcel Owners towards the cost of Management of Basic Common Area, Developer intends to file a separate declaration imposing upon each Fringe Parcel Owner the obligation to contribute thereto on a pro rata basis, based upon the acreage of its respective Fringe Parcel and if such separate declaration provides, as is contemplated, that such Fringe Parcel Owner shall make such contribution directly to the Person Managing the Basic Common Area, the Majors shall, as provided in such separate declaration, be entitled to collect the contribution to be made by such Fringe Parcel Owner in the event of a takeover of Management of Basic Common Area as provided in Section 14.11 hereof and in such event Developer hereby assigns to such Majors the right to collect the same .

Section 29.9. Enforcement of Restrictions by Developer Developer covenants and agrees to enforce the restrictions contained in this Article 29 against each Fringe Parcel Owner and upon request of any Major, shall institute legal proceedings for the enforcement thereof.

Section 29.10. Majors to be Third Party Beneficiaries of Restrictions

The restrictions imposed under this Article 29 shall be deemed to benefit the Parcel of each Major, as well as the Developer Parcel, deach Major shall be deemed to be a third party beneficiary as to the restrictions imposed hereunder with respect to its respective Parcel and shall be entitled to enforce directly the restrictions imposed hereunder.

Section 29.11. Future Dedication Parcel

The Developer Future Dedication Parcel shall for all purposes of this REA be deemed to be a Fringe Parcel, unless

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409 WASHINGTON AVENUE

TOWSON, MARYLAND 21204

(White Marsh Mall Zoning Variance 82-34 A)

Please list me as a person interested in the captioned case,

and provide me with notice of any hearings, rulings, orders, etc.

Thank you in advance for your cooperation in this matter

DAVID A. WILSON

William E. Hammond

Dear Mr. Hammond:

WLT:cpk

111 West Chesapeake Avenue

Towson, Maryland 21204

Zoning Commissioner of Baltimore County

Re: Nottingham Village, Inc.

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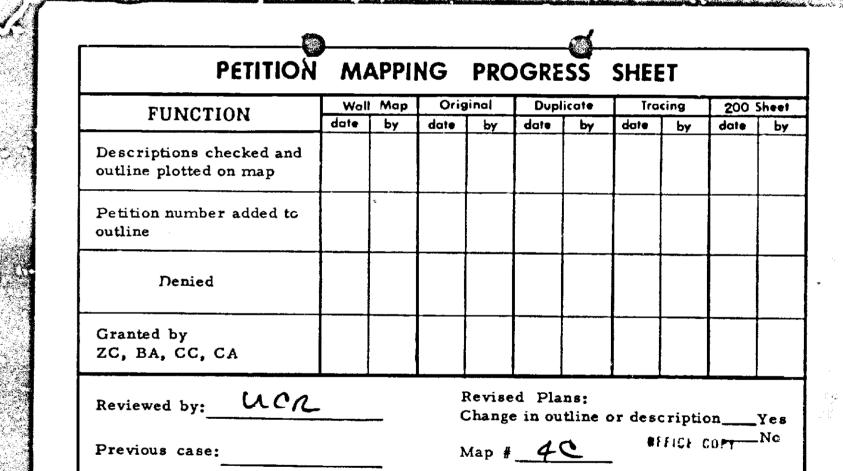
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and until dedicated and accepted, but no use shall be made of any portion thereof except for access improvements and the use thereof until the total road network for the Shopping Center and the extension of White Marsh Boulevard shall have been completed and until it shall be manifestly clear that any portion thereof so intended for other use shall not be required for such access improvements and Developer shall have given sixty (60) days prior written notice to each Major of intention to use such portion thereof for another use.

Section 29.12. Termination

The provisions of this Article 29 shall, except for Sections 29.4, 29.5 and 29.8, 29.9 and 29.10 which shall survive the Termination Date and continue in effect in perpetuity, be effective until the Termination Date.

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Morton P. Pisher, Jr., Regular 1300 NessenAile Bank & Trust Ele. Fee Ropking Flame

Item. # 273

ont Witness, Repairet & Associator 2315 St. 11 Street

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Averue Towson, Maryland 21204

Your Petition has been received and accepted for filing this

WILLIAM E. HAMMOND Zoning Commissioner

Sectober D. Commoder Nicholas B. Commodari Chairman, Zoning Plans Advisory Committee

- 135 -

W. Lee Thomas

AREA CODE 301

September 25, 1981



Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #223, Zoning Advisory Committee Meeting, June 2, 1981, are as follows:

Property Owner: Nottingham Village, Inc. Location: N/W 4540.77' from centerline of Perry Hall Blvd and Beaconsfield Drive Acres: 28.1416 District: 14th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

John filmbley Current Planning and Development BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 23, 1981

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Bureau of

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Industrial

Development

Zoning Administration

Morton P. Fisher, Jr., Esquire 1300 Mercantile Bank & Trust Bldg. Two Hopkins Plaza

Baltimore, Maryland 21201 Nicholas B. Commodari Chairman

RE: Item No. 223 Petitioner - Nottingham Village, Inc. Variance Petition

Dear Mr. Fisher: Department of

The Zoning Plans Advisory Com ittee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This hearing is required as a result of your clients' proposal to reduce the required number of parking spaces for the Whitemarsh Mall. Since certain parcels are owned by various department stores, which are providing the required parking for their proposed buildings, this variance only applies to the land owned by the developer. The end result will be that 5908 spaces will be provided in lieu of the required 7011 spaces for the entire site.

Particular attention should be afforded to the comments of the Department of Permits and Licenses.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

But by By Franchis NICHOLAS B. COMMODARI. Chairman Zoning Plans Advisory Committee

Enclosures

cc: Whitman, Requardt & Associates 2315 St. Paul Street Baltimore, Md. 21218

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E. July 7, 1981

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

- DIRECTOR

Re: Item #223 (1980-1981) Property Owner: Nottingham Village, Inc. N/W 4540.77' from centerline of Perry Hall Blvd. and Beaconsfield Drive Acres: 28.1416 District: 14th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item. General:

Baltimore County highway and utility improvements are not directly involved and are secured by Public Works Agreement 147604, executed in conjunction with the development of White Marsh Mall, see plats "Whitemarsh Mall, Sheets 1, 2 and 3 of 3", recorded E.H.K., Jr. 45, Folios 134, 135 and 136, respectively.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 223 (1980-1981).

Very truly yours,

RAM: EAM: FWR: SS

cc: Jack Wimbley Cathering Warfield

M-NW, SE & SW Key Sheets 28-30 NE 26-30 Pos. Sheets NE 7 & 8 H Topo 82 Tax Map

() 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Pursuant to your request, the referenced property has been surveyed by this

to be corrected or incorporated into the final plans for the property.

() 2. A second means of vehicle access is required for the site.

Bureau and the comments below marked with an "X" are applicable and required

() 1. Fire hydrants for the referenced property are required and shall be

located at intervals or _____feet along an approved road in accordance with Baltimore County Standards as published by the

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 *Life Safety Code*, 1976 Edition prior to occupancy.

Location: N/W 4540.77' from centerline of Perry Hall Blvd. & Beaconsfield Drive

Zoning Agenda: Jun 2, 1981

() 6. Site plans are approved, as drawn.

REVIEWER: Call One Hally 7-15-87 Approved:

Planning Group

Special Institute

Noted and Lloy Million Hally Approved:

Fire Decimal Transactions

Fire Decimal Transactions

Reviewer: Planning Group

R Special Inspection Division

DALTIMORE COUNTY

Mr. William Hammond

Toning Commissioner

Item No. :

Gentlemen:

Towson, Maryland 21204

PAUL H. REINCKE CHIEF

FIRE DEPARTMENT TOWSON, MARYLAND 21204 825-7310

Office of Planning and Toning

Baltimore County Office Building

Attention: Nick Commodari, Chairman

Zoning Plans Advisory Committee

RE: Property Owner: Nottingham Village, Inc.

223

Department of Public Works.

BALTIMORE COUNTY
DEPARTMENT OF PET S & LICENSES
TOWSON, MARYLAND 21204

June 5, 1981

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

District:

Zoning Advisory Committee Meeting, June 2, 1981 Comments on Item #

Property Owner: Nottingham Village, Inc Location: N/W 451,0.77' from centerline of Perry Hall Blvd & Beaconsfield Drivw Proposed Zoning: Variance to permit 1,810 parking spaces in lieu of the required 2,913 on the Developer's Mall parcel, thereby reducing the total required number or spaces within the shopping center from 7,011 to 5,908.

The items checked below are applicable:

X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

B. A building/ permit shall be required before beginning construction.

C. Residential: Three sets of construction drawing are required to file a permit application. Architect/Engineer seal is/is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. In wood frame construction an exterior wall erected within 6' 0 of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0 of lot line. A minimum 8" masonry firewall is required if construction

P. Requested variance conflicts with the Baltimore County Building Code,

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set s of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214.

X I. comments A revision in the required number of spaces will directly affect the required number of handicapped spaces by reducing from 81 spaces to 61 spaces.

All spaces shall be located so as not to require the handicapped to pass behind parked vehicles. Each space will require a conforming sign it shall ve not less submitted to the office of Planning and Zoning and are not intended to than 12 feet wide be construed as the full extent of any permit.

If desired additional information may be obtained by visiting Page 2025% grade. If desired additional information may be obtained by visiting Room #1225% grade. (Plans Review) at 111 West Chesapeake Ave., Towson.

Charles E. Burnham, Chief

EXHIBIT TO APPLICATION FOR VARIANCE LEGAL DESCRIPTION

The Parcel which is the subject of this Application consists of the following described parcels of land lying and being in Election District No. 14 of Baltimore County, Maryland.

BEGINNING for the same at ε point being North 0°35" West 4540.77 feet from the existing intersection center line of Perry Hall Boulevard and Beaconsfield Drive, said point being on the curved line having a radius of 347.00 feet, and a length of 176.88 feet, thence leaving said curved line and binding the following eighteen courses and distances, ()) North 47°27'20" East, 478.84 feet; (2) North 42°32'40" West, 72.50 feet; (3) North 47°27'20" East, 237.43 feet; (4) South 87°32' 40" East, 15.32 feet; (5) North 47°27'20" East, 74.32 feet; (6) South 42°32'40" East, 60.50 feet; (7) North 47°27'20" East, 58.00 feet; (8) South 42°32'40" East, 133.00 feet; (9) South 47°27'20" West, 58.00 feet; (10) South 42°32'40" East, 160.00 feet; (11) North 47°27'20" East, 339.50 feet; (12) South 54°48'39" East, 47.07 feet; (13) North 79°00'00" East, 321.85 feet; (14) South 11°00'00" East, 355.00 feet; (15) South 79°00'00" West, 24.13 feet; (16) South 42°32'40" East, 346.41 feet; (17) Northeasterly along a curve to the left, having a radius of 332.00 feet, for a distance of 85.67 feet, being subtended by a Chord bearing and distance of North 18°19'43" East, 85.43 feet; (18) North 10°56'11" East, 260.46 feet; thence binding for the following twenty courses and distances, (19) Northwesterly along a curve to the left, having a radius of 632.00 feet, for a distance of 241.97 feet, being subtended by a Chord bearing and distance of North 00°01'55" West, 240.49 feet; (20) North 11°00'00" West, 423.25 feet; (21) Northwesterly along a curve to the left, having a radius of 932.00 feet, for a distance of 116.09 feet, being subtended by a Chord bearing and distance of North 14°34'06" West, 116.01 feet;

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(25) South 11°00'00" East, 25.00 feet; (26) South 79°00'00" West, 72.65 feet; (27) North 42°32'40" West, 130.93 feet; (28) South 47°27'20" West, 63.50 feet; (29) North 42°32'40" West 254.00 feet; (30) North 47°27'20" East, 63.50 feet; (31) North 42°32'40" West, 115.85 feet; (32) North 22°27'20" East, 707.35 feet; (33) North 73°59'25" West, 507.21 feet; (34) South 22°27'20" West, 206.73 feet; (35) South 67°32'40" East, 252.00 feet; (36) South 22°27'20" West, 326.17 feet; (37) South 42°32'40" East, 24.40 feet; (38) South 47°27'20" West, 381.50 feet; thence binding for the following fourteen courses and distances, (39) South 42°32'40" East, 50.00 feet; (40) North 47°27'20" East, 70.00 feet; (41) South 42°32'40" East, 4B.42 feet; (42) North 47°27'20" East, 35.00 feet; (43) South 42°32'40" East, 256.16 feet; (44) South 47°27'20" West, 103.97 feet; (45) South 02°27'20" West, 9.00 feet; (46) South 47°27'20" West, 33.35 feet; (47) South 02°27'20" West, 49.09 feet; (48) South 47°27'20" West, 202.25 feet; (49) North 48°00'58" West, 9.53 feet; (50) South 47°27'20" West, 503.03 feet; (51) South 42°32'40" East 185.28 feet; (52) Southeasterly along a curve

(22) South 79°00'00" West, 370.78 feet; (23) South 11°00'00"

East, 189.00 feet; (24) South 79°00'00" West, 370.14 leet;

Containing 26.9089 acres of land, more or less. Said Parcel also being Lots One-A and One-B as shown on the Plats of "WHITEMARSH MALL, SHEET 2 of 3, REVISED", and on "WHITEMARSH MALL, SHEET 3 of 3, REVISED", recorded among the Plat Records of Baltimore County, Maryland in Plat Book E.H.K., Jr. No. 46 at folios 62 and 63 respectively.

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to the left, having a radius of 347.00 feet, for a distance

of 132.96 feet, being subtended by a Chord bearing and distance

of South 53°31'16" East, 132.14 feet to the point of DEGINNING.

PARCEL II

BEGINNING for the same at a point being North 11°30'49" East 3468.45 feet from the existing intersection center line of Perry Hall Boulevard and Beaconsfield Drive, said point being at the southerly end of the curved line of a radius of 535.00 feet and 420.20 feet in length; thence binding on said line the following two courses and distances, (1) Northeasterly along a curve to the right, having a radius of 535.00 feet, for a distance of 420.20 feet, being subtended by a Chord bearing and distance of North 30°09'15" East, 409.48 feet; (2) North 52°39'16" East, 32.46 feet, thence leaving said line and binding the following two courses and distances, (3) South 03°53'24" West, 388.60 feet, (4) North 86°06'36" West, 205.61 feet to the point of BEGINNING.

Containing 1.2327 acres of land, more or less. Being Lot J as shown on the Plat of "WHITEMARSH MALL, SHEET 1 of 3, REVISED" recorded among the Plat Records of Baltimore County, Maryland in Plat Book E.H.K., Jr. No. 46 at folio 61.

BURGAU OF ENGINEERING - BALTIMORE COUNTY, MO.

JAN 25 1985

EXHIBIT TO APPLICATION FOR VARIANCE LEGAL DESCRIPTION:

The Parcel which is the subject of this Application consists of the following described parcels of land lying and being in Election District No. 14 of Baltimore County, Maryland.

BEGINNING for the same at a point being North 0°35" West 4540.77 feet from the existing intersection center line of Perry Hall Boulevard and Beaconsfield Drive, said point being on the curved line having a radius of 347.00 feet, and a length of 176.88 feet, thence leaving said curved line and binding the following eighteen courses and distances, (1) North 47°27'20" East, 478.84 feet; (2) North 42°32'40" West, 72.50 feet; (3) North 47°27'20" East, 237.43 feet; (4) South 87°32' 40" East, 15.32 feet; (5) North 47°27'20" East, 74.32 feet; (6) South 42°32'40" East, 60.50 feet; (7) North 47°27'20" East, 58.00 feet; (8) South 42°32'40" East, 133.00 feet; (9) South 47°27'20" West, 58.00 feet; (10) South 42°32'40" East, 160.00 feet; (11) North 47°27'20" East, 339.50 feet; (12) South 54°48'39" East, 47.07 feet; (13) North 79°00'00" East, 321.85 feet; (14) South 11°00'00" East, 355.00 feet; (15) South 79°00'00" West, 24.13 feet; (16) South 42°32'40" East, 346.41 feet; (17) Northeasterly along a curve to the left, having a radius of 332.00 feet, for a distance of 85.67 feet, being subtended by a Chord bearing and distance of North 18°19'43" East, 85.43 feet; (18) North 10°56'11" East, 260.46 feet; thence binding for the following twenty courses and distances, (19) Northwesterly along a curve to the left, having a radius of 632.00 feet, for a distance of 241.97 feet, being subtended by a Chord bearing and distance of North 00°01'55" West, 240.49 feet; (20) North 11°00'00" West, 423.25 feet; (21) Northwesterly along a curve to the left, having a radius of 932.00 feet, for a distance of 116.09 feet, being subtended by a Chord bearing and distance of North 14°34'06" West, 116.01 feet;

TABLE 2

Requirements

5.0/1,000 s.f.

20.0/1,000 s.f. 3.3/1,000 s.f.

5.0/1,000 s.f.

20.0/1,000 s.f.

Parking Space Requirements Under Baltimore County Zoning Regulations

Footage

480,450

25,000 2,750

782,000

(Total Floor Area)

MALL

Retail & Other

Restaurant

DEPARTMENT STORES

Restaurant

TOTAL FOR CENTER

Office

(22) South 79°00'00" West, 370.78 feet; (25 South 11°00'00" East, 183,00 feet; (24) South 79°00'00" West, 370.14 feet; (25) South 11°00'00" East, 25.00 feet; (26) South 79°00'00" West, 72.65 feet; (21) North 42°32'40" West, 139.93 feet; (28) South 47°27'20" West, 63.50 feet; (29) North 42°32'40" West 254.07 teet; (30) North 47°27'20" East, 63.50 feet; (31) North 42°32'40" West, 115.85 feet; (32) North 22°27'20" East, 707.35 feet; (33) North 73°59'25" West, 507.21 feet; (34) South 22°27'20" West, 206.73 feet; (35) South 67°32'40" East, 252.00 feet; (36) South 22°27'20" West, 326.17 feet; (37) South 42°32'40" East, 24.40 feet; (38) South 47°27'20" West, 381.50 feet; thence binding for the following fourteen courses and distances, (39) South 42°32'40" East, 50.00 feet; (40) North 47°27'20" East, 70.00 feet; (41) South 42°32'40" East, 48.42 feet; (42) North 47°27'20" East, 35.00 feet; (43) South 42°32'40" East, 256.16 feet; (44) South 47°27'20" West, 103.97 feet; (45) South 02°27'20" West, 9.00 feet; (46) South 47°27'20" West, 33.35 feet; (47) South 02°27'20" West, 49.09 feet; (48) South 47°27'20" West, 202.25 feet; (49) North 48°00'58" West, 9.53 feet; (59) South 47°27'20" West, 503.03 feet; (51) South 42°32'40" East 185.28 feet; (52) Southeasterly along a curve to the left, having a radius of 347.00 feet, for a distance of 132.96 feet, being subtended by a Chord bearing and distance of South 53°31'16" East, 132.14 feet to the point of BEGINNING.

Containing 26.9089 acres of land, more or less. Said Parcel also being Lots One-A and One-B as shown on the Plats of "WHITEMARSH MALL, SHEET 2 of 3, REVISED", and on "WHITEMARSH MALL, SHEET 3 of 3, REVISED", recorded among the Plat Records of Baltimore County, Maryland in Plat Book E.H.K., Jr. No. 46 at folios 62 and 63 respectively.

PETETIONERS EXHIBIT

2,403 500

2,912

189

PETITONERS EXHIBIT

TABLE 1

Distribution of Space in White Marsh Regional Center

Mall	Total Space
Gross Leasable Area	363,580
Management Offices	2, 750
Mall Area, Services and Storage Area	141,870
TOTAL FLOOR AREA	508,200
Department Stores TOTAL FLOOR AREA	791,419
momat recor area cor	
TOTAL FLOOR AREA FOR REGIONAL CENTER	1,299,619

PARCEL II

BEGINNING for the same at a point being North 11°30'49" East 3468.45 feet from the existing intersection center line of Perry Hall Boulevard and Beaconsfield Drive, said point being at the southerly end of the curved line of a radius of 535.00 feet and 420.20 feet in length; thence binding on said line the following two courses and distances, (1) Northeasterly along a curve to the right, having a radius of 535.00 feet, for a distance of 420.20 feet, being subtended by a Chord bearing and distance of North 30°09'15" East, 409.48 feet; (2) North 52°39'16" East, 32.46 feet, thence leaving said line and binding the following two courses and distances, (3) South 03°53'24" West, 388.60 feet, (4) North 86°06'36" West, 205.61 feet to the point of BEGINNING.

Containing 1.2327 acres of land, more or less. Being Lot J as shown on the Plat of "WHITEMARSH MALL, SHEET 1 of 3, REVISED" recorded among the Plat Records of Baltimore County, Maryland in Plat Book E.H.K., Jr. No. 46 at folio 61.

6. The requested variance to the parking requirements would be in strict harmony with the spirit and intend of the same regulations and would not adversely affect the health, safety, and general welfare of the community.

and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this ______ day of December, 1981, that the herein Petition for Variance to permit 1,810 parking spaces in lieu of the required 2,913 spaces on the developer's mall parcel of White Marsh Mall, thereby reducing the total required number of spaces within the shopping center from 7,011 to 5,908, in accordance with Petitioner's Exhibit 1, should be and the same is GRANTED, from and after the flate of this Order, subject, however, to the approval of the aforementioned Rite dan by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening required for approval by the Current Planning and Development Division.

PETITIONERS EXHIBIT

TABLE 3 Peak Parking Demand Observed at a Comparable Baltimore County Regional Center

- 3 -

GLA [®]	Parking Spaces Used ^b	Parking Demand /1,000 s.f. GLA	
1,100,000	5,166	4.7	

Sources:

- a. Based on telephone conversations with mall manager. Includes department stores.
- b. Gorove/Slade Associates counts based on aerial photographs flown November 29, 1980.

In the past, available land for development was plentiful and relatively inexpunsive, energy was thought of as a virtually unlimited purpose of the study was researce, the population to investigate peak parking accumulations at rewas steadily increasing to gional shopping centers in open up new markets and expand established ones excess of 600,000 square and the environment was Icasable area (GLA). These pairing characteristics were thought of astrees, flowers, rustic fences, and the like-more of an a nenity than evaluated during pre-Christmas peaks in an attempt to anything else. Today the emphasis has changed update the parking requirements for both new centers. dramatically. All forms of development, including and existing ones for which upgrading, expansion, or modshopping centers, are entering a new era for which emization is contemplated. the ethic will be conservation. On that basis, therefore, it is incumbent upon ail of us, Background when formulating new plans, to maximize the efficiency Because of the sheer magnitude of regional centers, with which our present resources are childred and, their proposals have nearly always undergone some where possible, replaced. For example, local govtype of transportation impact analysis; transportation emments throughout the United States should reimpact is explored in terms of the potential impact not examine their zoning ordinances and shopping center only adjacent to the shopping center site, but also upon parking requirements with an eye roward achieving the the entire transportation system serving the community goals of conserving land, energy, and human reor region. Also, because of their size, regional shopping sources. In order to be affective, nowever, any recomcenters historically have been subjected to the scrutiny mendations that are advanced must be implemented by of environmentalists, municipal and state officials, and conventional zoning and subdivision tools, and by seconcerned neighbors. The two transportation aspects of curing public recognition and support.

JAN 25 1985

Parking Demand FIGURE 1 DAILY RETAIL SALES - WOLLES BORGE DELEGRATION The following the first and the first of the

regional shopping centers most often discussed involve automobile trip generation and parking concentration-perhaps more precisely, the potential noise and air pollution generated by heavy concentrations of automobile traffic.

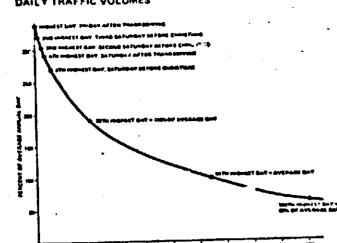
60 39 39 40 60 60 10 10 10 10 10

For example, recent studies by Barton-Aschman and others for a number of locations have shown that proposed commercial centers can lead to a net reduction of average shopping trip length, when placed within market areas presently under-served by retail facilities, and hence can offer a net reduction in total venicle miles of travel (VMT) on a regional basis. In addition, in an effort to investigate and reduce further the effects of automobile trip generation, many developers of new centers, and owners of centers about to be upgraded or modernized, are attempting to integrate public transit facilities—bus stops and platforms or transit centers within the shopping center.

Although many centers—new and existing—are providing parking areas with better landscaping and better circulation patterns than in the past, the fact remains that very large portions of the sites still must continue to be devoted to customer and employee parking. For the past 12 years the shopping center industry has used a standard of 5.5 parking spaces per 1,000 square feet of GLA, which means that a shopping center having 1,000,000 square feet of GLA would require 5,500 parking spaces. Surface parking facilities of this magnitude typically occupy between 50 and 60 acres. This standard was based on a 1965 ULI study, Parking Requirements for Shapping Centers, Technical Bulletin 53, T.B. 53, which dealt with centers ranging in size from 10,000 square feet of GLA to over 1,000,000 square feet of GLA, covered 270 separate centers, only 12 of which had more than 800,000 square feet of GLA.

Since the literal adoption of this standard, a number of significant changes have taken place in the evolution of

FIGURE ? DAILY TRAFFIC VOLUMES



regional shopping centers. Many more regional centers have been built, some in the previously exclusive trade areas of existing centers. New land uses within centers—banks, auto service centers, theaters, health clubs, and other service uses-have been developed which exhibit either low parking demands per unit of floor area, or peak parking periods which do not conflict with the peak parking demands of retail activity. Moreover, daily shopping patterns have changed because of the increased level of accessibility afforded by the automobile. For example, the early afternoon trip made for a variety of purposes, including shopping, is now

Even more changes are occurring daily that are likely to affect the form, function, and diversification of regional shopping centers. Fuel shortages and higher fuel prices may alter retail travel patterns, and a decrease in percapita spending power may change the family shopping habits, all factors which could increase activity at some centers and decrease it at others. Environmental Protection Agency regulations could also dramatically affect shopping center planning and operation; hence. the implications of such regulation must be carefully considered.

Over a period encompassing nearly three decades virtually the entire history of the shopping center as a definable, generic, built entity-Barton-Aschman has observed changes in shopping-center-generated travepatterns which indicate that shopping center customers are learning to use shopping, access, circulation, and parking facilities more efficiently. Barton Aschman has been able to study existing centers in sufficient detail to reliably predict the volume of vehicle trips made to and from proposed new centers on a daily and hourly basis. In view of the development of the shopping center industry up to this point, and with an eye on conservation changes to come, it appeared appropriate for Barton-

DAILY PEAK PARKING DEMANDS Pursons Midwelland Interestable Parties Salientes (Finding Minutes 13:00/2 (5):00/2 (5):00/2 (5):00/2 (5):00/2

> Aschman to review the industry standard for determining the quantity of parking to ξ_{\pm} provided at regional

Since the purpose of this parking Gudy with to determine current peak parking demand, it was first necessary to determine when peak parking demands occurred. Although recent parking accumulation data indicated that peak parking demand at larger regional centers was less than 5.5 vehicles per 1,000 square feet of gross leasable retail space, there was no indication that shoppers had changed their seasonal or daily purchasing habits. In other words, the pre-Christmas shopping days were still observed to be the highest traffic activity days, and the highest parking accumulations apparently were still occurring at some time between 1:00 p.m. and 4:00 p.m. on weekdays, Saturdays, and Sundays, where Sunday opening is permitted. In order to confirm these observations, three kinds of data were further researched and analyzed: daily retail sales volumes for a 1-year period; daily inbound shopper traffic volumes at several regional shopping centers; and hourly and daily peak parking accumulations at several

regional shopping centers. Figure 1 illustrates the results of daily retail sales surveys. The retail sales curve was determined from daily sales data obtained from a major department store in each of four regional shopping centers. The inbound shopper traffic volume curve (Figure 2) was determined, from daily inbound shopper traffic volume counts taken throughout a full year and/or the months including Thanksgiving and Christmas at three regional shopping centers. The results indicate that the Friday following Thanksgiving and the Saturdays between Thanksgiving and Christmas continue to represent the peak shopping and traffic activity days at regional shopping centers.

educe or test best

FIGURE 4 HOURLY PARKING DEMANDS

As was the case during the early 1960s, shoppers still tend to concentrate their shopping trips on Fridays and the weekends (see Figure 3), even though many more regional centers are now open evenings on several, if not all, weekdays. As shown in Figure 4, the peak parking accumulations are still occurring during the midatternoon between 1,00 p.m. and 4 00 p.m. This curve was established from an analysis of hourly parking accumulations surveyed at two regional shopping centers during the days between Thanksgiving and Christmas. At one of the regional centers, hourly parking accumulations were available for 20 continuous days, including the two Saturdays preceding Christmas, which allowed a daily peak parking accumulation comparison.

As a result of the aforementioned research, if was determined that peak parking demands would most likely occur from 1:00 p.m. to 4:00 p.m. on the days between inanksgiving and Christmas, particularly on the Friday following Thanksgiving and on the Saturdays between the two holidays. Based upon these findings, it was decided that additional peak parking accumulation data would be secured by taking aerial photographs of regional shopping centers during this mid-afternoon time segment on the days between Thankogiving and Christinas. The decision to use aerial photography was based primarily on the desired accuracy of the counts. Past experience had revealed that counts by personnel surveying the lots on the ground; either by counting all parked vehicles or by counting empty spaces and deducting them from a total available inventory, resulted in considerable error and were very time-consuming. In a few minutes several aerial photos can be taken which will provide a permanent record of parked vehicles that can be counted and recounted for accuracy.

Weather and other circumstances permitting, the aerial photographs were taken on the Friday following Thanksgiving, and on one (and in certain cases, two or three) of the Saturdays between Thanksgiving and

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Parking Demand SUMMARY OF PARKING DEMAND SUHVEY 11 34 73 Sar. 12 15 73 12 22 23 12 21 74 12 21-74 12 15 73 12 15 73 11 23 75 12 20 75 12:13:75 12:20:75 12 21 74 12-15-73 12-14-74 11-29 /5 11 29 74 Fri. 11-24-73 12:15:73 11 28 75 Fm. 12 13 75 Sat. 11 28 75 Fm. Midwest 11-23-73 Fri. 12 22 73 11-29 74 Fr. 11-29-74 12 21-74 Sat. 12 20 75 Set. 12 13 75 Sat. 11 29 74 Fre 12 21 74 12 13 75 Sat. 11-23-73 Fr. . 44 12 20 75 Sat. oue West Coest | 1 23 73 Fre 12-15 73 11-24-73 11-28.75 Fri. 12-21-74 121573 12-20-75 Set. 11-29-74 11.28.75 12 14 74 12 20 75 12 20 75 11-24-73 Demand Ratio = Number of parked vehicles per 11-28-75

Christmas in 1973, 1974, and 1975. Whenever possible, the peak parking accumulation data secured for the pre-Christmas period from the agrial photographs were augmented by manual or automatic recording of traffic movements to and from the regional centers for comparison with past traffic volume characteristics. The oc-

cupied GLA of the regional shopping centers included in the survey was obtain from the center managers or developers. It was also confirmed with representatives of various shopping centers that the aerial photos included all employee parking areas related to the particular centers surveyed.

During 1973, 1974, and 1975, the various offices of Barron-Aschman Associates obtained peak parking a cumulation data on one or more of 21 different days a 32 regional shopping centers (each having a gross leasable area of at least 800,000 square feet), in five metropolitan areas-Washington, D.C.; Chicago, IIlinois; Minneapolis/St. Paul, Minnesota; and San Francisco/Oakland and Los Angeles, California. The data represented 141 total parking accumulation cc. of centers having 800,000 square feet of occupied G

11-28-75

ping centers with a gross leasable area exceeding 800,000 square feet in the United States and Canada. Thus, this research study, in which 32 such centers were surveyed, is based upon a sample size of about 13 percent. As shown by the results of the data analysis, less than 8 percent of the parking accumulation counts exceeded or equaled the current standard of 5.5. Thiny-nine percent of the parking demand ratios determined fell between 4.0 and 5.0, and nearly 32 percent were less than 4.0.

The average parking demand ratio of all 141 parking accumulation counts was 4.4. This is quite significant considering that study days covered not only the highest sales and traffic days of the year, but also covered all the Saturdays before Christmas which were in the 7 highest sales days of the year. Only the Saturday after

ical area in Table 2.

On Table 1, the observed parking demand ratios

(parked vehicles counted per 1,000 square feet of oc-

cupied GLA) are listed by geographical area, occupied

GLA, and the date and the day surveyed. Figure 5, more

graphically illustrates the survey results. In addition, ae-

rial photos of peak parking accumulations at regional

count of 13 selected centers, four in the Washington,

D.C. area, four near Chicago, two in the Minneapolis-St.

Paul area, and three in the San Francisco-Oakland area

was completed for 1976 as well. These counts are also

In January 1965, there were only 73 shopping centers in

the United States with a gross leasable area exceeding

800 000 square feet (Chain Store Age, May 1965) Re-

cent estimates published by Shopping Center World

indicate that by the end of 1974, there were 249 shop-

marked on Figure 5, and they are listed by geograph-

centers during the 1976 Thanksgiving to Christmas

peak retail sales period were also taken. A parking

SUMMARY OF 1976 PARKING DEMAND SURVEY

(Advance Tabulations) SURVEY DEMAND GEOGRAPHIC GLA DATE DAY RATIO (1,500's Sa. Ft) 11-26-76 Fri. 3.1 **East Coast** 11-26-76 Fri. 5.9 11-26-76 Fri. 5.9 11-26-76 Fri. 5.2 1,100 11-26-76 Fri. 4.0 11-26-76 Fri. 4.5 871 12-11-76 Sat. 4.6 12-11-76 Sat. 5.0 11-26-76 Fri. 40 1.108 12-11-76 Sat. 3.5 1,159 12-11-76 Sat. 5.0 1.178 11-26-76 Fri. 4.7 West Coast 11-26-76 Fri. 4.7 1.214 11-26-76 Fri. 3.2

Demand Ratio=Number of parked vehicles per 1,000 square feet of occupied gross leasable area.

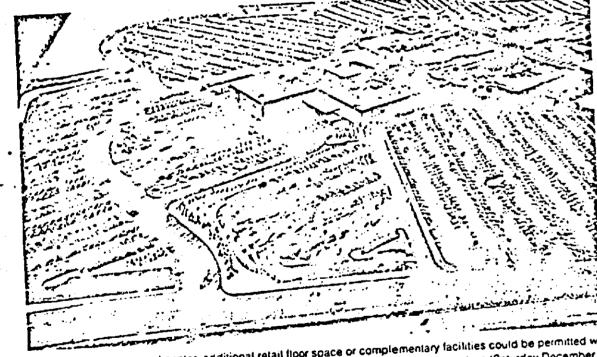
Thanksgiving (which was the 15th highest sales day and the 6th highest traffic day) did not fall in the 10 highest sales days. Of the 47 peak parking accumulations observed on the Friday following Thanksgiving in 1973, 1974, and 1975 in particular, only nine resulted in parking demand ratios equal to or exceeding 5.0 parked vehicles per 1,000 square feet of occupied gross leasable area.

Following the completion of the study, a concern was expressed that the fuel shortage which occurred in early 1974 and fuel prices which have continued to rise might

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Parking Demand

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At this new major regional center, additional retail floor space or complementary facilities could be permitted with no increase in parking supply. Note the large area of under-utilized parking on peak days (Saturday, December 11, 1976—parking demand ratio, 4.6).

have had a significant effect on the parking demands during the 1974 pre-Christmas period. It appears that this effect was negligible for two reasons. The first reason is the result of an analysis of the monthly sales of motor fuel in the United States. Although fuel sales were below 1973 levels for almost all of the first 10 months of 1974, by November 1974, fuel sales had again begun to exceed those recorded in the same month of the preceding year. The second reason is exemplified by a comparison of the average parking demand ratios of the 3 survey years which were 4.5, 4.3, and 4.3, respectively for 1973, 1974, and 1975. The median or mean parking demand ratio for the peak parking accumulations observed during all 3 years was 4.4 parked vehicles per 1,000 square feet of occupied gross leasable area. The mean ratio for the observations was 4.5 in 1973, 4.5 in 1974, and 4.4 in 1975.

This research study has revealed that more than 75 percent of the parking accumulations observed during the highest sales and traffic activity days of 3 recent years (1973, 1974, 1975) resulted in a daily peak parking demand ratio of 5.0 or less cars parked per 1,000 square feet of GLA. Advance tabulations, as previously shown in Table 2, of even more current data from the 1976 pre-Christmas peak shopping period are further confirmation of these results. Analysis of hourly parking accumulations during peak retail sales and peak traffic days clearly indicates that even on those days when the peak parking demand ratio at a few centers exceeded 5.0, the 5.0 : mio was exceeded for probably no more

than 3 hours during the day, or less than 0.1 percent of the approximately 3,600 hours of operation of the regional centers during a year. Based on a more detailed analysis in individual metropolitan areas, the parking ratio could probably be even further reduced.

A significant conservation of land could be achieved, even by reducing the parking ratio from 5.5 to 5.0. This land savings as a result of matching surface parking area to demand could be between 4 acres for a center of 800,000 square feet of GLA to as much as 10 acres for some of the larger centers which have or approach 2,000,000 square feet of GLA. The land and construc-2:000,000 square lest of GEA. The provide excess and tion cost savings by not having to provide excess and little or unused surface parking is significant. The cost savings by eliminating excessive parking becomes even more significant it surface parking land is not available and a parking deck must be considered. The adoption of a lower parking ratio would be especial. beneficial in the case of existing centers, and in part 1. far, those centers which are to be expanded or mod : # 1 to include ancillary urban center facilities such as libraries, museums, hotels, general purpose offices, and

governmental offices. At existing centers, lower parking ratios would permit not only the development of additional retail sa as space or other compatible uses, but also the replace ment of bleak, dirt-collecting, costly-to-maintain sestions of the parking area with expanded landscap other amenities. Similar advantages would be poss of for proposed new developments.



additional parking for the peripheral ancillary development was required by zoning ordinance, but it is not necessary even on peak days (Saturday, December 11, 1976—parking demand ratio, 3.6).

Examples of compatible or ancillary devotor is ent which could be provided on the sites of proposed new centers, or which could occupy surplus parking area at existing centers, include public and private offices, movie meaters, hotels or motels, freestanding beverage or specialty food stores, and drive-in banks. The relatively large expanses of paving normally provided within shopping center parking lots would be particularly well suited to providing the commodious vehicle queuing capacity which is a normal requirement of a drive-in bank. However, consideration would have to be given to the integration of such a queuing area with the other access, circulation, and parking requisites of the site; consequently, overall site design standards must be carefully formulated, "tested," and adhered to.

Grants of narrow strips of land along site boundaries could be made to public authorities for the purpose of widening roads and improving the landscaped interface between the center and the rest of the community. In many cases, this would not only contribute to an improved relationship between the center and the community but also result in the improved visual impact of. and more efficient access to, the center itself,

In selected cases, commuter "park-and-ride" parking facilities can be developed to serve mass transit stations, either adjacent to or integrated within the center. In this case, however, care would have to be exercised in formulating the plan to ensure that users of one category of parking space do not usurp the other. For example, it could be economically disastrous for the center tenants if prime customer parking areas were

regularly occupied by commuters. Hence, the commuter parking area would have to be clearly segregated from , rime customer parking areas. Fortunately, because the bulk of commuters would arrive in the morning long before most shoppers, it may even be possible to close certain shopper parking access points until. say, 9.00 a.m.

On peak days, with employee parking moved cutside of a shopping center's contiguous parking areas, the peak parking demand generated at the center could be reduced by another 1.0 to 1.5 spaces per 1,000 square feet of GLA. This single modification would reduce the peak parking ratio for customers only to bet. een 3.5 and 4.0 spaces per 1,000 square feet of GLA.

Some of the current and emerging directions in land use development and public and private planning philosophy which could make the parking ratio reductions just discussed a near luture possibility include: The continuing development of new and expanded

"conventional" public transit services. The potential of remote-parking-and-shuttle arrangements. Admittedly, the most successful of these to date are in-city systems, such as the

unique M & O subway in Fort Worth, Texas.

 Low-pollution products of innovative technology. e.g., monorail and PRT, which could link retail, commercial, institutional, and other components of new and expanded diversified urban centers.

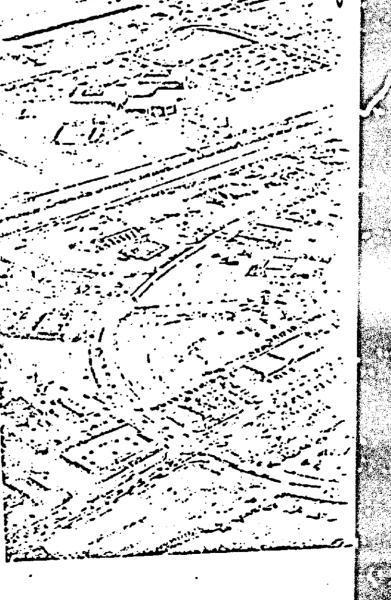
Parking Demand

Recommendations Based on the findings of this research study, the following recommendations are made

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- Existing centers which have had a peak parking demand less than their present parking supply should be allowed, and in fact encouraged, to davelop additional retail space anti/or other compatible land-uses or amenities within the confines of the shopping center proper in order to use the currently under-utilized parking areas.
- 5.0 parking spaces per 1,000 square feet of gross leasable area would be, in general, a valid national maximum as a basis for current planning for new, existing, and expanding regional shopping centers which have, or will have, a GLA greater than 800,000 square feet. In fact, a reduction to 4.0 spaces per 1,000 square feet of GLA is recommended in cases where employee-owned vehicles can be directed by prior agreement to off-site parking facilities during peak snopping periods such as the Thanksgiving-to-Christmas period, pre-Easter, Mother's Day, and other peak sales days.
- With additional documentation to support the above recommendations, a further number of centers may be able to realize a greater reduction in the recommended 5.0 standard. Such findings or data support may be a result of changes in the competitive market area and relocation of employees to other parking areas during peak shopping days.
- That continuing research be undertaken with the objective of establishing well-documented parking ratios for shopping centers of various sizes and functions—major regional centers, 800,000 square feet of GLA and over; large community centers, 400,000 to 800,000 square feet of GLA, convenience centers of smaller sizes, fashion centers; theme centers; centers with and without large food markets; and for existing and proposed centers of various sizes and functions located in various geographic and major metropolitan areas in North America.
- That both governmental agencies and private developer groups review the results of this research and the results of the continued research recommended above. Following depate, governmental agencies should make the indicated changes in zoning ordinances to permit a more efficient use of land resources in the vicinity of major concentrations of retail and commercial development.

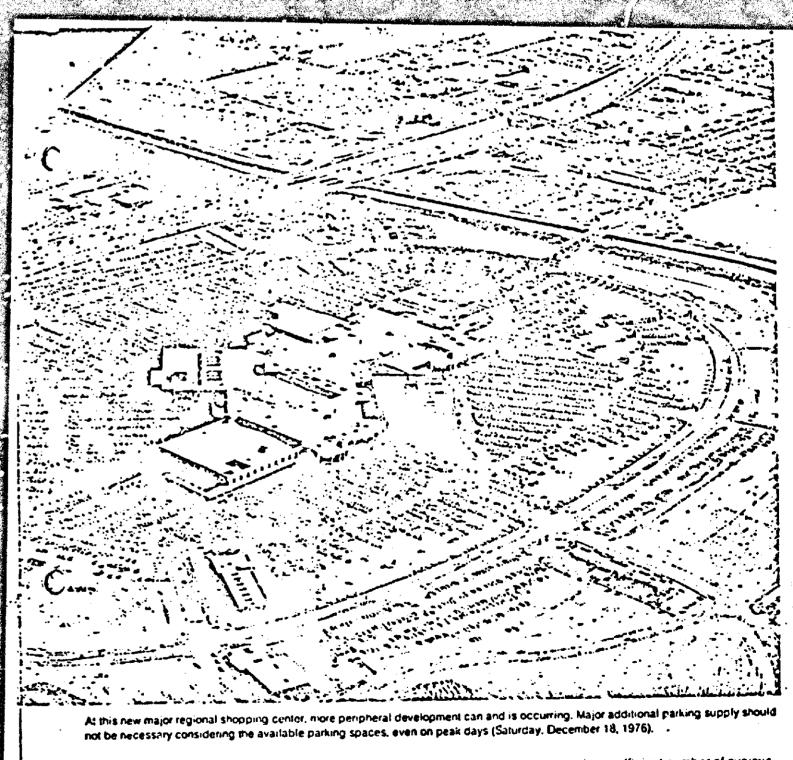
Acceptance of the above recommendations would result in significant reductions in development and maintenance costs, allow for the diversification of cn-site commercial and institutional facilities;



 permit the provision of improved amenities (landscaping extensive enough to be used as a park of protected walkway system); and, by virtue of the latitude afforded by the increased space made available, make it possible to improve the efficiency and safety of the access, circulation, and

parking system; and continue to maintain the economic viability of the center not only for the developer/owner but for the municipality as well (Measuring the Fiscal Impact of a Shopping Center on its Community, Michael S. Levin, Barton-Aschman Associates, Inc.).

Clearly, one magic ratio cannot be applicable to all shopping centers throughout North America, regardless of geographic location; metropolitan area population;



the GLA of centers; the constitution of centers (such as number of anchor stores, national anchors versus local anchors, or presence or absence of a full-line food market); uniqueness of centers (is if the only one of its size and diversity serving an entire urban area and its hinterfand, or is it but one of a well-distributed series of centers serving a large metropolitan area), availability and type of public transit service, age and/or density of residential district within a center's market area; and the range of family income levels represented within a center's market area.

During the research study significant differences were noted in the peak parking demand ratios for shopping centers of similar size, function, and composition, but in different geographic and demographic areas of the United States, Barton-Aschman Associates has not

been able either to make a sufficient number of surveys of individual centers or to analyze the available data in sufficient depth to form definitive conclusions regarding these geographic differences. Hence, firm parking recommendations relating to different geographic or metropolitan areas cannot be made at this juncture. However, the data we have managed to distill during the analytical process exhibited differences that are significant enough to warrant continued data gathering and analysis.

This article is based on research undertaken jointly by the oflices of Burton-Aschinan Associates, Inc., located in Evansion, Illinois, Washington, D.C., Minneapplis/St. Paul, Minnesota. Los Angeles and San Jose, California, Richard C. Gern, senior vice president of the firm, was project coordinator.

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shopping center within a radius of five (5) miles of the Demised Premises measured from the center of the Demised Premises.

Section 9.2. Restrictions on Remaining Property. A. For a period of twenty-five (25) years from August 2, 1971, there shall not be constructed or operated on the . Remaining Acreage (i) any single retail store containing more than 35,000 square feet of Gross Leasable Area, (ii) more than one complex of stores in excess of 22,500 square feet of Gross Leasable Area, or (iii) any complex of stores in excess of 80,000 square feet of Gross Leasable Area.

B. Lessor agrees to develop the Remaining Acreage in the vicinity of the Demised Premises in a manner which will not be detrimental to the Shopping Center or the Demised Premises, and the parties will coordinate the development of roadways and utilities jointly serving the Demised Premises and the remaining Acreage. However, nothing herein shall be deemed to limit Lessor's right to develop the Remaining Acreage for business, roadside and other uses, including but not limited to, motels, hotels, restaurants, banks, office buildings, service stations, residential and recreation buildings, and any other uses not in conflict with paragraph 9.2A, above.

Section 9.3. Mortgagees Not Bound. The provisions of this Article IX shall not be binding upon any Mortgagee taking possession by foreclosure or at sale in lieu of foreclosure.

sale commitment.
ets, with the need for Lower parking ratios urged

n before, developers ling majors their own Continued from Page 1

varned Dennis Barry of dices, the available surplus parking durestimated that up to 90% of all autos t Mortgage Co. "A lot ing non-peak hours (weekdays) is less nationwide will be small ones in 20 than previously available. ■ Movie theaters. At centers having design of their parking areas with this in gone up where they From now on, between 100,000 and 200,000 sq. ft. GLA mind. oing to have to give with cinemas having up to 450 seats, and Whitlock said that although many will anchors, they'll at centers with over 200,000 sq. ft. GLA centers may go to separate parking bays ow what that chain's imilar locations. Firstng to be what gets the

takeout to long dinners at fancy where such conditions as columns and restaurants. It's known that at smaller ramps may restrain the conversion. a need and fill it," and centers, many peak period trips. The final study, due around Sept lot of real needs. But generated by restaurants or fast food will contain recommended parking bar ing for an inflation outlets are in addition to those other-width, stall length and stall width. ers are looking at the wise attracted by the retail areas. At The study didn't include mixed use - maximum profit and larger centers, by contrast, peak period centers, and centers in the central 80,000 sq. ft. center is Stee Jack R. McNutt of rive at a center in private vehicles, the parking demand. These included U.S. vs. nce Co. asserted. The center would have to start adjusting its Can da, regional location within the

said he was overstating efended his company's ng maybe three of every final study will contain a formula to be and suburban vs. urban location. It quarter of all persons arrive by such mand wasn't constrained by present price of a big piece (of methods as public transit and walking availability of parking at a center. icome)," commented Employe parking. Centers where all The final study is expected to have ary, Lazard Realty, Inc., employes park off-site during peak days major implications for center planning the session. He warned of the year require 15% less parking in the U.S. and Canada, not just as Foster, Furnary pointed Between 15% and 20% of all center which the freed square footage can be ble capital is going to peak period parking is attributed to put Such space can obviously be used

real estate projects center employes. ds and internal rates of Whitlock noted two other key factors: with land costs being what they are, for ajor retail leases, longare still 40%-70% of the Most centers designed with previously decide to build a center with less total enters. Majors will have published standards have a surplus of area. to amend their leasing parking during even the busiest hours of Work on the parking study has been kickers at some point the year. Consequently, these centers performed under the guidance of an ades figures or the like, or can support additional retail or non-visory committee composed of experts have to increase across- retail areas as the standards recom- in the shopping center industry. The entice capital back into mended by the new study are applied. chairman is past ICSC and ULI president Car size. The advent of compact Roy Drachman.

cars will afford existing centers the opg the mall shops and use exceeds 10 of center GLA because portunity to use their parking areas inga said. He also sug- the data wailable didn't permit such a more efficiently. When a third of the sing need for shorter recommendation. The suggested cars in a center are small, Whitlock said, being tougher on amount of office space which can be act the center should "start accomodating and cost of living in- comodated without additional parking that vehicle." If such a center restri- 25, is less than that in earlier studies he added, it can gain as much as 30% of because, with the recommended in- capacity, depending on design. Since it's

with cinemas having up to 750 seats, for small cars, smaller spaces and/or narpatrons can be accomodated without rower widths, they'll still need facilities providing additional parking. Cinemas for large cars, at least until the year having more than is number of seats, 2000. As a result, they might have to sign or cinemas at smaller centers, require and segregate large vs small cars in three additional spaces per 100 seats. much the same way that parking for the Reininga's suggestion Food service. Although it's felt that handicapped is presently denoted, a good option in many the amount of center GLA devoted to though this may be difficult to enforce tioned: "A pre-sale re-food service tenants influences the As might be expected, surface parking nount of homework. If number of required parking paces, the facilities, used by most centers, are pro-forma out for a data are still being refined. This is easier to redesign to serve compact 's going to want to because food service ranges from quick vehicles than are parking structures,

> food service patrons are at the centers business districts of major cities aren't primarily to shop, and trips to deemed relevant to its data. At the same restaurants are usually secondary trips time, various factors pertaining to ■ Method of travel. If less than 75% centers were evaluated and found not to of all patrons, visitors and employes ar- contribute significantly to variances in parking space. It's anticipated that the U.S., large city vs. small city location, used by centers where more than a was also determined that parking dethan would otherwise be required. regards parking space, but the uses to for more retail, for non-retail uses, or,

SHOPPING CENTERS TODAY/June 1981

GROUND LEASE

FWI11/12-27-78 2087A

regional shopping centers, expressly excluding for such twenty-five year period motels and hotels.

Section 8.6. Additional Construction. Lessee may at Lessee's cost and expense construct additional buildings and improvements on the Demised Premises subject to the provisions of Section 8.9 below.

Section 8.7. Razing and Restoration. Lessee may at Lessee's cost and expense remove and raze any buildings and other improvements on the Demised Premises and, if Lessee desires, erect new improvements in place thereof subject to the provisions of Section 8.9 and provided further that Lessee shall as soon as possible reconstruct at least 250,000 square feet of Gross Leasable Area.

Section 8.8. Alterations. Lessee may, at Lessee's rost and expense, make such changes, improvements, alterations and additions to the Demised Premises as Lessee may desire subject to the provisions of Section 8.9.

Section 8.9. Requirements. Lessee shall comply with all existing laws, regulations and building codes and shall, · upon the commencement of construction, removal and razing and reconstruction, or alterations and repairs, as the case may be, complete the same as soon as is practicable and resture all existing buildings to an architectural whole and pave or landscape the areas formerly occupied by buildings not to be restored.

If any mechanic's lien shall be filed against the Demised Premises, Lessee shall within thirty (30) days after notice of the filing thereof, cause the same to be discharged of record; provided, however, that Tenant shall have the right to contest the amount or validity of any such lien by appropriate proceedings but in such event Lessee shall promptly bond GROUND LEASE

FRANK, BERNSTEIN, CONAWAY & GOLDMAN

ROBERT B. CURRAN ROBERT B. LEVIN

MARY KATHERINE FARMER STEPHEN D. GRANIFF

MAROLD K BUNES, JR. JANE ENNE BUSENAN

ADMITTED IN H Y, N.J. AND D. C. ONLY

September 22, 1981

Re: Petition No. 82-34-A Item 223

White Marsh Shopping Center

on September 17, 1981, I am enclosing herewith copies of portions

of the Ground Lease between Nottingham Village, Inc. and White

Marsh Associates, dated December 28, 1978. / You may wish to note

that Section 8.5 contains restrictions on the use of the Demised

Premises and Section 9.2 contains restrictions on the Landlord's

from the Declaration of Covenants recorded in Liber 6185,

page 78; which contains the full use restrictions which are

applicable to the Fringe Parcels. The materials which were

taken from the REA, which were later supplemented in certain

of Covenants. The Declaration of Covenants, in consolidated

form, contains the full use restrictions which are applicable

to the Fringe Parcels and we would suggest that the enclosure

from the Declaration of Covenants be substituted for Exhibit 8.

separate agreements and were then consolidated in the Declaration

submitted after the hearing contained only the provisions

JAMES S. JACGUS GEORGE S. LAWLER

SUZANNE B. GLENI

DAVIG E. BELLEN BRUCE & MARRIS

THOMAL M. WOOD, IN EVERYN W MAGUIER

FRANCES E MANTERS

JAMES C. OLIVER DEBORAN L. ROBINSON ROBERT M. ERCOLE

JOHN M. BELFERMAN VICKI B. FINKELSTEIN

NOTTINGHAM VILLAGE, ENCL

In accordance with your request at the hearing held

Additionally, I am enclosing a copy of Section 2.1

J. DAPEY BOWMAN, JA. DONGYAN M. HAMM, JR. PETER H. GUNST

JOHN J. RENNY

JAY I. MORSTEIN JOHN J. WOLOSZYN ALLAN P. HILLMAN

Mrs. Jean Marie Jung

County Office Building

111 W. Chesapeake Avenue

use of its Remaining Property.

Towson, Maryland 21204

Zoning Commissioner

Dear Mrs. Jung:

JOHN M. HEROLD M. PETEN MOSER

MORTON P. FISHER, JR.

BERRYL & SPEERT RONALD P. FISH PETER F ARELRAD

MAR E BLUMENTHAL ALAN I. BARON

1300 KERCANTILL BANK & TRUST BUILDING

2 HOPKINT PLAZA

BALTIMORE, MARYLAND 2120!

TELEPHONE: (361) 547-3500

AMERICAN CITY EVILDING

DUMBIA, MARYLAND 2104

TELEX: 903041

FWI11/12-27-78 2087A

enclosure

veyed or leased shall be automatically released from the provisions of this Lease and neither Lessee nor the department store company shall be obligated under the terms of this Lease with respect thereto, but the rent under this Lease shall not thereby be abated.

As used herein the term "department store company" shall refer to a company which owns or operates two or more department stores.

Section 8.3. Construction of the Shopping Center. Lessee will commence construction of buildings in the Shopping Center consisting of at least 250,000 square feet of Gross Leasable Area, other than department stores, by April 1, 1974 or twenty-four months after the occurrence of the events specified in Section 7.4, whichever shall last occur, subject to Force Majeure as defined in Article XVI and will diligently prosecute such construction to completion.

Section 8.4. Continuous Operation of Shopping Center. Following completion of the Shopping Center buildings, Lessee will (i) maintain and operate a first class regional Shopping Center consisting of at least 250,000 square feet of Gross Leasable Area and (ii) use its best efforts to lease the Shopping Center to Tenants for so long as at least two department stores are operated adjacent to the Demised Premises, subject to Force Majeure, interruptions for razing, restoration and repair as permitted by this Lease, damage and destruction and condemnation.

Section 8.5. Restrictions on Use of the Demised Premises. For a period of twenty-five years from the date of this Lease, Lessee shall be restricted in its use of the Demised Premises to stores, office buildings, theatres, restaurants, and other uses commonly found in large diversified

DECLARATION OF COVENANT

2.1. Use Restrictions.

For a term of eighty-five (85) years commencing on the date hereof the Fringe Parcels shall be used only for the following purposes: (a) sale of merchandise and/or services to the general public including offices, housing and living quarters (permanent and transient), entertainment and Recreational Facility, convention hall, sale of automobiles (new and used) and automotive parts and services including repair of automobiles exclusive of painting and body work, storage of merchandise and equipment, nursing home, and (b) any other uses which are not detrimental to the operation of a shopping center. Included among the uses or operations which shall be prohibited because of their obvious detriment to a shopping center, are uses or operations which produce or are accompanied by characteristics such as, but not limited to, the following:

(i) Any noise, litter, odor or other activity which may constitute a public or private nuisance;

(ii) Any storage or production of explosives or other unusually hazardous materials;

(iii) Any assembly or manufacturing operation which would be permitted only in a heavy manufacturing or industrial zone, or any distillation, refining, smelting, industrial or mining operation;

(iv) Any trailer court, mobile home park, lot for sale of used motor vehicles, except as may be strictly ancillary to the operation of a retail facility, junk yard, stock yard or animal raising (other than pet shops and veterinarians);

(v) Any dumping, disposal, incineration or reduction of garbage or refuse other than handling or reducing such waste if produced on the Shopping Center Site from permitted uses and if handled in a reasonably clean and sanitary manner.

ATTACHMENT TO PETITION FOR ZONING VARIANCE

NOTTINGHAM VILLAGE, INC. WHITE MARSH MALL ASSOCIATES

For the petitioners to be required to provide parking spaces for building area contained within the enclosed mall and other interior common areas not intended for lease or occupancy will create hardship and practical difficulty for the following reasons:

(1) It will necessitate surrounding the Shopping Center, which is the core of the White Marsh Town Center, with an additional approximate eight (8) acres of parking which are, as will be shown at the hearing, unnecessary to the functioning of the Shorping Center, not needed to accommodate customers and employees of the Shopping Center, and will not be in accordance with good shopping center practices as accepted in the industry.

(2) To provide more than the number of spaces required by accepted shopping center practices will or may:

- (a) detract from the aesthetics of the Town Center; and
- (b) require additional electric power for lighting and energy for maintenance and security; and
- (c) unnecessarily increase the cost of maintenance and repair.

(3) The provision of the additional parking will restrict comprehensively planned peripheral development of the core of the White Marsh Town Center and will detract from the County's overall planning objectives.

(4) For such other reasons as mar be advanced at the hearing.

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WHITE MARSH MALL ASSOCIATES

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(4) For such other reasons as may be advanced at the hearing.

Two Hopkins Plaza Baltimore, Maryland 21201

Morton P. Fisher, Jr., Esqua e

1300 Mercantile Bank & Trust Building

August 20, 1901

NOTICE OF HEARING

RE: Petition for Variance NE/corner of Perry Hall & Honeygo Boulevards Nottingham Village, Inc. - Petitioner Casc 182-34-A

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND

BAILTIMORE COUNTY

082-34-A

cc: White Marsh Mall Ansociates Nottingham Villa, , Inc.

FRANK, BERNSTEIN, CONAWAY & GOLDMAN 1300 MERCANTILE BANK & TRUST BUILDING 2 HOPKINS PLAZA BALTIMORE, MARYLAND 21201

(301) 547-0500

HAND DELIVER

CABLE ADDRESS July 24, 1981

Mr. William Hammond

Zoning Commissioner of Baltimore County County Office Building Towson, Maryland 21204

NOTTINGHAM VILLAGES, IN C. Re: Petition for Variance N/E Corner of Perry Hall and Honeygo Boulevards Case No. 82-34-A

SUITE BIZ

SUITE BIZ

AMERICAN CITY BUILDING

Dear Mr. Hammond:

The above-captioned Petition for Variance has been scheduled for hearing on August 6, 1981. We hereby request that the hearing be postponed until the first available hearing date after September 15, 1981.

The grand opening for White Marsh Mall is scheduled for August 12, 1981. As a result, many of the individuals that the Ground Lessor will need to testify at the hearing will be working around the clock to make the grand opening. In addition, the collective efforts of the Ground Lessor's legal team will be devoted prior to the opening to resolving the last minute legal and finanicng problems that always seem to arise immediately before a center opens.

I would appreciate it if you could advise me at your earliest convenience whether our request for postponement will be granted. We are, of course, willing to pay all additional advertising and posting costs incurred as a result of the postponement.

Thank you for your attention to this matter.

Very truly yours,

Morton P. Fisher, Jr.
Morton P. Fisher, Jr.

cc: John W. Hessian, III, Esq.

PETITION FOR VARIANCE

14th DISTRICT

ZONING: Petition for Variance

LOCATION:

Northeast corner of Perry Hall and Honeygo Boulevards

DATE & TIME:

Thursday, August 6, 1981 at 10:00 A. M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

> Petition for Variance to permit 1,810 parking spaces in lieu of the required 2,913 spaces on the Developer's Mall parcel, thereby reducing the total required number of spaces within the shopping center from 7,011 to 5,908.

The Zoning Regulation to be excepted as follows:

Section 409.2(b) - Minimum required parking spaces in a B. M. -C. T. Zone

All that parcel of land in the Fourteenth District of Baltimore County

Being the property of Nottingham Village, Inc., as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, August 6, 1981, at 10:00 A. M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

> BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204

September 10, 1981

WILLIAM E. HAMMOND ZONING COMMISSIONER

Morton P. Fisher, Jr., Esquire 1300 Mercantile Bank & Trust Building Two Hopkins Plaza Baltimore, Maryland 21201

RE:

Petition for Variance

Northeast corner of Perry Hall & Honeygo Blvds. Nottingham Village, Inc. - Petitioner Case #82-34-A

Dear Mr. Fisher:

the 2nd is due for/advertising and This is to advise you that \$163.50 posting of the above property.

No. 101622

Please make check payable to Baltimore County, Maryland, and remit to Keren Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Zoning Commissioner

BALTIMORE COUNTY, MARYLAND				
OFFICE OF FINANCE - REVENUE DIVISION				
MISCELLANEOUS CASH RECEIPT				

DATE 9/17/81

AMOUNT_\$163.50 RECEIVED Frank, Bernstein, Consway & Goldman

FOR Posting & Advertising of Casef 22-34-A (Nottingham)

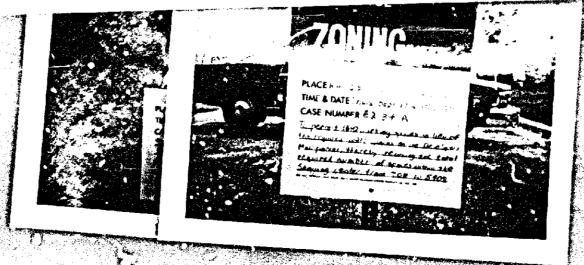
283 C +852 17

16350 MG

VALIDATION OR SIGNATURE OF CASHIER



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY



FRANK, BERNSTEIN, CONAWAY & GOLDMAN 1300 MERCANTILE BANK & TRUST BUILDING 2 HOPKINS PLAZA BALTIMORE, MARYLAND 21201 (30): 547-0500 CABLE ADDRESS MORTON P FISHER, JR

August 14, 1981

Baltimore County Office of Planning and Zoning Court House - Room 406 401 Bosley Avenue Towson, Maryland 21204

Attention: Ms. Karen Riegel

RE: Petition for Variance -N/E corner Perry Hall and Honeygo Boulevards, Nottingham Village, Inc. - Petitioner Case No. 82-34-A

Gentlemen:

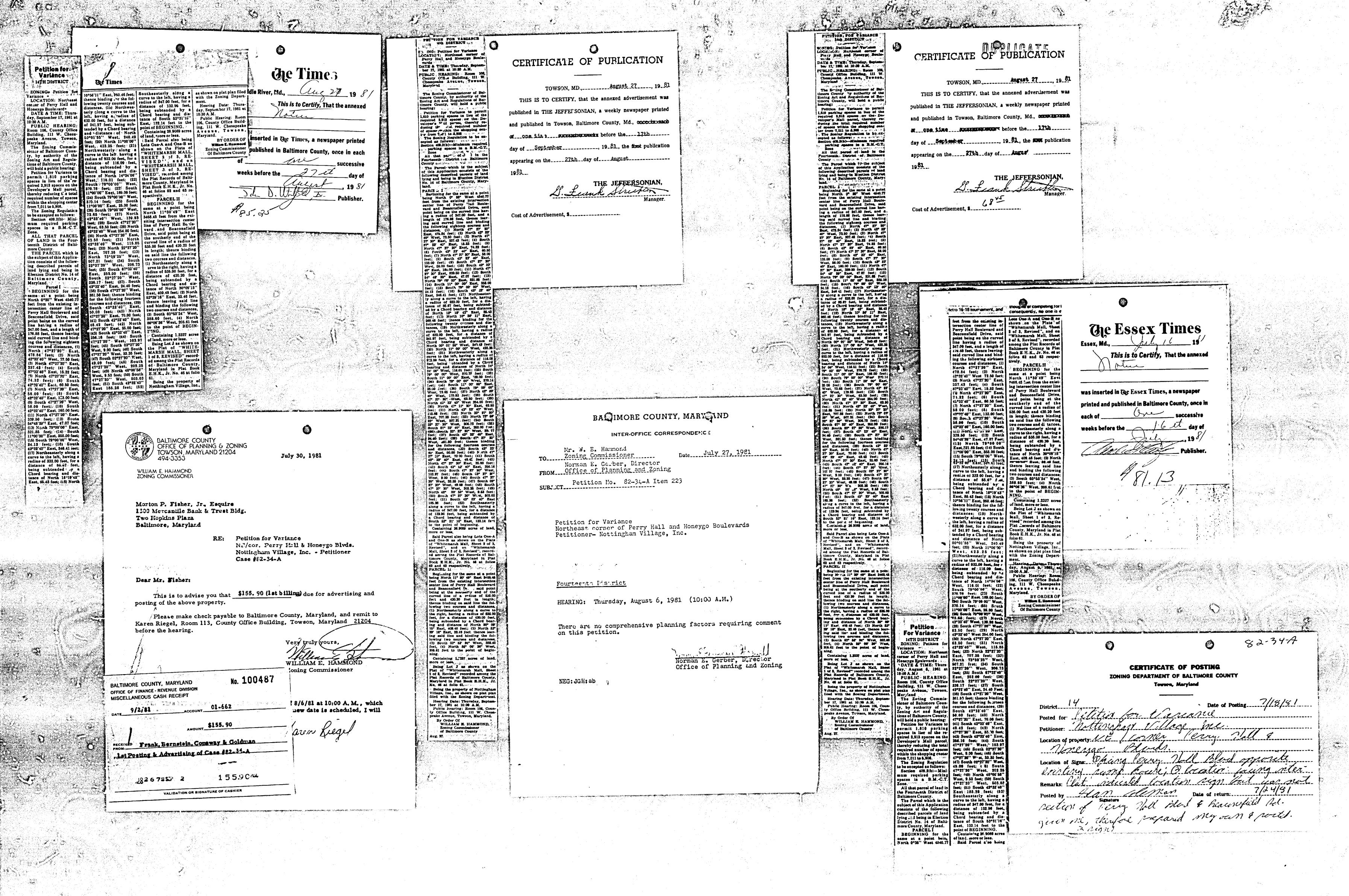
Please find enclosed herewith our check in the amount of \$155.90 for advertising and posting of the above property. Please let me know as soon as possible as to the date in September to which the hearing has been postponed.

Many thanks.

Very sincerely yours, Morton P. Fisher, Jr.

MPF, Jr./mb Enclosure

cc: Mr. John J. Hannigan



PETITION FOR VARIANCE	- DUBLICATE	AND THE PROPERTY OF THE PROPER			
EONING: Petition for Variance College LOCATION: Northeast corner of	CERTIFICATE OF PUBLICATION	PETITION FOR VARIANCE			
DATE & TIME: Thursday, August 1961 at 10:09 A.M. PUBLIC HEARING: Room 108		EONING: Petition for Variance LOCATION: Northeast corner Perry Hall and Honeygo Boule-	CERTIFICATE OF PUBLICATION		PETITION FOR VARIANCE
County Office Building, 111 W Chempeake Avenue, Thruens Meryland	TOWSON, MD.,July 16, 19-51	DATE & TIME: Thursday, August 6, 1981 at 10:00 A.M. PUBLIC HEARING: Room 108, County Office Building, 111 W Chesapeaka Avenue, Towaca Maryland		Morton P. Fisher, Jr., Esquire	14th DISTRICT
The Eoning Commissioner of Bal- timore County, by authority of the Eoning Act and Regulations of Bal- timore. County, will hold a public	THIS IS TO CERTIFY, that the annexed advertisement was	County Office Building, 111 W. Checapeake Avenue, Towson Maryland	TOWSON, MD.,July_16, 19_81	1300 Mercantile Bunk & Trust Building Two Hopkins Plans	ZONING: Petition for Variance
Petitica for Variance to permit	published in THE JEFFERSONIAN, a weekly newspaper printed	The Foning Commissioner of Bal- timore County, by authority of the Zoning Act and Regulations of Bal- timore County, will hold a public	THIS IS TO CERTIFY, that the annexed advertisement was	Beltimore, MD 21201 July 7, 1981	LOCATION: Northeast corner of Perry Hall and Honeygo Boulevards
1,810 parking a note in lieu of the required 2,813 spaces on the Developer's Mail parcel, thereby reducing the total required number	and published in Towson, Baltimore County, Md., > reconcerts	Patition for Variance to nermit	published in THE JEFFERSONIAN, a weekly newspaper printed	NOTICE OF HEARING	DATE & TIME: Thursday, September 17, 1981 at 10:30 A.M.
of spaces within the shopping ceas- ter from 7 011 to 4,000. The Eoning Regulation to be ex-	nt one time numerior weeks before the6th	1,810 parking spaces in lieu of the required 2,513 spaces on the Developer's Mall parcel, thereby reducing the total required number.	and published in Towson, Baltimore County, Md., SACETRATERIES	RE: Petition for Variance	PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake
Section 409.3(b)—Minimum required parking spaces in a B.M.—C.T. Sone All that parcel of land in the Fourteenth District of Baltimore	day ofAugust, 19.81_, the first publication	of spaces within the shopping cen- ter from 7,011 to 5,002.	ar one time massessand where before the 6th	NE/corner of Perry Hali & Honeygo Boulevards Nottingham Village, Inc Petitioner	Avenue, Towson, Maryland
Fourteenth District of Zeltimore County on Heaven which is the subject of	appearing on thel6thday ofJuly	Section 400.2(b)—Minimum required parking spaces in a B.M.—C.T. Eone All that perceive in the Fourteenth District of Baltimore	day ofAugust, 19_81_, the first publication	Case f62-34-A	The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
County we discuss the subject of this Application consists of the following described parcels of land lying and being in Election District No. 14 of Baltimore County, Mary-	19_81	Fourteenth District of Baltimore County The Parcel which is the subject of this Applice T consists of the fol-	appearing on the 16th day of July	TIME: 10:00 A W.	
PARCEL I Section 32 Control of the same at a point being North 0°35° West 4540.77 foot	G. Leank Structur	this Applies "t consists of the for- lowing described parcels of land ty- ing and being in Election District No. 14 of Baltimore Count", Mary-	19_81	DATE: Thursday, August 6, 1981	Petition for Variance to permit 1,810 parking spaces in lieu of the required 2,913 spaces on the Developer's Mall
from the existing intersection center line of Perry Hall Boulevard and	D. Feank Structure Manager.	land. At the state of the state	ge of the jefeersonian,		parcel, thereby reducing the total required number of spaces within the shopping center from 7,011 to 5,908
on the curved line having a radius of \$47.00 feet, and a length of 178.88 feet, thence leaving said curved line and bind'ng the following eighteen courses and distances, (1) North	Cost of Advertisement, \$	Beginning for the name at a point being North 0°38" West 4540.77 feet from the existing intersection center line of Perry Hall Boulevard and Beaconsfield Drive, said point being	Wanager.	PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,	The Zoning Regulation to be excepted as follows:
and bind'ng the following eighteen courses and distances, (1) North courses East, 478.84 feet; (3) North 42°37'40" West, 71.80 feet; (3) North		on the curved line having a radius of \$47.00 feet, and a length of 176.88 feet, thence leaving said curved line	Cost of Advertisement, \$	TOWSON, MARYLAND	Section 409.2(b) - Minimum required parking spaces in a B. MC. T. Zone
47"27'30" East, 237.48 feet; (4) South 87"37'40" East, 15.32 feet; (5) North		and binding the following eighteen courses and distances, (1) North 47°27'20' East, 478.84 feet; (2) North according West, 72.86 feet; (R) North			All that parcel of land in the Fourteenth District of Baltimore County
47'37'60' East, 80.50 feet; (7) North 47'37'60' East, 58.00 feet; (8) South 47'37'20' West, 58.00 feet; (9) South 47'37'20' West, 58.00 feet; (10) South 47'37'20' West, 58.00 feet; (11) North		47*27'20" East, 337.43 feet; (4) South 87*32'40" East, 15.32 feet; (5) North 47*27'20" East, 74.33 feet; (6) South			
42°32'40' East, 180.00 feet; (11) North 47°27'20' East, 338.50 feet; (12) Bouth 54°42'39' East, 47.07 feet; (13)		49°32'40° East, 80.50 feet; (7) North 47°27'30° East, 58.00 feet; (8) South 42°33'40° East, 133.00 feet; (8) South 47°27'30° West, 58.80 feet; (10) B suth			
67°27'20" East, 338.50 feet; (12) South 54°48'39" East, 47.07 feet; (13) North 79°00'00" East, 321.85 feet; (14) South 11°00'00" East, 355.00 feet; (15) South 73°00'00" West, 24.13 feet; (16) South 42°33'40" East, 346.41 feet;		42*82*40* East, 160.00 feet; (11) North 4*22*20* Teast, 835.50 feet; (12)			
(17) Northeasterly along a curve to the left, having a radius of 832.00 feet, for a distance of 85.87 feet, be-		North 79*00*00* East, 321.85 feet; (14) South 11*00*00* East, 355.00 feet; (15) South 79*00*00* West, 24.13 feet; (16) South 42*32*40* East, 346.41 feet;			
ing subtended by a Chord bearing and distance of North 18*19*43* East, 85.42 feet; (18) North 10*56*11* East, 280.46 feet; thence binding for the		(16) South 42°37'40" East, 345.41 reet; (17) Northeasterly along a curve to the left, having a radius of 333.00 feet, for a distance of 85.67 feet, be-			
following twenty courses and dis- tances, (19) Northwesterly along a curve to the left, having a radius of		ing subtended by a Chord bearing and distance of North 18*19*43" East, \$85.43 feet; (18) North 10*56*11" East, \$260.46 feet; thence binding for the		Star Golf	
632.00 feet, for a distance of 241.97 feet, being subtended by a Chord to bearing and distance of North 00° [271.27] When 240.40 feet (20) North 800.		following twenty courses and dis- tances, (19) Northwesterly along a curve to the left, having a radius of		CC: White March Mail Associates Notthinghem "lieges, Inc. ZONING COMMISSIONER OF BALLTIMORE COUNTY	
11°00'00": West, 423.25 feet; (31) Northwesterly along a curve to the left, having a radius of \$33.00 feet.		632.00 feet, for a distance of 241.97 feet, being subtended by a Chord bearing and distance of North 00° 100 feet (20) North 00° 100 feet (20) North 100° 100° 100° 100° 100° 100° 100° 100			
for a distance of 118.00 feet, being subtended by a Chord bearing and distance of North 14°34°06" Went,		11'30'00" West, 423.25 feet; (21) Northweckely along a curve to the left, having a radius of \$2.00 feet,			
West, 870.78 feet; (28) South 11°00' 00° East, 189.00 feet; (24) South 78°00'00° West, 870.14 feet; (25)		for a distance of 118.09 feet, being subtended by a Chord bearing and subtended of North 14°5''08° West			Being the property of Notthingham Village, Inc., as shown on plat plan filed with the Zoning Department.
5outh 11°00'00" East, 25.00 feet; (26) 10 8 South 78°00'00" West, 72.65 feet; (27) North 42" 32" 10" West, 189.93 feet; (28) South 47°27'20" West, 63.50 feet;		West, 870.78 feet; (28) South 11*00' 00" East, 189.00 feet; (24) South 78*00'00" West, 370.14 feet; (25)			Hearing Date: Thursday, September 17, 1981 at 10:30 A. M.
(29) North 42*37*40" West 254.00 feet; (30) North 47*27*20" East, 63.50 feet; (31) North 42*32*40" West, 116.85		South 11'00'00' East, 25.00 feet; (25) South 79'00'00' West, 72.65 feet; (27) No th 42" 32" 40" West, 139.83 feet; (28) South 47'27'20' West 43 56 feet;			Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
feet; (32) North 2272720 East, 707.35 kg feet; (33) North 7275725 West, 707.31 feet; (34) South 2272720 Feet; (35) South 57737	RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISS	(29) North 42*82*40" West 254.00 feet; (30) North 47*27*20" East, 63.50 feet; (31) North 42*32*40" West, 115.85			BY ORDER OF WILLIAM E. HAMMOND
40" East, 222.00 Teet; (36) South 23'27'30" West, 226.17 feet; (37) South 42'37'40" East, 34.40 feet; (38)	NF corner of Perry Hall and	feet; (32) North 27'27' East, 70'.36 [feet; (33) North 73'59'25' West, 150'.21' feet; (34) South 22'27'20' West, 164'7 feet; (34) South 22'27'20'			ZONING COMMISSIONER
South 472720 West, 381.00 feet; thence binding for the following fourteen courses and distances, (39) South 4232467 East, 50.00 feet; (40)	Honeygo bivds., 14iii 2isiiici	40" East, 252.00 feet; (38) South 22"37"20" West, 326.17 feet; (37) South 42"32"40" East, 24.40 feet; (38)			OF BALTIMORE COUNTY
South 42°32'40" East, 50.00 feet; (40) North 47°27'20" East, 70.00 feet; (41) South 42°32'40" East, 48.42 feet; (42) North 47°37'20" Past, 38.00 feet; (43) South 42°32'40" East, 358.16 feet; (44) South 47°37'20" West, 108.97 feet;	Petitioner	thenoe binding for the following fourteen courses and distances, (39) South 42°37'40" East, 50.00 feet; (40) North 47°37'30" East, 70.00 feet; (41)	경기를 받는 것이 되었다. 그는 것이 되었다. 그런		
South 47°37'40" West, 103.37 feet; (45) South 92°27'20" West, 9.00 feet; (46) South 92°27'20" West, 3.35 feet;	*:::::	North 47°27'20" East, 70.00 feet; (41) South 42°32'40" East, 48.42 feet; (42) North 47°27'20" East, 85 00 feet; (43) South 42°32'40" East, 256.18 feet; (44)			
(47) South 02°27'20" West, 49.0" feet; (48) South 47°27'20" West, 202.25 feet; (49) North 48°00'53" West, 5.53	ORDER TO ENTER APPEARANCE	BONNESS A LA AMARIANT TOTAL A SAN ARE FACE STORY			
feet; (50)- South 47*27'20" West, 508.03 feet; (51) South 42*22'40" East 185.28 feet; (52) Southeasterly along a curve to the left, having a radius of 847.00 feet, for a distance of 132.96	Mr. Commissioner:	(45) South 47"27"0" West, 10.3" [cet; (46) South 47"27"0" West, 3.0.35 [cet; (47) South 02"27"20" West, 33.35 [cet; (48) South 47"27"0" West, 40.09 [cet; (48) South 47"27"0" West, 30.2.25 [cet; (49) North 4: 00"58" West, 5.53 [cet; (50) South 47"27"20" West,			
of 347.00 feet, for a distance of 132.96 feet, being subtended by a Chord bearing an distance of South 53°31' 116" East, L.2.24 feet to the point of beginning.	Pursuant to the authority confained in Section 324.1 of the	503.03 feet; (51) South 42°32′40° East 136.23 feet; (52) Southeasterly along a curve to the left, having a radius;			
Containing \$6.9089 acres of land,	Charter, I nereby either my oppositions to the property of the	Rick 21 see Thomas 100 14 feet to the maint of			
Said Parcel also being Lots One-A and One-B as shown on the Plats of "WHITEMARSH MALL, SHEET 2 of 3, REVISED", and on "WHITEMARSH MALL, SHEET 3 of 8, REVISED", recorded among the Plat Records of Baltimore County, Maryland in Plat Book E.H.K., Jr. No. 46 at follow 62 and 63 respectively.	me of any hearing date or dates which may be now or hereafter designated there	beginning. Containing 36.9089 acres of land, more or less.			
2 of 3, REVISED", and on "WHITEMARSH MALL, SHEET 3 of 8, REVISED", recorded among	and of the passage of any preliminary or final Order in connection therewith.	Said Parcel also being Lots One-A			
(2)		and One-B as shown on the Flats of "WHITEMARSH MALL, SHEET 3 of 3, REVISED", and on "WHITEMARSH MALL, SHEET 3 of 3, REVISED", recorded among the Plat Records of Baltimore Coun- ty, Maryland in Plat Book E.H.K., Jr. No. 46 at folios 63 and 63 re-			
DARCET, II	Peter Max Timmerman John W. Deser	apectively.			PETITION MAPPING PROGRESS SHEET
Beginning for the same at a point being North 11°30′48° East 3468.55 feet from the existing intersection center line of Perry Hall Boulevard and Beaconsfield Drive, said point being at the southerly end of the	Peter Max Zimmerman Deputy People's Counsel	Beginning for the same at a point being North 11°30'49" East 3466.45			FUNCTION Wall Map Original Duplicate Tracing 200 Sheet
being at the southerly end of the curved line of a radius of 535.00 feet and 430.30 feet in length; thence binding on said line the following two courses and distances. (1)	Deputy People's Counsel Rm. 223, Court House Towson, Maryland 21204	center line of Perry Hall Boulevard and Beaconstield Drive, said point being at the southerly end of the			Descriptions checked and
two courses and distances, (1) Northeasterly along a curve to the right, having a radius of 585.00 feet, for a distance of 420.30 feet, being subtended by a Chord bearing and distance of North 30°C/15". East,		center line of Perry Hall Boulevard and Beaconstield Drive, said point being at the southerly end of the curved line of a radius of \$35.00 feet and 420.20 feet in length; thence binding on said line the following two courses and distances. (1)	BALTIMORE COUNTY OFFICE OF PL	Anning & zoning	outline plotted on map
i and 48 feet: (2) North 52 39 15 Kest, R	I HEREBY CERTIFY that on this 20th day of July, 1981, a copy of the		County Office Buildin	ng Carlo	Petition number added to
32.46 feet, thence leaving said line and binding the following two entr- sess and distances, (3) South 03°53' 34" West, 388.80 feet, (4) North	Onderwas mailed to Morton P. Fisher, Jr., Esquire, 1300 Mercantile Bank & 1	Been subtanded by a Chard bearing and the land	111 W. Chesapeake A Towson, Maryland 2	Avenue.	outline
point of beginning. Containing 1,227 acres of land, more at less.			Your Petition has been received this /4 d		Denied
Being Let J as shown on the Plat of "WHITEMARSH MALL, SHEET	building, two riopkins rieze, building,	Containing 1.2327 acres of land.		eived: Check	
the Plat Records of Baltimore Country, Maryland in Plat Book E.H.K., Jr. No. 46 at folio 61	Only TO. Verse	more of less.		Cash w	Granted by ZC, BA, CC, CA
Bore of the Being Let J as shown on the Plat of "WHITEMARSH MALL, SHEET 1. of S. REVISED" recorded among the Plat Records of Baltimore County, Maryland in Plat Book E.H.K., Jr. No. 48 at folio 61 https://doi.org/10.1001/10	John W. Hessian, III		TI #773	Other	
4. 1981, at 10:00 A.M.		Being the property of Nottingham Village, Isc., an shown on plat plan filed with the Zoning Department.	Item# 223		Reviewed by: LACA Revised Plans: Change in outline or description Yes
Public Hearing: Room 108, County Office Building, 111 W. Chesapoule Avenue, Townen, Maryland & By Order of: WILLIAM E. HAMMOND,		Hearing Dute: Thursday, August 4, 1981, at 10:00 A.M.	No. 096969	Ran E Off	Previous case: Map # 40
Zoning Commissioner Zoning Commissioner Living County		ty Office Building, 111 W. Chesa- peaks Avenue, Towson, Maryland. By Order of: WILLIAM B. HAMMOND,	BALTIMORE COUNTY, MARYLAND No. 096969	E. Hammond, Zoning Commissioner	
		the control of the co	The state of the s	d by Monton & Fishen DR.	Iten # 223
			DATE 7/7/61	the Petition for assignment of a	
		The state of the s	\$25.03	the Letting tot appiling of a	
			RECEIVED Morton P. Fisher, Jr.		
Y district			FOR: Filing Fee for Case #22-34-A		
			· 50 및 전상 및 10 및 1		
A STATE OF THE STA	MINT OF THE PROPERTY.		25.0CM	- No. 18 (1997) - 1997 -	보다고 있는 사람들이 하고 있는데 하는 사람이다. 나는 사람들은 보다 보다는 사람들은 사람들이 되었는데 보고 있는데 보고 있다. 사람들이 사람들은 사람들이 사용하는데 사용하는데 사용하는데 사용하는데

VALIDATION OR SIGNATURE OF CASHIER

