

IN RE: DEVELOPMENT PLAN HEARING/PETITION * BEFORE THE HEARING OFFICER/
FOR VARIANCE & SPECIAL VARIANCE
W/S York Road, 169.86' S of c/l * ZONING COMMISSIONER
Scott Adam Rd. N of Industry La.
10240-10254 York Road * OF BALTIMORE COUNTY
8th Election District
3rd Councilmanic District
Applicant: Morris & Ritchie Assoc. * Case No. VIII-613 & 93-201-ASA
Legal Owner: AAI Corporation * (Project No. 92-268-Z)
Contract Purchaser/Petitioner:
Frankel Cadillac *

AMENDED HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN/VARIANCE ORDER

WHEREAS, this matter originally came before the Hearing Officer/Zoning Commissioner for review of the Development Plan and related variances for the above captioned property located in Cockeysville. By my factual findings and Order dated February 25, 1993, the requested development plan and related variances were granted. Subsequently, counsel for the Contract Purchaser/Petitioner discovered a typographical error on page 9, line 9 of my opinion and Order. It stated "... that a variance from Section 413.2.F of the B.C.Z.R. to allow 350 sq. ft. on four free standing signs, ...". Instead, it should have read 380 sq. ft. on four free standing signs, as requested and shown on page 2, line 1, of my Order.

NOW, THEREFORE, it is Ordered by the Hearing Officer/Zoning Commissioner for Baltimore County this 15th day of March, 1993 that the Order dated February 25, 1993 of the within case be and is amended to read as follows:

"IT IS FURTHER ORDERED that a variance from Section 413.2.f of the B.C.Z.R. to allow 380 sq. ft. on four free standing signs, in lieu of the maximum 100 sq. ft. on three free standing signs, be and is hereby GRANTED"; and,

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IT IS FURTHER ORDERED that the Hearing Officer's Opinion and Development Plan/Variance Order issued by the Hearing Officer/Zoning Commissioner on February 25, 1993, be and is hereby ratified and incorporated, except as specifically amended herein.

Any appeal from this decision must be taken in accordance with the applicable provisions of law.

LES:mmm

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

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IN RE: DEVELOPMENT PLAN HEARING/PETITION * BEFORE THE HEARING OFFICER/
FOR VARIANCE & SPECIAL VARIANCE
W/S York Road, 169.86' S of c/l * ZONING COMMISSIONER
Scott Adam Rd. N of Industry La.
10240-10254 York Road * OF BALTIMORE COUNTY
8th Election District
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Applicant: Morris & Ritchie Assoc. * Case No. VIII-613 & 93-201-ASA
Legal Owner: AAI Corporation * (Project No. 92-268-Z)
Contract Purchaser/Petitioner:
Frankel Cadillac *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN/VARIANCE ORDER

This matter comes before the Hearing Officer/Zoning Commissioner for review of the Development Plan and related variances for the above captioned property located in Cockeysville. The subject property is a portion of a large tract presently owned by the AAI Corporation and is under contract to be purchased by the Petitioner, Frankel Cadillac. The Petitioner proposes to develop the subject property as a Cadillac/Jaguar/Range Rover Automobile Dealership. Construction will include three buildings as well as a parking area and proposed signage. In addition to the approval of the development plan, the Petitioner, within zoning case No. 93-201-ASA, seeks a number of variances as they relate to the proposed development. These variances relate to three (3) issues; namely, increased signage in excess of the amount allowed by the regulations; side and rear yard setbacks for two of the proposed buildings; and a special variance from the Growth Management regulations contained within the Baltimore County Zoning Regulations (B.C.Z.R.) Further, the Petition for Variance was amended at the public hearing for this case. Specifically, the Petitioner increased the square footage of signage proposed. As now proposed, the Developer seeks the following variances:

1. From Section 413.2.F of the B.C.Z.R. to allow 380 sq. ft. on four free standing signs in lieu of the maximum 100 sq. ft. on three free standing signs; and,

2. For Building A, relief from Section 238.2 of the B.C.Z.R. to allow an 8 ft. rear yard setback on the west side of the property in lieu of the required 30 ft. setback; and to allow a 12 ft. side yard setback on the south side of the property in lieu of the required 10 ft. setback; and,

3. For Building B, relief from Section 238.2 of the B.C.Z.R. to allow a 16 ft. side yard setback on the north side of the property in lieu of the required 30 ft. setback; and

4. A special variance from Section 4A00 (Growth Management) of the B.C.Z.R. pursuant to Sections 4A02.4.D and 4A02.4.F. of the B.C.Z.R., to permit development within the traffic shed area of an F-rated level of service intersection.

Appearing at the public hearing held for this case was Robert Frankel, Chief Executive Officer of the Frankel Automobile Dealership. Mr. Frankel's corporation is the Petitioner and plans to develop this site. Also appearing was Tim Madden of Morris and Ritchie Associates, Inc., the engineers who prepared the site plan, and Glen Cook, an expert employed by The Traffic Group. The Contract Purchaser was represented by Robert A. Hoffman, Esquire.

Numerous representatives of reviewing agencies of Baltimore County also appeared at the hearing. They included Chris Rorke, the Project Manager. Also participating at the hearing were Judith Sussman and Lois Baldwin, representatives of the Stillpond Condominium Association. These Condominiums are located across York Road from the proposed site.

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As to the development plan, a Concept Plan Conference was conducted on November 6, 1992 and a Community Input Meeting was held on November 30, 1992 at the Cockeysville Library. Subsequently, a development plan was submitted and a Development Plan Conference was held on January 20, 1993.

Section 26-206 of the County Code requires that an inquiry be made at the public hearing before me to determine if there are any open and unresolved development issues. At the hearing, the Developer submitted a development plan which is marked as Developer's Exhibit No. 1. In order to bring the plan into compliance with ongoing County comments, the Developer has revised its plan. The most recent plan (Exhibit No. 1) contains revisions dated December 28, 1992, January 22, 1993 and February 5, 1993. These revisions have amended the plan to bring same into compliance with the comments from the reviewing County agencies.

Testimony and evidence presented was that, as a result of these revisions, the plan now satisfies all comments and concerns presented by the reviewing agencies. Thus, as far as the development process is concerned, the plan is satisfactory and should be approved. This was corroborated by the Project Manager, Chris Rorke.

Notwithstanding the compliance of the plan with the County requirements, several issues were raised at the hearing, however. First, as noted above, the subject property is being acquired by the Contract Purchaser/Petitioner from a larger tract owned by the AAI Corporation. The subject property to be acquired is 2.79 acres. The site is located immediately adjacent to York Road in Cockeysville. This is a highly commercial/retail area. The site is zoned B.R.

Notwithstanding the Petitioner's acquisition of the site, a private access road will cross the property to provide access from AAI's site to

York Road. This access road will divide the property into two sections, marked as Parcel 1 and Parcel 2. Further, due to the property sale, an existing Guardhouse on the AAI property will be located immediately adjacent to the sold parcel. Clearly, the location of the existing Guardhouse causes no detriment to either property and the surrounding community. By reference within my approval herein of the development plan, I will allow the Guardhouse to remain at its existing location.

Also, it was noted at the hearing that the subject lot is currently used as a parking lot for AAI employee. Presently, there are approximately 1450 employees at AAI and even after the sale of the subject parcel, 2135 parking spaces will remain on the retained portion. Obviously, there remains sufficient parking for AAI Corporation's employees and no variance is necessary.

As to the development plan submitted, Section 26-206 of the Baltimore County Code permits me to approve the project if same is in compliance with the development regulations and applicable policies, rules and regulations promulgated, pursuant to Section 2-416, et seq. of the Baltimore County Code. In this respect, I am persuaded that the Developer has met its burden. The development plan submitted, as revised, complies with the development regulations. This was clearly demonstrated based on the uncontradicted proffered testimony by the Petitioner and its Engineer, as well as that corroboration provided by the Project Manager. There is no basis in the record before me that the project will, in any manner, adversely affect the surrounding locale. Thus the plan shall be approved.

Having approved the development plan, attention is next turned to the subject variances. First to be addressed are the setback variances for Buildings A and B. As noted above, an access road to the AAI Corporation

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will remain on site and cuts through the middle of the property. As a result of the placement of this road, variances from Section 238.2 of the B.C.Z.R. are required. That is, all required setbacks from the four external property lines of this rectangular lot are maintained. However, variances are necessary only from the buildings to the internal access roadway. Further, the Petitioner described the proposed improvements to the property. Three buildings will be constructed, two on the larger portion of the property, known as Parcel No. 2. These will house the new car dealership, as well as the Service Area. A smaller building will be located on Parcel 1 to serve the parking lot on that parcel. Clearly, based on the uncontradicted evidence and testimony presented, the setback variances should be granted. The Petitioner would suffer practical difficulty if the variances were denied. The unique features of this lot, as it relates to the location of the access road and the placement of the proposed buildings, constitute peculiar circumstances which justify the granting of these variances. Thus the three variances from Section 238.2 of the B.C.Z.R., as enumerated above, will be granted.

Also for consideration was the special variance from Section A400 of the Growth Management regulations. Testimony and evidence presented was that the nearby intersection at York and Padonia Roads is Grade F intersection. Under the zoning regulations, there can be no development within the shed of said intersection without a special variance. In this respect, testimony was received from Glenn Cook, a traffic engineer from The Traffic Group, Inc. Mr. Cook first noted that an interchange from Interstate 83 and Warren Road was presently under construction and would provide access from I-83 to York Road. There appears to be no doubt that upon completion of this project, traffic congestion at York and Padonia

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Roads will be lessened and the intersection will improve to a nonfailing status. Also, Mr. Cook noted that under current traffic calculation procedures, Baltimore County assumes that the parking lot which currently exists on the subject tract will be fully utilized. Further, in estimating the proposed daily traffic trips to be generated by the proposed car dealership use, Mr. Cook believes that parking will be less than the assumed district standard in accordance with Section 4A02.4.F of the B.C.Z.R. That is, there will be less intensive traffic use generated by the automobile dealership than full utilization of the parking lot. Further, Mr. Cook observed that granting of the variance will not adversely affect any person whose application was filed prior to the Petitioner's application in accordance with Subsection 4A02.4.F.b of the B.C.Z.R. For these reasons, the Petition for Special Variance will, likewise, be granted.

The major controversy surrounding this matter arises from the remaining variance to be considered. That is, the request for signage is in excess of what is allowed by the B.C.Z.R. As noted above, a variance from Section 413.2.F of the B.C.Z.R. was amended at the public hearing before me so as to request that 380 square footage of signage be permitted, in lieu of the required 100 square footage. Mr. Frankel testified extensively about the proposed signage. He indicated that the site will be a combination dealership selling Cadillacs, Range Rovers and Jaguar automobiles. Further, under his complex franchising agreements with these manufacturers, certain signage is required of the franchisee. Mr. Frankel discussed in detail the needs for the proposed signs, and what was being requested is clearly depicted on Petitioner's Exhibit No. 1A. In Mr. Frankel's view, this is the bare minimum which is required by the manufacturers when

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he will represent. If the variance is not granted, he testified that he would be in danger of losing the dealerships.

As to the community representatives, they appeared in opposition to the proposed signage. They noted the proliferation of signage along York Road and believe that the proposed signage substantially exceeds that required by the B.C.Z.R. In their view, the variance should be denied.

Section 307 of the B.C.Z.R. governs the granting of sign variances. A variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. See McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for a sign variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After considering all of the evidence and testimony presented, I am persuaded that the sign variance should be granted. Clearly, the Petitioner is left in an untenable situation where he must comply with the demands of his manufacturer while observing the requirements of the B.C.Z.R. The proposed signs, as depicted on Petitioner's Exhibit No. 1A, are tasteful and will not adversely affect the surrounding locale. Further, the site

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is a large parcel, nearly three acres, and the proposed signage is not out of scale with the full dimensions of the property. Thus, I am persuaded that the signage, as depicted on Petitioner's Exhibit No. 1A, should be approved and that the variance should be granted.

Notwithstanding my decision, in this respect, I am persuaded that the Protestants' concerns are legitimate. Signage along the York Road corridor is excessive. Adding excess visual clutter at this section of the roadway is to be discouraged.

Unlike some other car dealerships, Mr. Frankel testified that his operation is a "first class" dealership that appeals to a more sophisticated and fiscally substantial clientele. In my view, particularly in keeping with this marketing scheme, there is clearly no need for the garish advertising gimmicks employed at other dealerships. Inflatable animals, streamers, balloons, banners, and the like, are all inappropriate. For these reasons, I shall so restrict my Order that, although the variances as amended will be granted, the proposed signs will be the only means of outdoor advertising on this site. It is the intent of this restriction to eliminate all advertising and outdoor marketing efforts, with the exceptions of the proposed signs. There shall be no inflatable animals, streamers, balloons, banners, or other gimmicks so common to the automobile industry.

Therefore, pursuant to the zoning and development regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property, and public hearing held thereon, I will approve the development plan and variances requested herein consistent with the comments and restrictions contained above and shall so order.

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THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25th day of February, 1993 that approval of the amended development plan submitted for the subject property, located in Cockeysville, to develop the subject property as a Cadillac Automobile Dealership, be and is hereby APPROVED.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

IT IS FURTHER ORDERED that a variance from Section 413.2.F of the B.C.Z.R. to allow 350 sq. ft. on four free standing signs, in lieu of the maximum 100 sq. ft. on three free standing signs, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that for Building A, a variance from Section 238.2 of the B.C.Z.R. to allow an 8 ft. rear yard setback on the west side of the property in lieu of the required 30 ft. setback; and to allow a 12 ft. side yard setback on the south side of the property in lieu of the required 30 ft. setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that for Building B, a variance from Section 238.2 of the B.C.Z.R. to allow a 16 ft. side yard setback on the north side of the property in lieu of the required 30 ft. setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED a special variance from Section 4A00 (Growth Management) of the B.C.Z.R., pursuant to Sections 4A02.4.D and 4A02.4.F. of the B.C.Z.R., to permit development within a traffic shed area containing an F-rated level of service intersection, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this

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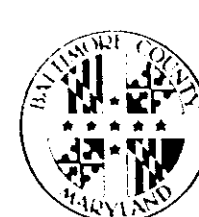
Order, however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Outdoor advertising on this property shall be restricted to the signage proposed and depicted on Petitioner's Exhibit No. 1A, as well as lettering on the facade of the proposed buildings, as permitted by the B.C.Z.R. There shall be no banners, streamers, inflatable animals, balloons and/or other similar outdoor advertising methods used on site. This restriction may be amended/modified only upon the filing of a Petition for Special Hearing by the property owner.

James E. Schmitt
JAMES E. SCHMITT
Zoning Commissioner
for Baltimore County

LES:mmm

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Petition for Variance

93-201-ASA AND SPECIAL VARIANCE
to the Zoning Commissioner of Baltimore County
for the property located at 10240-10254 York Road, Cockeysville, MD
which is presently zoned BR 21030

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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(s) See attached

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be determined at the hearing

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.

Contact Person(s):

Frankel Cadillac

(Type or Print Name)

Robert E. Frankel

201 Reisterstown Road

Reisterstown, MD 21208

City State Zip

Robert A. Hoffman, Esquire

(Type or Print Name)

210 Allegheny Ave.

Towson, MD 21204

City State Zip

(We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s)

AAI Corporation

(Type or Print Name)

By: *Robert W. Worthing*

Robert W. Worthing Esquire

(Type or Print Name)

Signature

P.O. Box 126 628-3673

Hunt Valley, MD 21030

City State Zip

Name, Address and phone number of legal owner, contact purchaser or representative to be contacted.

Robert A. Hoffman, Esquire

210 Allegheny Ave.

Towson, MD 21204 494-6200

City State Zip

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

the following date: *6:00* Next Two Months

ALL *6:00* OTHER

REVIEWED BY: *MMK* DATE: *12/24/92*

PETITION FOR VARIANCE ATTACHMENT

Variances from the following sections of the Baltimore County Zoning Regulations ("B.C.Z.R.") are sought:

- (1) § 413.2.F B.C.Z.R. to allow 350 sq. ft. on four (4) free standing signs in lieu of the maximum 100 sq. ft. on three (3) free standing signs allowed;

For Building A

- (2) § 238.2 B.C.Z.R. to allow an 8 ft. rear yard setback on the west side in lieu of the required 30 ft. setback;

- (3) § 238.2 B.C.Z.R. to allow a 12 ft. side yard setback on the south side in lieu of the required 30 ft. setback;

For Building B

- (4) § 238.2 B.C.Z.R. to allow a 16 ft. side yard setback on the north side in lieu of the required 30 ft. setback; and

in addition, a Special Variance from § 4A00 (Growth Management) of the B.C.Z.R. is sought in accordance with:

- (5) § 4A02.4.D and § 4A02.4.F to permit development within a traffic shed area containing an F-rated level of service.

MORRIS & RITCHIE ASSOCIATES, INC.



DESCRIPTION

FOR ZONING PURPOSES ONLY, A 3.2± ACRE PARCEL ON THE WEST SIDE OF MD ROUTE 45, 169.86'± SOUTH OF SCOTT ADAM ROAD, EIGHTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at a point on the western right of way line of Maryland Route 45, York Road, as shown on Right of Way Plat Number 50511 of the State of Maryland Department of Transportation, said point being located 169.86'± south of the centerline of Scott Adam Road at its intersection with the centerline of MD Route 45, said point also shown as point number 901 on the Plat of A.A.I. Corporation recorded among the land records of Baltimore County in E.H.K., Jr. 52 Folio 137; thence from said point leaving the western right of way line of MD Route 45 and along the line shown on the aforementioned Plat of A.A.I. Corporation South 71° 31'55" West, 223'± to a point; thence along the following two lines through the lands of A.A.I. Corporation:

- 1) South 18° 28'05" East, 629'±
- 2) North 73° 30'00" East, 218'±

to a point on the western right of way line of MD Route 45, thence along said western right of way line North 18° 28'05" West, 635.5'± to the point of beginning.

Containing 3.2 acres of land more or less and subject to a private access road right of way containing 0.3 acres more or less.

Prepared for Zoning purposes only by Morris & Ritchie Associates, Inc.



#220

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *8th* Date of Posting: *1/22/93*
Posted for: *Variances*
Petitioner: *AAI Corp. & Frankel Cadillac*
Location of property: *10240-10254 York Rd. (between 83rd & 84th Sts.)*
Location of Sign: *Property boundary, sign on AAI lot*
Remarks:
Posted by: *MMK* Date of return: *1/23/93*
Number of Signs: *1*

CERTIFICATE OF PUBLICATION

TOWSON, MD., *1/15*, 1993
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of *1* successive weeks, the first publication appearing on *1/14*, 1993.

THE JEFFERSONIAN.

S. Zuck Publisher

receipt

receipt

Baltimore County Government
Office of Zoning Administration
and Development Management

Baltimore County Government
Office of Zoning Administration
and Development Management

No. 180437
M 220

receipt

DPW/Developers Engineering Division (Public Services
Development Review Committee Response Form
Authorized signature Debra A. Brown

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: January 19, 1993

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: January 10, 1993

ITEM NUMBER: 230

The ADT and peak hour trips must be revised as shown.

EXISTING

Potential equivalent office space for 166 spaces - 50,000 ft²
ADT 17,100 ft² - 850
AM Peak 2.20/1000 ft² - 110
PM Peak 2.20/1000 ft² - 110

PROPOSED

Area 47,000 ft² (auto dealership)
ADT 44,100 ft² - 1775
AM Peak 2.0/1000 ft² - 74
PM Peak 2.60/1000 ft² - 96

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RUF/WKL/193

Department of Environmental Protection & Resource Management
Development Review Committee Review Form
Authorized signature: *[Signature]* Date: 1-20-93

Project Name	File Number	Waiver Number	Zoning Issue	Meeting Date
J.F.O. Holding Corporation	213			1-04-93
DEPRM RP STP				<i>written comments</i>
Marshall and Mildred Whipperman	214			
DEPRM RP STP				<i>No comments</i>
Joseph K. And Alva A. Pokorny	216			
DEPRM RP STP				<i>In process</i>
COUNT 3				
William F. And Jeanette R. Clark	221			1-11-92
DED DEPRM RP STP TE				<i>No comments</i>
COUNT 1				
Tyler B. and Lorretta M. Anderson	218			1-11-93
DED DEPRM RP STP TE				<i>No comments</i>
Worthington Place L.P.	219			
DED DEPRM RP STP TE				<i>In process</i>
AAI Corporation	220			
DED DEPRM RP STP TE				<i>No comments</i>
William F. and Jeanette R. Clark	222			
DED DEPRM RP STP TE				<i>No comments</i>
John F. Moore	223			
DED DEPRM RP STP TE				<i>In process</i>
COUNT 5				
Charles A. Wagandt	203			12-28-92
DEPRM RP				<i>In process</i>

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

JANUARY 13, 1993

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: AAI CORPORATION

Location: #10240-10254 YORK ROAD

Item No.: + 220 (MJK) Zoning Agenda: JANUARY 11, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]*
Planning Group
Special Inspection Division

JP/KEK

1/19/93
Printed on Recycled Paper

93-201-ASA
SHA Maryland Department of Transportation
State Highway Administration

O James Lighthizer
Secretary
Hal Kassoff
Administrator

February 8, 1993

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
MD 45 - York Road
Frankel Cadillac
Special Variance
Item #220 (MJK)

Dear Ms. Winiarski:

This office has reviewed the plan for the referenced item and offer the following:

We have no objection to approval of the variance request for the 350 square feet on four free standing signs in lieu of the 100 square feet on three free standing signs.

We also have no objection to approval for the variance regarding the setbacks for Building "A" and Building "B".

However, the special variance pertaining to development within a traffic shed area containing an "F" rated level of service, is an issue that we must approach on a case by case basis.

Through our investigation regarding the proposed development in this particular area, we have learned that when our SHA Warren Road - I-83 Interchange project is completed, the level of service rating in this area should be improved significantly.

With this in mind, we have no objection to approval of this special request.

Our recommendation for approval of this special variance should not be construed as an official position taken by the State Highway Administration for all development in "F" level of service areas.

My telephone number is 410-333-1350 (Fax# 333-1041)

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-482-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Ms. Julie Winiarski
Page -2-
February 8, 1993

If you have any questions, please contact Bob Small of this office at 410-333-1350.

Thank you for the opportunity to review this plan.

Very truly yours,

[Signature]
John Contable, Chief
Engineering Access Permits
Division

BS:maw

cc: Mr. Darrell Wiles

FRANKEL PROP HOH 2/10/93

ZONING PRE HEARING OFFICE HEARING COMMENTS 1/29/93

- THE NOTE ON (L.D) PLOW DETAIL "A" CONCERNING THE "OPEN" AREA BETWEEN SUPPORTS ~~SHOULD~~ MUST BE INCLUDED ON NEW DETAIL "B" ON SIGN ELEVATIONS, OR SHOWN TO BE COATED AS PART OF SIGN #.
- AS NOTED AT DRC. ON 1/29/93 THE BUILDING SETBACK ON THE ADJACENT AAI PROP. (GUARD HOUSE) MUST BE APPROV'D BY THE HEARING OFFICER. THE PARKING PER LOT OF 1/29/93 FROM TIM MADDEN INDICATES THAT SUFFICIENT PARKING IS AVAILABLE FOR A A1. THE FIGURES SHOULD BE INCLUDED ON ALL PLANS ONCE THE HO. IS SATISFIED THEY ARE APPROPRIATE.
- BE AWARE THAT THE H.O.H. PLAN AND ZONING PLANS (FOR VARIANCE) MUST AGREE. ~~A~~ REVISED PLAN FOR (ZONING VARIANCE) MUST BE INCLUDED IN THE ZONING FILE ONCE THE ORDER IS FINAL. THE PETITIONER IS RESPONSIBLE FOR THIS PLAN BEING FORWARDED TO THE ZONING OFFICE.

J. L. LEWIS.

FRANKEL PROPERTY COMMENTS FOR DRC MTG. MAR 11/19/93
FOR REDLINED PLAN FOR DRC. ZONING VARIANCE AS REVISED PLAN.

PARKING CHKS ON PLAN SHOW 188 REQUIRED
ACTUALLY 189 WHEN ADDED TOGETHER.

PROVIDED ARE THE ORIGINAL 156 PARKING SPACES.

AN ADDITIONAL VARIANCE ZONING PUBLIC HEARING
IS REQUIRED TO PERMIT THIS SHORT FALL. On future plans
Number all P.S. and individually talk with the
substantials already on the plans designate all P.S.
as customer, employee, display, storage etc.

[Signature]
J. L. LEWIS
Planner II

93-201-ASA

DPW PHASE II ROUTING SLIP

Rec'd at ZADM: Date 5/1/93 Time 2:00 PM

Scheduled submission date: 5/4

Scheduled completion date: 5/7

Team Leader name: _____

ITEM SUBMITTED (Prelim. Final ☒ Sig. ☒):

FRANKEL PROPERTY

ZONING PLAN

REVIEWER PLEASE CALL team leader:

1. When you receive the submittal at your desk. (Date called: 5/10/93)

2. If the submittal is incomplete and needs to be returned without review.

3. If you don't expect the review to be finished on schedule.

ACTION TAKEN: Date 5/1/93 Time 10:16 AM

Approved

Approved with Comments

Returned for Revisions

Disapproved

Sent to: *MJK* SEE ATTACHED COMMENTS

(Reviewer's initials *JLL*)

RETURN THIS SLIP TO ZADM (Rm. 123, COB)

with copy to team leader.

PROJECT MANAGER please check status:

Flag: Missed deadline? _____

Too many reviews? _____

Please recycle this document when PROJECT PROGRESS chart is updated

BALTIMORE COUNTY, MARYLAND

COMMENTS DATE: 5/11/93

SUBJECT: PHASE II, III AND BUILDING PERMIT COMMENTS

FROM: ZADM - DEVELOPMENT CONTROL

PROJECT NAME: Frankel Property PLAN DATE: 4/29/93

LOCATION: W/S York Road, 1,000' N of Industry Lane (Second Revised)

DISTRICT: 8c3 TEAM LEADER: Mitch Kellman

PROPOSAL: New & Used Auto Dealership APPROVAL TIME NEG.: 5/7/93 (Plan Not Received Until 5/7/93)

Some previous comments, which are not addressed, stated in part:

Provide all (blue) commercial checklist information.

Include correct signature block.

Show all plans to agree with the approved Development and Zoning Variance Hearing plans.

Some obvious changes are: Increase in the size of Building "A" from 27,400 square feet to 29,556 square feet and changes in use areas; changes in building footprint and location; deletion of required designated parking areas for customer, employee, and display; changes to parking and maneuvering areas; deletion of approved sign detail; and changes to note #10 (as shown on the Development Plan), which must be provided verbatim on the Phase II Development Plan, etc. Also include all zoning variance locations and dimensions and key these to the variance notes.

The fact that this plan does not agree with the approved public hearing plans requires the following actions: Submit red-lined approved copies of the zoning variance hearing and Hearing Officer Hearing plans showing and clearly and obviously listing all changes from these plans as approved. These must be accompanied by an explanatory cover letter addressed to Arnold Jablon (Director of ZADM) and request that the zoning variance plan be accepted as being within the spirit and intent of the Order in zoning case #93-201-ASA and that a determination be made by the Development Review Committee on the type of and requirements for approval of the changes in the development plan under project #92-268-2. This request must be accompanied by a check for \$40.00 made payable to Baltimore County, Maryland.

Please re-submit for Phase II approval only after the above issues have been resolved. The revised approvals must be documented in detail on all future plans.

[Signature]
JOHN L. LEWIS
Planner II

JLL:scj

cc: #92-268-2
#93-201-ASA
Phase II file

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

BALTIMORE, MD
WASHINGTON, D.C.
ALEXANDRIA, VA
ROCKVILLE, MD
BETHESDA, MD

ROBERT A. HOFFMAN

February 26, 1993

WRITER'S DIRECT NUMBER 18
(410) 484-9787
6267

Lawrence E. Schmidt,
Zoning Commissioner
First Floor, Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Frankel Cadillac - York Road
Zoning Case Nos. VIII-613 & 93-201-ASA
Opinion and Development Plan Order/Variance Order

Dear Mr. Schmidt:

I am writing to bring to your attention a discrepancy regarding the sign variance language in the above-referenced Order which apparently was the result of a typographical error.

As you know, the sign variance requested 380 sq. ft. of signage and your Opinion correctly refers to the requested 380 sq. ft. at pages 2 and 6 and states at page 8 that "I am persuaded that the signage, as depicted on Petitioner's Exhibit No. 1A, should be approved (that Exhibit shows 380 sq. ft.)." However, page 9 of the Order grants 350 sq. ft. of signage. Since it is apparent from your language in the Opinion that you intended to grant the sign variance for 380 sq. ft., I believe the 350 sq. ft. listed on page 9 was a typographical error.

Accordingly, I would respectfully request that your Order be revised to accurately reflect the 380 sq. ft. of sign area requested.

Thank you for your attention to this matter.

Yours truly,

Robert A. Hoffman

GPW/pr



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



January 20, 1993

Mr. John Lewis
Baltimore County
Office of Planning and Zoning
111 W. Chesapeake Avenue, Room 109
Towson MD, 21204

Subject: Frankel Property
#922682

Dear John:

The subject project calls for construction of a new car dealership on land previously owned by the AAI corporation and used for employee parking. The past several years has seen a decline in the number of employees based at AAI's Industry Lane Facility. The purpose of this letter is to inform you that, according to information we received from Mr. Jack Gureckii, facilities manager for AAI Corporation, there is more than a sufficient number of parking spaces remaining after the loss of 162 spaces displaced by the project.

Currently there are 1,450 full time employees on the property. There are 2,135 spaces on the property. The development will not cause AAI Corporation to be deficient in the amount of parking required for its property.

Please contact this office if you have any further questions.

Very Truly Yours,

MORRIS AND RITCHIE ASSOCIATES, INC.

Tim Madden

Timothy F. Madden, ASLA, AICP
Associate

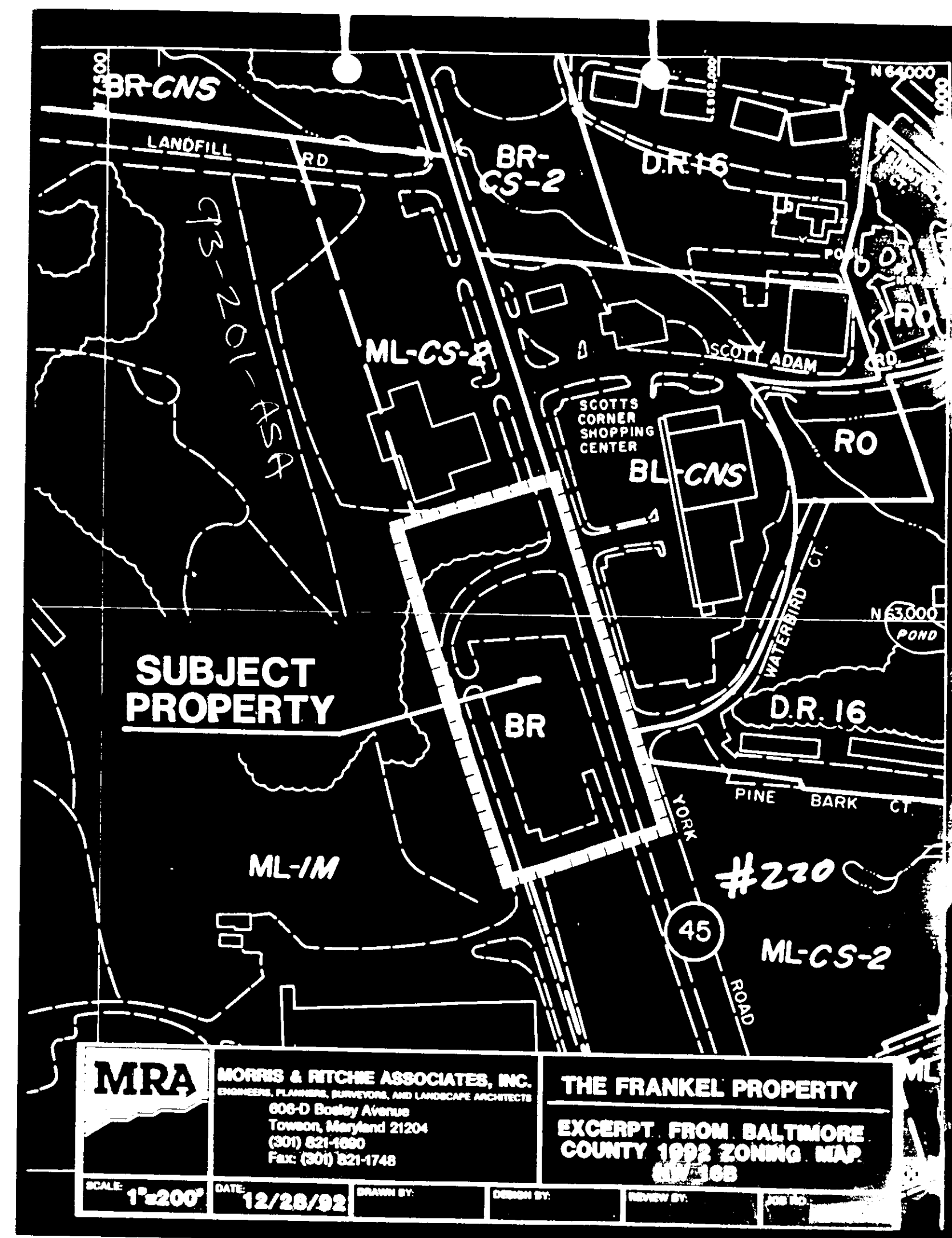


ZONING OFFICE

MRA #9600
TFM/bj/vas

CC: Mr. Rob Hoffman
Mr. Robert Frankel
Mr. Robert F. Bradley

111 W. CHESAPEAKE AVENUE, ROOM 109, TOWSON, MD 21204
(301) 821-1748
FAX (301) 821-1748



DEVELOPMENT PLAN NOTES

- THE PROJECT SITE IS LOCATED ON THE WESTSIDE OF YORK ROAD, NORTH OF INDUSTRY LANE, AS SHOWN ON THE VIGNETTE MAP ON THIS DRAWING.
- THE SITE IS LOCATED WITHIN THE 3RD COUNCILMANIC DISTRICT, WITHIN THE 8TH ELECTION DISTRICT, WITHIN THE CENSUS TRACT #4004, WITHIN THE BEAVERDAM RUN WATERSHED, AND THE TEXAS/COCKEYSVILLE SUBSEWERHED.
- THE SUBDIVISION SHALL BE RECORDED IN THE BALTIMORE COUNTY LAND RECORDS AS "THE FRANKEL PROPERTY".
- THE APPLICANT AND PROJECT DEVELOPER IS:
MR. ROBERT FRANKEL
C/O FRANKEL CADILLAC, STERLING
AND RANGE ROVER
201 REISTERSTOWN ROAD
BALTIMORE, MARYLAND 21208
PHONE: (410) 484-8800
- THIS PLAN WAS PREPARED BY:
MORRIS & RITCHIE ASSOCIATES, INC.
606-D BOSLEY AVENUE
TOWSON, MARYLAND 21204
PHONE: (410) 821-1690
ATTN: MR. TIMOTHY F. MADDEN, A.S.L.A., A.I.P.
- VARIANCES TO THE REQUIRED SIDE AND REAR YARD SETBACKS ARE BEING REQUESTED CONCURRENTLY WITH THE DEVELOPMENT PLAN SUBMITTAL. THE FOLLOWING VARIANCES ARE REQUESTED PURSUANT TO § 230.2 OF THE B.C.Z.R.:
A. **BUILDING A:** VARIANCE FROM THE REQUIRED REAR YARD SETBACK OF 30 FEET ALLOW A REAR YARD SETBACK ON THE WEST SIDE OF 8 FEET IN LIEU OF THE REQUIRED 30 FEET.
VARIANCE FROM THE REQUIRED SIDE YARD SETBACK OF 30 FEET TO ALLOW A SIDE YARD SETBACK ON THE SOUTH SIDE OF 12 FEET IN LIEU OF THE REQUIRED 30 FEET.
B. **BUILDING B:** VARIANCE FROM THE REQUIRED SIDE YARD SETBACK OF 30 FEET TO ALLOW A SIDE YARD SETBACK ON THE NORTH SIDE OF 16 FEET IN LIEU OF THE REQUIRED 30 FEET.
- PARENT PROPERTY**
THE EXISTING GUARD HOUSE ON THE PROPERTY OF THE AAI CORPORATION IS AN ACCESSORY USE IN AN "M-1M ZONE". THE GUARDHOUSE IS NOT BEING RELOCATED, DUE TO THE SALE AND DEVELOPMENT OF THE SUBJECT PROPERTY. THE CREATION OF A NEW LOT LINE FOR THE FRANKEL PROPERTY CREATES A SUBSTANDARD FRONT YARD SETBACK. THE APPLICANT PROPOSES A 17 FOOT FRONT YARD SETBACK IN LIEU OF THE REQUIRED 25 FOOT FRONT YARD SETBACK.
- EXISTING ZONING IS "BR". THE "BR" ZONING HAS BEEN APPROVED FOR THE ENTIRE SUBJECT PROPERTY AS ISSUE NO. 3-163 ON THE 1992 BALTIMORE COUNTY COMPREHENSIVE ZONING MAPS. THE SITE PROPOSAL IS BASED UPON THE APPROVED "BR" ZONING.
- "BR" ZONING (BUSINESS, ROADSIDE), SECTION 236, INCLUDES THE FOLLOWING BULK RESTRICTIONS:
A. **FRONT YARD:** 50 FEET FROM FRONT PROPERTY LINE, IF ON A DUAL HIGHWAY. 25 FEET IF ON ANY OTHER STREET AND NOT LESS THAN 50 FEET FROM STREET CENTERLINE. YORK ROAD IS NOT A DUAL HIGHWAY.
B. **SIDE AND REAR YARDS:** 30 FEET
C. **FLOOR AREA RATIO:** MAXIMUM 2.0 F.A.R. PROPOSED: 37,260 S.F. PERMITTED: 126,324 S.F.
D. **HEIGHT:** 40 FEET. BEYOND 40 FEET HEIGHT, THE FLEXIBLE HEIGHT "TENT" FORMULA APPLIES. THE PROPOSED MAXIMUM HEIGHT OF BUILDING "A" IS 25 FEET. BUILDING "B" AND BUILDING "C" WILL BE A MAXIMUM OF 20 FEET IN HEIGHT.
- EXISTING USE: EMPLOYEE PARKING LOT
- PROPOSED USE: NEW AUTOMOBILE SALES ON PARCELS I & II AND ACCESSORY USED CAR SALES ON PART OF PARCEL I (PERMITTED AS OF RIGHT IN A "B.R." ZONE)
PROPOSED 3 BLDGS: BUILDING A: 27,400 S.F.
BUILDING B: 9,524 S.F.
BUILDING C: 336 S.F.
- SITE AREA: 2.79 ACRES ±
- THE EXISTING ACCESS ROAD FOR THE AAI CORPORATION SHALL REMAIN IN PLACE. A 50' ± WIDE INGRESS/EGRESS ACCESS EASEMENT SHALL BE RECORDED OVER THE ACCESS ROAD. USE OF THIS ROAD SHALL BE SHARED BY BOTH PARTIES (AAI CORPORATION AND THE FRANKEL COMPANY). THE EXISTING GUARD HOUSE WILL REMAIN IN PLACE.
- THERE ARE NO EXISTING WELLS OR SEPTIC TANKS ON SITE.
- THE EXISTING EMPLOYEE PARKING LOT AND ASSOCIATED LIGHT POLES SHALL BE REMOVED.
- ANY STREET TREES AND ASSOCIATED PLANTING AROUND THE EXISTING PARKING LOT AND ACCESS DRIVE SHALL BE TREE-SAVED AND PLACED IN A TEMPORARY NURSERY UNTIL CONSTRUCTION HAS BEEN COMPLETED. ALL EXISTING PLANT MATERIAL WILL BE REPLANTED ON SITE TO THE FULLEST EXTENT POSSIBLE, TO FULFILL THE BALTIMORE COUNTY LANDSCAPE REQUIREMENTS.
- PROPOSED BUILDINGS WILL NOT BE SPRINKLED.

- STORMWATER MANAGEMENT WILL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING:

A. PARCEL I

PEAK DISCHARGE			
	EXISTING	PROPOSED	VOLUME REQUIRED
2-YEAR	0.14 CFS	1.32 CFS	0.04 AC-FT
10-YEAR	1.63 CFS	3.09 CFS	0.04 AC-FT

- WATER QUALITY FOR FIRST HALF INCH RUNOFF FROM 0.28AC = 0.012 AC-FT

B. PARCEL II

PEAK DISCHARGE		
	EXISTING	PROPOSED
2-YEAR	8.22 CFS	8.91 CFS

LESS THAN 10% INCREASE IN 2-YEAR PEAK DISCHARGE QUALIFIES FOR WAIVER OF QUANTITY MANAGEMENT. APPLICANT HAS REQUESTED A WAIVER OF SWM REQUIREMENTS FOR PARCEL II.

WATER QUALITY WILL BE PROVIDED BY WATER QUALITY INLETS.

18. PARKING CALCULATIONS

A. REQUIRED:	BUILDING A	BUILDING B	BUILDING C	BUILDING D	BUILDING E	BUILDING F
SHOWROOM	3,270 S.F.	2,485 S.F.	---	---	---	---
SALES OFFICE	1,385 S.F.	2,359 S.F.	336 S.F.	---	---	---
PARTS	9,322 S.F.	700 S.F.	---	---	---	---
SHOP (SERVICE BAYS)	---	---	---	---	---	---
BUS. OFFICES	12,003 S.F.	4,000 S.F.	---	---	---	---
EXPOSED UNDER CANOPY	3,700 S.F.	---	---	---	---	---

TOTAL BLDG AREAS	27,400 S.F.	9,524 S.F.	336 S.F.	TOTAL	110	42	2
TOTAL BUILDING AREA PROPOSED: 37,260 S.F.				REQUIRED PARKING: 154 SPACES			

B. PROPOSED:

1. NON-BLOCKED SPACES

INDOOR	PARCEL I	PARCEL II	TOTAL
SERVICE BAYS	0	(A) 30 * (B) 4 = 34	
EMPLOYEE PARKING	23	25	= 48
CUSTOMER PARKING	15	57	= 72
TOTAL PROVIDED =	38	115	= 154

2. BLOCKED SPACES

DISPLAY AND STORAGE	PARCEL I	PARCEL II	TOTAL
	39	45	84

19. LANDSCAPE REQUIREMENTS

A. CALCULATIONS	REQUIRED PLANTING UNITS
1 P.U. PER 20 L.F. OF INTERIOR ROAD	@ 235 L.F. 11.8
1 P.U. PER 40 L.F. OF ADJACENT ROAD FRONTAGE (75% TO BE MAJOR DECIDUOUS)	@ 1055 L.F. 26.3 (19.7)
1 P.U. PER 12 PARKING SPACES	204 SPACES 17
1 P.U. PER 15 L.F. OF CLASS "B" SCREENING OF PARKING LOT ADJACENT TO PUBLIC RIGHT-OF-WAY.	@ 531 L.F. 35.4
1 P.U. PER 15 L.F. OF CLASS "A" SCREENING OF DUMPSTER PAD	@ 27 L.F. 1.8
TOTAL REQUIRED: 92.3 PLANTING UNITS	

- LANDSCAPE TREATMENT WILL ADDRESS THE SITE IMPROVEMENT CONDITIONS ENUMERATED IN THE OWNERS' LETTER TO COUNCILMAN RUPPERSBERGER, DATED OCTOBER 15, 1992.

- A SCHEMATIC LANDSCAPE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THIS DEVELOPMENT PLAN, AND THE CURRENT LANDSCAPE MANUAL ADOPTED BY THE BALTIMORE COUNTY COUNCIL ON OCTOBER 1, 1990. THE SCHEMATIC LANDSCAPE PLAN IS ATTACHED HERETO AND MADE A PART OF THE DEVELOPMENT PLAN. A FINAL LANDSCAPE PLAN MUST BE PREPARED AND APPROVED BY THE OFFICE OF PLANNING AND ZONING PRIOR TO THE ISSUANCE OF GRADING OR BUILDING PERMITS.

20. SIGNAGE

- BUSINESS SIGNS SHALL BE AFFIXED TO EACH OF THE BUILDING WALLS. EACH SIGN SHALL NOT EXCEED IN SQUARE FEET, FOUR TIMES THE LENGTH OF THE WALL TO WHICH IT IS AFFIXED. THEREFORE, BUILDING-MOUNTED WALL SIGNS SHALL NOT EXCEED THE FOLLOWING MAXIMUM AREAS:
BUILDING "A": 520 SQUARE FEET
BUILDING "B": 468 SQUARE FEET
BUILDING "C": 96 SQUARE FEET

- FREE-STANDING SIGNS: OTHER BUSINESS SIGNS (IN A BUSINESS ZONE) ARE PERMITTED IF THEY ARE LIMITED TO A TOTAL OF 100 SQUARE FEET OF TOTAL SIGN FACE AREA. THIS PROJECT PROPOSES THE INSTALLATION OF 4 FREE-STANDING SIGNS (SEE ARCH. & SIGNAGE DETAIL SHEET) WHICH COMPRISE A TOTAL OF 350 SQUARE FEET OF SIGN AREA. A VARIANCE TO PERMIT THE 350 SQ FT OF SIGN AREA IN LIEU OF THE MAXIMUM 100 SQ FT. ALLOWED HAS BEEN REQUESTED BY THE APPLICANT PURSUANT TO § 413.2.1 OF THE B.C.Z.R., CONCURRENTLY WITH SUBMISSION OF THE DEVELOPMENT PLAN.

- PAVEMENT: ALL PARKING AND AISLEWAYS SHALL BE PERMANENTLY PAVED WITH ASPHALT AND PERMANENTLY STRIPED. ALL PARKING SPACES AND DRIVEWAYS SHALL CONFORM TO SECTION 409.4 OF THE B.C.Z.R.

- LIGHTING: ALL EXTERIOR LIGHTING ON SITE SHALL BE ARRANGED AND DIRECTED SO AS TO REFLECT ONTO THE PREMISES AND AWAY FROM ALL ADJACENT RESIDENTIAL PROPERTIES AND PUBLIC ROADS.

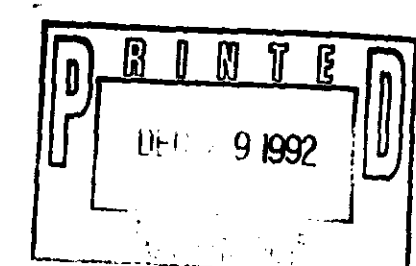
- THIS PROJECT IS LOCATED WITHIN THE MD45/PADONIA ROAD TRAFFIC SHED. THE INTERSECTION IS AT A FAILING LEVEL OF SERVICE, AT THE TIME OF THE PREPARATION OF THIS DEVELOPMENT PLAN. CONCURRENTLY WITH THIS PLAN SUBMITTAL, THE APPLICANT HAS REQUESTED A SPECIAL VARIANCE FROM THE TRAFFIC SHED MORATORIUM PURSUANT TO § 4402.4.F OF THE B.C.Z.R. THE REQUEST IS BASED UPON A STUDY PERFORMED BY THE TRAFFIC GROUP, INC. WHICH STATES THAT THE TRAFFIC GENERATED FROM THE PROPOSED LAND USE WILL BE SUBSTANTIALLY LESS THAN THAT GENERATED BY THE EXISTING LAND USE.

EXISTING PEAK HOUR TRIPS	PROPOSED PEAK HOUR TRIPS	TOTAL A.T.S.
A.M. 112 P.M. 112	A.M. 54 P.M. 60	114

- THE USE OF OUTDOOR SPEAKERS WILL BE LIMITED TO ONE SPEAKER PER BUILDING. THE TYPE OF SPEAKER SHALL BE SIMILAR TO A MODEL SP15-8A AS MANUFACTURED BY THE BOGEN ELECTRONICS COMPANY. SPEAKER HORN SHALL BE DIRECTED DOWNWARD.

93-201-ASA

#220



8th ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
606-D Bosley Avenue
Towson, Maryland 21204
(301) 821-1690
Fax: (301) 821-1748

DEVELOPMENT PLAN NOTES
FOR THE
FRANKEL PROPERTY
DPN #222682

DATE	REVISIONS	JOB NO.
2.28.92	REV #2 NOTES: G, H, B & G FOR VARIANCE	9800
		SCALE 1"=30'
		DATE 12-17-92
		DRAWN BY W.J.H.
		DESIGN BY B.K.F.
		REVIEW BY T.F.M.
		SHEET 1 of 4

DEVELOPMENT PLAN NOTES

- THE PROJECT SITE IS LOCATED ON THE WESTSIDE OF YORK ROAD, NORTH OF INDUSTRY LANE, AS SHOWN ON THE VICTORY MAP ON SHEET 2 OF 4.
- THE SITE IS LOCATED WITHIN THE 3RD COUNCILMANIC DISTRICT, WITHIN THE 6TH ELECTION DISTRICT, WITHIN THE CENSUS TRACT #4084, WITHIN THE BEAVERDAM RUN WATERSHED, AND THE TEXAS/DOCKEYVILLE SUBWATERSHED.
- THE SUBDIVISION SHALL BE RECORDED IN THE BALTIMORE COUNTY LAND RECORDS AS "THE FRANKEL PROPERTY".
- THE APPLICANT AND PROJECT DEVELOPER IS:

MR. ROBERT FRANKEL
C/O FRANKEL CADILLAC, STERLING
AND RANGE ROVER
301 REISTERSTOWN ROAD
BALTIMORE, MARYLAND 21208
PHONE: (410) 484-8800

- THIS PLAN WAS PREPARED BY:

MORRIS & RITCHIE ASSOCIATES, INC.
606-D BOSLEY AVENUE
TOWSON, MARYLAND 21204
PHONE: (410) 821-1690
ATTN: MR. TIMOTHY F. MADDEN, ASLA, AICP

- VARIANCES TO THE REQUIRED SIDE AND REAR YARD SETBACKS ARE BEING REQUESTED CONCURRENTLY WITH THE DEVELOPMENT PLAN SUBMITTAL. THE FOLLOWING VARIANCES ARE REQUESTED PURSUANT TO § 238.2 OF THE B.C.Z.R.:

- BUILDING A:** VARIANCE FROM THE REQUIRED REAR YARD SETBACK OF 30 FEET TO ALLOW A REAR YARD SETBACK ON THE WEST SIDE OF 8 FEET IN LIEU OF THE REQUIRED 30 FEET. THE ACTUAL REAR YARD WILL BE 18 FEET, 60 THE VARIANCE REQUIRED WILL BE LESS THAN THE VARIANCE FROM THE REQUIRED SIDE YARD SETBACK OF 30 FEET TO ALLOW A SIDE YARD SETBACK ON THE SOUTH SIDE OF 12 FEET IN LIEU OF THE REQUIRED 30 FEET. THE ACTUAL SIDE YARD WILL BE 20 FEET, 50 THE VARIANCE REQUIRED WILL BE LESS THAN THE VARIANCE FROM THE REQUIRED SIDE YARD SETBACK OF 30 FEET TO ALLOW A SIDE YARD SETBACK ON THE NORTH SIDE OF 16 FEET IN LIEU OF THE REQUIRED 30 FEET.
- BUILDING B:** VARIANCE FROM THE REQUIRED SIDE YARD SETBACK OF 30 FEET TO ALLOW A SIDE YARD SETBACK ON THE NORTH SIDE OF 16 FEET IN LIEU OF THE REQUIRED 30 FEET.

NOTE: THESE VARIANCES WERE APPROVED BY THE HEARING OFFICER ON FEB. 10, 1993, AS PART OF CASE NO. VII - 613 & 65-201-ASA.

- PARENT PROPERTY**

THE EXISTING GUARD HOUSE ON THE PROPERTY OF THE AN CORPORATION IS AN ACCESSORY USE IN AN "M" ZONE. THE GUARDHOUSE IS NOT BEING RELOCATED, DUE TO THE SALE AND DEVELOPMENT OF THE SUBJECT PROPERTY. THE CREATION OF A NEW LOT LINE FOR THE FRANKEL PROPERTY CREATES A SUBSTANTIAL FRONT YARD SETBACK. THE APPLICANT PROPOSES A 17 FOOT FRONT YARD SETBACK IN LIEU OF THE REQUIRED 25 FOOT FRONT YARD SETBACK, AFTER THE SALE OF THE SUBJECT 2.78 ACRE PROPERTY. 2155 PARKING SPACES WILL REMAIN ON THE AN CORPORATION PROPERTY.

- EXISTING ZONING IS "B1". THE "B1" ZONING HAS BEEN APPROVED FOR THE ENTIRE SUBJECT PROPERTY AS ISSUE NO. 3-183 ON THE 1980 BALTIMORE COUNTY COMPREHENSIVE ZONING MAPS. THE SITE PROPOSAL IS BASED UPON THE APPROVED "B1" ZONING.

- "B1" ZONING (BUSINESS, ROADSIDE), SECTION 236, INCLUDES THE FOLLOWING BULK RESTRICTIONS:

- FRONT YARD:** 50 FEET FROM FRONT PROPERTY LINE, IF ON A DUAL HIGHWAY, 25 FEET IF ON ANY OTHER STREET AND NOT LESS THAN 50 FEET FROM STREET CENTERLINE. YORK ROAD IS NOT A DUAL HIGHWAY.
- SIDE AND REAR YARDS:** 30 FEET
- FLOOR AREA RATIO:** MAXIMUM 2.0 F.A.R. SEE CHART 8C ON THIS SHEET FOR BREAKDOWN OF F.A.R. PERMITTED: 243,084 S.F. PROPOSED: 37,200 S.F. (0.31 F.A.R.)
- HEIGHT:** 40 FEET. BEYOND 40 FEET HEIGHT, THE FLEXIBLE HEIGHT TENTH FORMULA APPLIES. THE PROPOSED MAXIMUM HEIGHT OF BUILDING "A" IS 35 FEET. BUILDING "B" AND BUILDING "C" WILL BE A MAXIMUM OF 2 FEET IN HEIGHT.

- EXISTING USE: EMPLOYEE PARKING LOT

- PROPOSED USE: NEW AND USED AUTOMOBILE SALES ON PARCEL I & II. (PERMITTED AS OF RIGHT IN A "B1" ZONE).

PROPOSED 3 BLDGS: BUILDING A: 27,400 S.F.
BUILDING B: 3,824 S.F.
BUILDING C: 336 S.F.

- SITE AREA: 2.78 ACRES ±, PARCEL I: 0.50 ACRES ±, PARCEL II: 2.20 ACRES ±

- THE EXISTING ACCESS ROAD FOR THE AN CORPORATION SHALL REMAIN IN PLACE. A 50' WIDE INGRESS/EGRESS ACCESS EASEMENT SHALL BE RECORDED OVER THE ACCESS ROAD. USE OF THIS ROAD SHALL BE SHARED BY BOTH PARTIES (AN CORPORATION AND THE FRANKEL COMPANY). THE EXISTING GUARD HOUSE WILL REMAIN IN PLACE.

- THERE ARE NO EXISTING WELLS OR SEPTIC TANKS ON SITE.

- THE EXISTING EMPLOYEE PARKING LOT AND ASSOCIATED LIGHT POLES SHALL BE REMOVED.

- SOME OF THE EXISTING STREET TREES AND ASSOCIATED PLANTING AROUND THE EXISTING PARKING LOT AND ACCESS DRIVE SHALL BE TREE-SAVED AND PLACED IN A TEMPORARY NURSERY UNTIL CONSTRUCTION HAS BEEN COMPLETED. ALL EXISTING PLANT MATERIAL WILL BE REPLANTED ON SITE TO THE FULLEST EXTENT POSSIBLE, TO FULFILL THE BALTIMORE COUNTY LANDSCAPE REQUIREMENTS.

- PROPOSED BUILDINGS WILL BE SPRINKLERED.

- STORMWATER MANAGEMENT WILL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING:

	PEAK DISCHARGE		
	EXISTING	PROPOSED	VOLUME REQUIRED
2-YEAR	0.14 CFS	1.28 CFS	0.04 AC-FT
10-YEAR	1.83 CFS	3.08 CFS	0.04 AC-FT

- WATER QUALITY FOR FIRST HALF INCH RUNOFF (FROM 0.28AC - 0.012 AC-FT) WILL BE PROVIDED

	PEAK DISCHARGE		
	EXISTING	PROPOSED	
2-YEAR	0.22 CFS	0.91 CFS	

LESS THAN 1% INCREASE IN 2-YEAR PEAK DISCHARGE QUALIFIES FOR WAIVER OF QUANTITY MANAGEMENT. APPLICANT HAS REQUESTED A WAIVER OF BWM REQUIREMENTS FOR PARCEL II. WAIVER WAS APPROVED BY LETTER DATED FEB. 16, 1993, FROM THOMAS L. VIDMAR, P.E., CHIEF OF ENGINEERING SERVICES FOR D.E.P.A.M.

WATER QUALITY WILL BE PROVIDED BY WATER QUALITY INLETS.

PARKING CALCULATIONS

REQUIRED:	BUILDING A	BUILDING B	BUILDING C	BLDG A	BLDG B	BLDG C
SHOWROOM	3,270 S.F.	2,485 S.F.	—	@ 5/1000 S.F. = 16	13	—
SALES OFFICE	1,360 S.F.	2,380 S.F.	336 S.F.	@ 5/1000 S.F. = 7	12	2
PARTS	9,322 S.F.	700 S.F.	—	@ 5/1000 S.F. = 47	4	—
SHOP (SERVICE BAYS)	—	—	—	—	—	—
BLDG OFFICES	12,003 S.F.	4,000 S.F.	—	@ 3.3/1000S.F. = 40	13	—
EXPOSED UNDER CANOPY	3,700 S.F.	—	—	0	0	0

TOTAL BLDG AREAS 27,400 S.F. 9,524 S.F. 336 S.F. TOTAL 110 42 2
TOTAL BUILDING AREA PROPOSED: 37,200 S.F.
TOTAL REQUIRED PARKING: 154 SPACES

B. PROPOSED:

1. NON-BLOCKED SPACES	PARCEL I	PARCEL II	TOTAL
INDOOR SERVICE BAYS	0	(A) 30 + (B) 4 = 34	34
EMPLOYEE PARKING	25	25	50
CUSTOMER PARKING	15	57	72
TOTAL PROVIDED	40	116	156

2. BLOCKED SPACES	PARCEL I	PARCEL II	TOTAL
DISPLAY AND STORAGE	37	45	82

LANDSCAPE REQUIREMENTS.

A. CALCULATIONS	REQUIRED PLANTING UNITS
1 P.U. PER 20 L.F. OF INTERIOR ROAD	@ 236 L.F. 11.8
1 P.U. PER 40 L.F. OF ADJACENT ROAD FRONTAGE (75% TO BE MAJOR DECIDUOUS)	@ 1065 L.F. 26.6 26.5
1 P.U. PER 12 PARKING SPACES	204 SPACES 17
1 P.U. PER 15 L.F. OF CLASS "B" SCREENING OF PARKING LOT ADJACENT TO PUBLIC RIGHT-OF-WAY	@ 391 L.F. 26.1 35.3
1 P.U. PER 15 L.F. OF CLASS "A" SCREENING OF DUMPSTER PAD	@ 37 L.F. 2.5
DUMPSTERS TO BE SCREENED W/ FENCING OR RET. WALLS	20.6 48.3 PLANTING UNITS

- LANDSCAPE TREATMENT WILL ADDRESS THE SITE IMPROVEMENT CONDITIONS ENUMERATED IN THE OWNERS' LETTER TO COUNCILMAN RUFFENBERGER, DATED OCTOBER 15, 1992, AND AMENDED AS PER DISCUSSIONS WITH THE COUNCILMAN. AMENDMENTS ARE SHOWN ON SHEET 4 OF 4 AND ON THE FINAL LANDSCAPE PLAN.
- A SCHEMATIC LANDSCAPE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THIS DEVELOPMENT PLAN, AND THE CURRENT LANDSCAPE MANUAL, ADOPTED BY THE BALTIMORE COUNTY COUNCIL ON OCTOBER 1, 1990. THE SCHEMATIC LANDSCAPE PLAN IS ATTACHED HERETO AND MADE A PART OF THE DEVELOPMENT PLAN. A FINAL LANDSCAPE PLAN MUST BE PREPARED AND APPROVED BY THE OFFICE OF PLANNING AND ZONING PRIOR TO THE ISSUANCE OF GRADING OR BUILDING PERMITS.

20. SIGNAGE:

- BUSINESS SIGNS SHALL BE AFFIXED TO EACH OF THE BUILDING WALLS. EACH SIGN SHALL NOT EXCEED IN SQUARE FEET, FOUR TIMES THE LENGTH OF THE WALL TO WHICH IT IS AFFIXED. THEREFORE, BUILDING-MOUNTED WALL SIGNS SHALL NOT EXCEED THE FOLLOWING MAXIMUM AREAS:

BUILDING "A": 680 SQUARE FEET
BUILDING "B": 488 SQUARE FEET
BUILDING "C": 98 SQUARE FEET

- FREE-STANDING SIGNS: OTHER BUSINESS SIGNS (IN A BUSINESS ZONE) ARE PERMITTED IF THEY ARE LIMITED TO A TOTAL OF 100 SQUARE FEET OF TOTAL SIGN FACE AREA. THIS PROJECT PROPOSES THE INSTALLATION OF 4 FREE-STANDING SIGNS (SEE ARCH. & SIGNAGE DETAIL SHEET) WHICH COMPREHEND A TOTAL OF 380 SQUARE FEET OF SIGN AREA. A VARIANCE TO PERMIT THE 380 SQ. FT. OF SIGN AREA IN LIEU OF THE MAXIMUM 100 SQ. FT. ALLOWED HAS BEEN REQUESTED BY THE APPLICANT PURSUANT TO § 413.2.1 OF THE B.C.Z.R., CONCURRENTLY WITH SUBMISSION OF THE DEVELOPMENT PLAN.

NOTE: A VARIANCE FROM SECTION 413.2.F WAS APPROVED TO PERMIT THE SIGNAGE PROPOSAL. THE HEARING OFFICER IS ORDER RESTRICTS THE USE OF INFLATABLE ANIMALS, STREAMERS, BALLOONS, AND BANNERS.

- PAVEMENT:** ALL PARKING AND AISLEWAYS SHALL BE PERMANENTLY PAVED WITH ASPHALT AND PERMANENTLY STRIPPED. ALL PARKING SPACES AND DRIVEWAYS SHALL CONFORM TO SECTION 408.4 OF THE B.C.Z.R.
- LIGHTING:** ALL EXTERIOR LIGHTING ON SITE SHALL BE ARRANGED AND DIRECTED SO AS TO REFLECT ONTO THE PREMISES AND AWAY FROM ALL ADJACENT RESIDENTIAL PROPERTIES AND PUBLIC ROADS.
- THIS PROJECT IS LOCATED WITHIN THE MD-6/PADONIA ROAD TRAFFIC SHED. THE INTERSECTIONS AT A FAILING LEVEL OF SERVICE, AT THE TIME OF THE PREPARATION OF THIS DEVELOPMENT PLAN. CONCURRENTLY WITH THIS PLAN SUBMITTAL, THE APPLICANT HAS REQUESTED A SPECIAL VARIANCE FROM THE TRAFFIC SHED MORATORIUM PURSUANT TO § 4402.2.F OF THE B.C.Z.R. THE REQUEST IS BASED UPON A STUDY PERFORMED BY THE TRAFFIC GROUP, INC. WHICH STATES THAT THE TRAFFIC GENERATED FROM THE PROPOSED LAND USE WILL BE SUBSTANTIALLY LESS THAN THAT GENERATED BY THE EXISTING LAND USE.

EXISTING PEAK HOUR TRIPS	PROPOSED PEAK HOUR TRIPS	TOTAL A.D.T.S. EXISTING PROPOSED
A.M. 110 P.M. 110	A.M. 74 P.M. 86	1775 : 850 : 1775

- THE USE OF OUTDOOR SPEAKERS WILL BE LIMITED TO ONE SPEAKER PER BUILDING. THE TYPE OF SPEAKER SHALL BE SIMILAR TO A MODEL SP15-8A AS MANUFACTURED BY THE BOGEN ELECTRONICS COMPANY. SPEAKER HORN SHALL BE DIRECTED DOWNWARD.

- OUTDOOR ADVERTISING ON THIS PROPERTY SHALL BE RESTRICTED TO THE SIGNAGE PROPOSED AND DEPICTED ON PETITIONER'S EXHIBIT NO. 1A, AS WELL AS LETTERING ON THE FACADE OF THE PROPOSED BUILDINGS, AS PERMITTED BY THE B.C.Z.R. THERE SHALL BE NO BANNERS, STREAMERS, INFLATABLE ANIMALS, BALLOONS AND/OR OTHER SIMILAR OUTDOOR ADVERTISING METHODS USED ON SITE. THIS RESTRICTION MAY BE AMENDED/MODIFIED ONLY UPON THE FILING OF A PETITION FOR SPECIAL HEARING BY THE PROPERTY OWNER.

CHART 8C
BREAKDOWN OF FLOOR AREA RATIO (F.A.R.)

PARCEL	AREA OF THE SITE	SITE AREA X 2.0 = ALLOWABLE FLOOR AREA	PROPOSED FLOOR AREA	PROPOSED F.A.R.
PARCEL I	25,700 S.F. (0.59 AC.)	51,400	BLDG-C = 336 S.F.	0.01
PARCEL II	95,632 S.F. (2.2 AC.)	191,264	BLDG-A = 27,400 S.F. BLDG-B = 3,824 S.F.	0.39
TOTAL	121,332 S.F. (2.79 AC.)	243,084	37,200 S.F.	0.31

FRONT YARD SETBACKS

PARCEL I BLDG. C	SETBACK FOR BLDG. NORTH OF SITE = 66'	SETBACK FOR BLDG. SOUTH OF SITE = 25'	AVERAGE 45.5' (ALLOWABLE STORAGE AND DISPLAY IN SETBACK) 31.5'
PARCEL II BLDG. A & BLDG. B	NO AVERAGING 2	APPLICABLE 5'	

FLOOR AREA RATIO (F.A.R.) CALCULATIONS:

LOT	LOT AREA	PERMITTED F.A.R. (AREA X 2.0)	BLDG AREAS	PROPOSED F.A.R.
1	24,785.64 S.F.	49,571.28 S.F.	C 336 S.F.	0.0068
2	100,536.48 S.F.	201,072.96 S.F.	A 29,566 S.F. B 9,524 S.F.	0.16
TOTAL	125,322.12 S.F. (2.877 AC.)	250,644.24 S.F.	39,473 S.F.	0.16

MAXIMUM BUILDING HEIGHT 25 FEET

PARKING CALCULATIONS

A. REQUIRED, BLDG. A (LOT NO. 2)	THREE (3)
SHOWROOM	3,204 SF @ 5/1000 SF = 16.47 SPACES
SALES OFFICE	1,093 SF @ 5/1000 SF = 5.46 SPACES
PARTS	10,481 SF @ 5/1000 SF = 52.40 SPACES
SHOP & BUSINESS OFFICES	14,000 SF @ 5/1000 SF = 70.50 SPACES
EXPOSED SPACE UNDER CANOPY	589 SF 0
TOTAL BLDG AREA	29,556 SF
TOTAL REQUIRED PARKING FOR BUILDING A	145 SPACES
B. REQUIRED, (FUTURE) BLDG. B (LOT NO. 2)	(NOTE: A PARKING VARIANCE IS REQUIRED TO EXCEED REQUIRED F.A.R. OF 0.16)
THREE (3)	
SHOWROOM	2,485 SF @ 5/1000 SF = 12.32 SPACES
SALES OFFICE	2,359 SF @ 5/1000 SF = 11.80 SPACES
PARTS	700 SF @ 5/1000 SF = 3.5 SPACES
SHOP & BUSINESS OFFICES	4,000 SF @ 3.3/1000 SF = 13.2 SPACES
EXPOSED SPACE UNDER CANOPY	0
TOTAL BLDG AREA	9,524 SF
ADDITIONAL REQUIRED PARKING FOR FUTURE BUILDING B	41 SPACES (2.4 F.A.R.)
C. REQUIRED, (FUTURE) BLDG. C (LOT NO. 1)	THREE (3)
SALES OFFICE	336 SF @ 5/1000 SF = 1.68 SPACES
TOTAL BLDG AREA	336 SF
ADDITIONAL REQUIRED PARKING FOR FUTURE BUILDING C	2 SPACES
D. TOTAL REQUIRED PARKING FOR THE PROJECT	147 SPACES
E. PARKING PROVIDED	147 SPACES

	LOT 1	LOT 2	TOTAL
1. INDOOR SERVICE BAYS	0	34	34
2. OUTDOOR/NON-BLOCKED PARKING			
A. EMPLOYEE SPACES	0	0	0
B. CUSTOMER SPACES	25	50	75
C. DISPLAY SPACES	0	0	0
3. OUTDOOR/BLOCKED PARKING			
A. EMPLOYEE SPACES	0	15	15
B. DISPLAY SPACES	37	9	46
TOTAL PARKING PROVIDED:	77	146	223
TOTAL INDOOR PARKING:			34 SPACES
TOTAL PROPOSED OUTDOOR PARKING:			189 SPACES
* COUNTS TRUCKS REQUIRING PARKING			116

8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
606-D Bosley Avenue
Towson, Maryland 21204
(301) 821-1690
Fax: (301) 821-1748

1ST AMENDED DEVELOPMENT PLAN NOTES FOR THE FRANKEL PROPERTY		
DATE	REVISIONS	JOB NO. 9800
12-22-92	REVISED NOTES 0, 20 & 9 93 FOR VARIANCE	SCALE: 1"=50'
1-22-93	REV. AS PER DEV PLAN CONF. COMMENTS	DATE: 12-17-92
3-4-93	REV. AS PER HEARING OFFICER'S ORDER FOR SUBMITTAL FOR SIGN.	DRAWN BY: W.J.H.
6-30-93	1ST AMENDMENT REVISIONS	DESIGN BY: B.K.P.
7-2-93	CHANGES TO PARKING & PHASE I & II NOTES AS PER CITY OF J.L.L.	REVIEW BY: T.P.M.
		SHEET: 1 OF 4

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

DEVELOPMENT PLAN COMMENTS

TO: Arnold Jablon, Director - Zoning Administration & Development Management

VIA: Pat Keller, Deputy Director - Office of Planning and Zoning

FROM: P. David Fields, Director - Office of Planning and Zoning

DATE: January 15, 1993

PROJECT NAME: Frankel Property

PROJECT NUMBER: VIII-613 (92268Z)

GENERAL INFORMATION:

Applicant Name: Morris and Ritchie Associates Inc.

606 D Bosley Avenue Towson, MD 21204

Location: W side York Rd - N of Industry Ln

Councilmanic District: 3rd

Growth Management Area: Urban Center - Hunt Valley

Zoning: BR *

Acres: 2.79 acres

* The rezoning to BR (formerly ML) has been approved as Issue # 3-163 of the 1992 Comprehensive Zoning Map Process.

Surrounding Land Use:

The site is part of the larger contiguous AAI tract.

North: Automobile dealerships, an unnamed tributary to Beaver Dam Run, the Warren Road extension to I-83, and Cockeysville Road Industrial Park.

South: AAI Site

East: Warren Lodge and Still Pond communities, Scotts Corner Shopping Center, and other retail uses.

West: AAI site, and Genstar's Texas Quarry Site

Project Proposal:

The Frankel Property proposes 3 buildings for automobile sales on 2.79 acres zoned BR. Building A proposes 20,065 sq. ft., Building B proposes 7500 sq. ft., Building C proposes 336 sq. ft. The existing road for AAI Corporation will remain. An ingress/egress easement shall be recorded for shared access. The existing guard house will remain. Parking of 112 spaces is required; 234 spaces are provided. The site contains an existing parking lot, lawn area and a few trees.

DRAFT

1000 E. JEFFERSON AVENUE
SUITE 100
BALTIMORE, MARYLAND 21201
(410) 524-1000

Kathy - Please review this
letter and calling in the morning. Till

October 14, 1992

The Honorable C.A. Dutch Ruppersberger
Councilman, Third District
Baltimore County Council
County Courthouse
Towson, Maryland 21204

Subject: AAI Property Frankel, Dealership
Zoning Issue 3-163

Dear Dutch:

This letter shall serve to confirm to your office as well as to the office of Planning and Zoning, agreement on behalf of the parties assigned hereto (AAI Corporation - Landowner, and, Robert Frankel - contract purchaser) to comply with the site improvement conditions enumerated below in conjunction with the development of the property for use as an automobile dealership.

1. There shall be no underground fuel storage tanks installed on the property.
2. Existing deciduous trees that were previously planted along the York Road frontage will be removed by tree-spade, temporarily heeled in, cared for and replanted along the property's York Road frontage.
3. Existing deciduous and evergreen trees that were previously planted along the AAI Access Road will be replanted along the Access Road and along the York Road frontage to recreate a Landscape treatment similar to the planting that exists along the Access Road.
4. Additional plantings of trees, shrubs, ornamental grasses and groundcover will be designed and installed, along with additional stone, to match the native rock exposed along the slope on the south side of the access road. The landscape design will transition the new site development with a treelined, Lush-looking treatment along the Access Road. The use of stone and ornamental grasses will be arranged so as to complement the existing conditions along the access road.

RECEIVED

October 15, 1992

The Honorable C.A. Dutch Ruppertsberger
Councilman, Third District
Baltimore County Council
County Courthouse
Towson, Maryland 21204

Subject: AAI Property, Frankel Dealership
Zoning Issue 3-163

Dear Dutch:

This letter shall serve to confirm to your office as well as to the office of Planning and Zoning, the agreement on behalf of the undersigned parties assigned hereto (AAI Corporation - Landowner, and, Robert Frankel - contract purchaser) to comply with the site improvement conditions enumerated below in conjunction with the development of the property for use as an automobile dealership.

1. There shall be no underground fuel storage tanks installed on the property.
2. Existing deciduous trees that were previously planted along the York Road frontage will be removed by tree-spade, temporarily heeled in, cared for and replanted along the property's York Road frontage.
3. Existing deciduous and evergreen trees that were previously planted along the AAI Access Road will be replanted along the Access Road and along the York Road frontage to recreate a landscape treatment similar to the planting that exists along the Access Road.
4. Additional plantings of trees, shrubs, ornamental grasses and groundcover will be designed and installed, along with additional stone, to match the native rock exposed along the slope on the south side of the access road. The landscape design will transition the new site development with a treelined, lush-looking treatment along the Access Road. The use of stone and ornamental grasses will be arranged so as to complement the existing conditions along the access road.

AGREEMENT OF SALE AND PURCHASE

ADDENDUM NO. 2

THIS ADDENDUM NO. 2 (this "Addendum") is made this 15 day of October, 1992, by and between AAI Corporation and Robert E. Frankel.

Introductory Statement

WHEREAS, the parties entered into the Agreement of Sale and Purchase (the "Agreement") on the 28th day of August, 1992, for the sale of approximately 2.3 acres, more or less, by AAI Corporation (the "Seller") to Robert E. Frankel (the "Buyer"); and,

WHEREAS, the parties desire to include a second parcel of land of approximately 0.6 acres, more or less, in the Agreement;

NOW, THEREFORE, in consideration of the mutual covenants, terms, and agreements set forth in the Agreement and this Addendum, and other consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. Delete the Introductory Statement in the Agreement and substitute the following:

Seller is the owner of certain fee simple property located on York Road, in Baltimore County, Maryland, containing the parcels as described in Section 1.9 herein (the "Property"). Seller desires to sell and Buyer desires to buy the Property, pursuant to the terms and conditions contained herein.

2. Delete the Exhibit A attached to the Agreement, and insert in its place the Exhibit B attached hereto. All references to Exhibit A in the Agreement shall be deemed to refer to Exhibit B attached hereto.

3. Delete Section 1.9 of the Agreement and substitute the following:

1.9 "Property" shall mean the following two (2) parcels of real property located in Baltimore County, Maryland, and shown on Exhibit B attached hereto, and described approximately as follows:

a. Parcel I

Starting at Point "901" as described on the above referenced Plat Plan and proceeding S18°28'05"E along the existing property line for a distance of approximately ninety-five (95) feet; then proceeding south west at an angle of approximately 45° to York Road for a distance of approximately twenty-five (25) feet; then proceeding south west on a line parallel to the

4. In addition to the Property and the rights pertaining thereto to be conveyed to the Buyer, as described above in Paragraph 2, Seller shall convey to Buyer ten (10) foot and twenty (20) foot wide revertible slope easements, which are identified as revertible slope easement areas on Exhibit B attached hereto. The Seller shall have the right to enter on and grade the revertible slope easement areas to facilitate the development of the Property. Seller shall be responsible for repairing any damage caused to the existing curb or adjacent roadway resulting from Seller's use of the revertible slope easement area, and shall leave the revertible slope easement area in good condition and repair upon completion of grading, including appropriate planting to prevent erosion. The revertible slope easement shall terminate upon completion of construction of Seller's improvements on the Property.

5. Add:

18. Special Provision re Access Road Between Parcel I and Parcel II. The "Access Road" (as shown on Exhibit B attached hereto) from York Road between the two (2) parcels shall be improved to include two (2) lanes of twelve (12) foot width each exiting Seller's property onto York Road and one (1) lane of sixteen (16) foot width entering Seller's property from York Road, for a distance of two hundred (200) feet off York Road, at which time the improved portion of the Access Road shall merge into the existing portion of the Access Road at that point. ("Improved Access Road").

Right of egress and ingress to Parcel I shall be by a twenty-four (24) foot drive off of the Improved Access Road to Parcel I with the center line of this right of egress and ingress drive to Parcel I at a minimum of one hundred thirty-five (135) feet and a maximum of one hundred fifty (150) feet off York Road.

Right of egress and ingress to Parcel II shall be by a twenty-four (24) foot drive off the Improved Access Road to Parcel II with the center line of this right of egress and ingress drive to Parcel II at a minimum of one hundred eighty (180) feet off York Road.

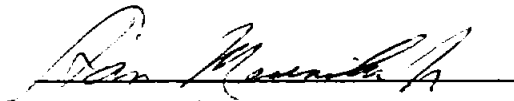
All costs associated with the construction of the improvements to the existing roadway and the right of egress and ingress to Parcel I and Parcel II shall be borne by Buyer; provided, however, that Seller shall bear the costs of moving the existing light fixture located on the north side of the Access Road, approximately 150 feet off of York Road, if required to facilitate Buyer's construction of the 24-foot driveway providing access to Parcel I.

Seller and Buyer shall share in certain costs of maintaining the Access Road from York Road to the point of ingress and egress to Parcel II, which maintenance costs shall be limited to the costs of the repair, repaving and replacement of the roadway and adjacent curbing. The cost of such shared maintenance shall be paid in the following percentages: Seller - Eighty Percent (80%) and Buyer Twenty Percent (20%). The parties agree that such cost sharing percentages shall not be changed unless the Buyer sells the Property or changes the Intended Use of the Property. In such event, the Buyer and Seller (or their successors or assigns) shall mutually determine equitable cost sharing percentages. If the parties are unable to agree on equitable percentages, the parties shall jointly pay for a traffic study and the percentages shall be determined pro rata based on the number of vehicles attributable to each of the respective parties.

IN WITNESS WHEREOF, the Seller and Buyer have executed this Addendum under seal on the date set forth below their respective signatures.

WITNESS:

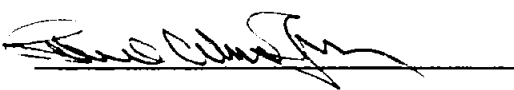
AAI CORPORATION

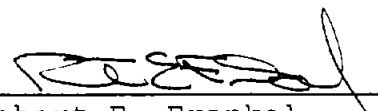


By:  (Seal)
Robert W. Worthing, Vice-
President, General Counsel,
& Secretary, Seller

Date: October 15, 1992.

WITNESS:



 (Seal)
Robert E. Frankel
Buyer

Date: October 15, 1992.

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

DEVELOPMENT PLAN COMMENTS

TO: Arnold Jablon, Director - Zoning Administration & Development Management

VIA: Pat Keller, Deputy Director - Office of Planning and Zoning

FROM: P. David Fields, Director - Office of Planning and Zoning

DATE: January 15, 1993

PROJECT NAME: Frankel Property

PROJECT NUMBER: VIII-613 (92268Z)

93-201-1321

GENERAL INFORMATION:

Applicant Name: Morris and Ritchie Associates Inc.

606 D Bosley Avenue Towson, MD 21204

Location: W side York Rd - N of Industry Ln

Councilmanic District: 3rd

Growth Management Area: Urban Center - Hunt Valley

Zoning: BR *

Acres: 2.79 acres

* The rezoning to BR (formerly ML) has been approved as Issue # 3-163 of the 1992 Comprehensive Zoning Map Process.

Surrounding Land Use:

The site is part of the larger contiguous AAI tract.

North: Automobile dealerships, an unnamed tributary to Beaver Dam Run, the Warren Road extension to I-83, and Cockeysville Road Industrial Park.

South: AAI Site

East: Warren Lodge and Still Pond communities, Scotts Corner Shopping Center, and other retail uses.

West: AAI site, and Genstar's Texas Quarry Site

Project Proposal:

The Frankel Property proposes 3 buildings for automobile sales on 2.79 acres zoned BR. Building A proposes 20,065 sq. ft., Building B proposes 7500 sq. ft., Building C proposes 336 sq. ft. The existing road for AAI Corporation will remain. An ingress/egress easement shall be recorded for shared access. The existing guard house will remain. Parking of 112 spaces is required; 234 spaces are provided. The site contains an existing parking lot, lawn area and a few trees.

PROJECT NAME: Frankel Property

PROJECT NUMBER: VIII-613 (92268Z)

Check Anticipated Actions and Additional Review Items:

_____ Special Exception	_____ Referral to Planning Board	_____ PUD
___X___ Variance	_____ Compatibility	_____ Other
_____ Waiver	_____ Scenic Route	
_____ RTA Modification	_____ Design Review Panel	

PARTIES OPZ RECOMMENDED TO BE NOTIFIED BY APPLICANT:

All adjacent property owners	Monterey Improvement Assoc.
Stillpond	Charlie Henck
Judy Sussman, Pres.	PO Box 441
20 Pinebark Court	Timonium, MD 21093
Cockeysville, MD 21030	Hunt Valley Transportation Assoc.
Greater Timonium Comm. Council	William Mc Donnell
L. Thomas Kelly	102 W. Pennsylvania Ave.
127 Tregarone Road	Towson, MD 21204
Timonium, MD 21093	

MEETINGS:

Concept Plan Conference	11/ 06/92	Community Input Meeting	11/ 30/92
Development Plan Conference	01/ 20/93	Hearing Officer's Hearing	02/ 10/93
Planning Board	/ /		

RECOMMENDATIONS:

DEVELOPMENT PLAN

The Office of Planning and Zoning has reviewed the proposed Development Plan for conformance with the comments from the Concept Plan for this project and recommends that this project be APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The plan does not completely conform to the design agreed upon at the time of the rezoning (in the attached letter to Councilman Ruppertsberger). The following modifications should be made:
 - a. Landscaping on the north side of the AAI access drive must also reflect existing conditions and could include rocks, trees, shrubs, grasses, groundcovers, etc. as is shown on the south side. The south side of the used car lot must be set back 20' minimum from the entrance drive face of curb as shown in the sketch.

PROJECT NAME: Frankel Property

PROJECT NUMBER: VIII-613 (92268Z)

- b. Additional landscaping is to occur throughout the interior of the site. The tree areas labelled for display should contain tree and shrub landscaping. The interior of the used car lot must also contain landscaping consisting of trees and shrubs or groundcover to meet the intent of the letter.
 - c. Signage - The height of the pylon signs should be the smallest of the car maker's signs, and in no case exceed the height of the building.
2. The dumpster pad should be screened from the parking lot with a fence and shrub plantings.
 3. The existing AAI decorative fence should be reused around the perimeter of the site.

VARIANCES

1. Variance from Section 413.2.F Baltimore County Zoning Regulations (BCZR) to allow 350 sq. ft. on four (4) free standing signs in lieu of the maximum 100 sq. ft. on three (3) free standing signs.

The Office of Planning and Zoning does not object to the area of sign face requested or the number of signs. However, the height of the pylon signs should not exceed the height of the building support face. The most preferable solution would be ground mounted signs integrated with landscaping.

2. Variances from Section 238.2 BCZR to allow an eight ft. rear yard setback and a 12 ft. side yard setback for Building A and a 16 ft. side yard setback for Building B.

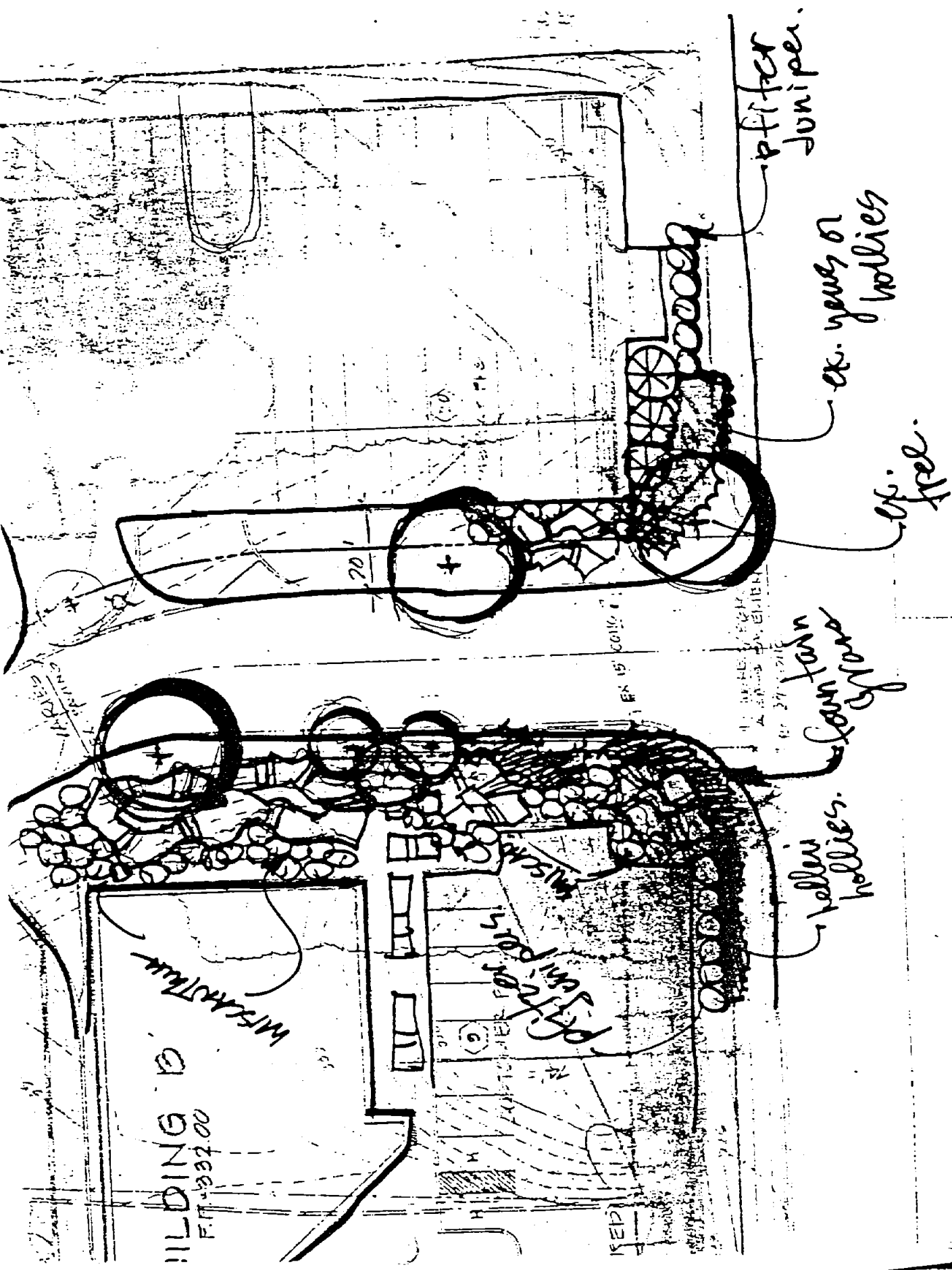
The Office of Planning and Zoning supports the granting of these variances to enable the applicant to achieve the high quality site and landscape design originally proffered.

3. Special Variance from Section 4A02.4.D and 4A02.4.F BCZR to permit development within a traffic shed area containing an F-rated level of service. The requested relief sought would satisfy a technical requirement. The opening of the Warren Road interchange with I-83 is expected to relieve congestion along York Road and should improve the level of service at York Road and Padonia Road.

Division Chief: Erwin McDaniel

Attachment:

CMcE: BJS



(MD RTE 4B)

PROJECT NAME: Frankel Property

PROJECT NUMBER: VIII-613 (92268Z)

Check Anticipated Actions and Additional Review Items:

_____ Special Exception	_____ Referral to Planning Board	_____ PUD
___X___ Variance	_____ Compatibility	_____ Other
_____ Waiver	_____ Scenic Route	
_____ RTA Modification	_____ Design Review Panel	

PARTIES OPZ RECOMMENDED TO BE NOTIFIED BY APPLICANT:

All adjacent property owners	Monterey Improvement Assoc.
Stillpond	Charlie Henck
Judy Sussman, Pres.	PO Box 441
20 Pinebark Court	Timonium, MD 21093
Cockeysville, MD 21030	Hunt Valley Transportation Assoc.
Greater Timonium Comm. Council	William Mc Donnell
L. Thomas Kelly	102 W. Pennsylvania Ave.
127 Tregarone Road	Towson, MD 21204
Timonium, MD 21093	

MEETINGS:

Concept Plan Conference	11/ 06/92	Community Input Meeting	11/ 30/92
Development Plan Conference	01/ 20/93	Hearing Officer's Hearing	02/ 10/93
Planning Board	/ /		

RECOMMENDATIONS:

DEVELOPMENT PLAN

The Office of Planning and Zoning has reviewed the proposed Development Plan for conformance with the comments from the Concept Plan for this project and recommends that this project be APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The plan does not completely conform to the design agreed upon at the time of the rezoning (in the attached letter to Councilman Ruppertsberger). The following modifications should be made:
 - a. Landscaping on the north side of the AAI access drive must also reflect existing conditions and could include rocks, trees, shrubs, grasses, groundcovers, etc. as is shown on the south side. The south side of the used car lot must be set back 20' minimum from the entrance drive face of curb as shown in the sketch.

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Kurt Kugelberg, ZADM

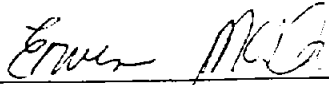
DATE: June 14, 1993

FROM: Ervin McDaniel, Chief
Development Review Section
Strategic Planning Division, OPZ

SUBJECT: Frankel Property (DRC# 6073A) Limited Exemption

The Office of Planning and Zoning has reviewed the red lined Plan for the above referenced project and recommends DENIAL for the following reason(s).

1. The approved Development and Landscape Plans do not agree with each other.
2. The red lined Development Plan is not within the spirit and intent of the rezoning agreement for this property.
3. All future red line Plans should be consistent with the approved Development Plan and any agreement made during the 1992 Comprehensive Zoning Map Process.



Ervin McDaniel

EMcD:bjs

Baltimore County Government
Office of Planning and Zoning

File.



401 Bosley Avenue
Towson, MD 21204

(410) 887-3211
Fax (410) 887-5862

DATE: July 1, 1993

TO: Arnold Jablon, Director
ZADM

ATTENTION: Don Rascoe

FROM: P. David Fields, Director
Office of Planning & Zoning

PDF

RE: Red Lined Plan Refinement
Frankel Property - York Road
File No. 92-268-Z

We have reviewed the plan refinement request and supporting documentation from Mr. Tim Madden (copy attached) for the Frankel Property, dated June 30, 1993. This Office recommends that the DRC approve the plan revisions, as a refinement, as submitted.

In view of the interest expressed at the Community Input Meeting, ZADM should notify all "identified parties" of the County's action and should make sure that the "refined plan" is available for public review in the ZADM Office file, should anyone wish to see it.

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A major point of discussion was the treatment of the AAI access Rd. In response to these concerns, two ~~treatment~~ ^{drawing} landscaped ~~treatments~~ were submitted and agreed upon. The proposed concept plan must reflect

1734/92
OCTOBER 15, 1992

THE HONORABLE C.A. DUTCH RUPPERSBERGER
COUNCILMAN, THIRD DISTRICT
BALTIMORE COUNTY COUNCIL
COUNTY COURTHOUSE
TOWSON, MARYLAND 21204

SUBJECT: AAI PROPERTY, FRANKEL DEALERSHIP
ZONING ISSUE 3-163

Dear Dutch:

This letter shall serve to confirm to your office as well as to the office of Planning and Zoning, the agreement on behalf of the undersigned parties assigned hereto (AAI Corporation - Landowner, and, Robert Frankel - contract purchaser) to comply with the site improvement conditions enumerated below in conjunction with the development of the property for use as an automobile dealership.

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4. Additional plantings of trees, shrubs, ornamental grasses and ground cover will be designed and installed, along with additional stone, to match the native rock exposure along the slope on the south side of the Access Road. The landscape design will transition the new site design to a treelined, lush-looking treatment along the York Road. The use of stone and ornamental grasses will be designed to complement the existing conditions along the Access Road.

. The Honorable C.A. Dutch Ruppersberger
October 14, 1992
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Very truly yours,
AAI CORPORATION

By: Robert W. Worthing
Robert W. Worthing,
Vice-President,
General Counsel and
Secretary, Seller

By: Robert E. Frankel
Robert E. Frankel,
Contract Purchaser

TFM/vas
MRA #9600

cc: Mr. Robert F. Bradley, Morris & Ritchie Associates, Inc.
Ms. Kathy Schlabach, Office of Planning and Zoning
Mr. Jack Dillon, Office of Planning and Zoning
Mr. Art Putzell, Trout, Segall and Doyle
Mr. Stanley J. Mecinski, Jr., AAI Corporation
Mr. Paul Wartzman, Attorney
Mr. Robert E. Frankel
Mr. John Howard, Attorney

DRAFT

The Honorable C.A. Dutch Ruppersberger
Councilman, Third District
Baltimore County Council
County Courthouse
Towson, Maryland 21204

Subject: AAI Property Frankel, Dealership
Zoning Issue 3-163

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RECEIVED

October 15, 1992

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Councilman, Third District
Baltimore County Council
County Courthouse
Towson, Maryland 21204

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AGREEMENT OF SALE AND PURCHASE

ADDENDUM NO. 2

THIS ADDENDUM NO. 2 (this "Addendum") is made this 15 day of October, 1992, by and between AAI Corporation and Robert E. Frankel.

Introductory Statement

WHEREAS, the parties entered into the Agreement of Sale and Purchase (the "Agreement") on the 28th day of August, 1992, for the sale of approximately 2.3 acres, more or less, by AAI Corporation (the "Seller") to Robert E. Frankel (the "Buyer"); and,

WHEREAS, the parties desire to include a second parcel of land of approximately 0.6 acres, more or less, in the Agreement;

NOW, THEREFORE, in consideration of the mutual covenants, terms, and agreements set forth in the Agreement and this Addendum, and other consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. Delete the Introductory Statement in the Agreement and substitute the following:

Seller is the owner of certain fee simple property located on York Road, in Baltimore County, Maryland, containing the parcels as described in Section 1.9 herein (the "Property"). Seller desires to sell and Buyer desires to buy the Property, pursuant to the terms and conditions contained herein.

2. Delete the Exhibit A attached to the Agreement, and insert in its place the Exhibit B attached hereto. All references to Exhibit A in the Agreement shall be deemed to refer to Exhibit B attached hereto.

3. Delete Section 1.9 of the Agreement and substitute the following:

1.9 "Property" shall mean the following two (2) parcels of real property located in Baltimore County, Maryland, and shown on Exhibit B attached hereto, and described approximately as follows:

a. Parcel I

Starting at Point "901" as described on the above referenced Plat Plan and proceeding S18°28'05"E along the existing property line for a distance of approximately ninety-five (95) feet; then proceeding south west at an angle of approximately 45° to York Road for a distance of approximately twenty-five (25) feet; then proceeding south west on a line parallel to the

4. In addition to the Property and the rights pertaining thereto to be conveyed to the Buyer, as described above in Paragraph 2, Seller shall convey to Buyer ten (10) foot and twenty (20) foot wide revertible slope easements, which are identified as revertible slope easement areas on Exhibit B attached hereto. The Seller shall have the right to enter on and grade the revertible slope easement areas to facilitate the development of the Property. Seller shall be responsible for repairing any damage caused to the existing curb or adjacent roadway resulting from Seller's use of the revertible slope easement area, and shall leave the revertible slope easement area in good condition and repair upon completion of grading, including appropriate planting to prevent erosion. The revertible slope easement shall terminate upon completion of construction of Seller's improvements on the Property.

5. Add:

18. Special Provision re Access Road Between Parcel I and Parcel II. The "Access Road" (as shown on Exhibit B attached hereto) from York Road between the two (2) parcels shall be improved to include two (2) lanes of twelve (12) foot width each exiting Seller's property onto York Road and one (1) lane of sixteen (16) foot width entering Seller's property from York Road, for a distance of two hundred (200) feet off York Road, at which time the improved portion of the Access Road shall merge into the existing portion of the Access Road at that point. ("Improved Access Road").

Right of egress and ingress to Parcel I shall be by a twenty-four (24) foot drive off of the Improved Access Road to Parcel I with the center line of this right of egress and ingress drive to Parcel I at a minimum of one hundred thirty-five (135) feet and a maximum of one hundred fifty (150) feet off York Road.

Right of egress and ingress to Parcel II shall be by a twenty-four (24) foot drive off the Improved Access Road to Parcel II with the center line of this right of egress and ingress drive to Parcel II at a minimum of one hundred eighty (180) feet off York Road.

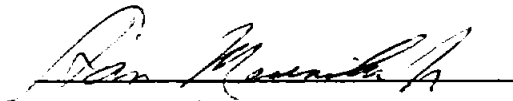
All costs associated with the construction of the improvements to the existing roadway and the right of egress and ingress to Parcel I and Parcel II shall be borne by Buyer; provided, however, that Seller shall bear the costs of moving the existing light fixture located on the north side of the Access Road, approximately 150 feet off of York Road, if required to facilitate Buyer's construction of the 24-foot driveway providing access to Parcel I.

Seller and Buyer shall share in certain costs of maintaining the Access Road from York Road to the point of ingress and egress to Parcel II, which maintenance costs shall be limited to the costs of the repair, repaving and replacement of the roadway and adjacent curbing. The cost of such shared maintenance shall be paid in the following percentages: Seller - Eighty Percent (80%) and Buyer Twenty Percent (20%). The parties agree that such cost sharing percentages shall not be changed unless the Buyer sells the Property or changes the Intended Use of the Property. In such event, the Buyer and Seller (or their successors or assigns) shall mutually determine equitable cost sharing percentages. If the parties are unable to agree on equitable percentages, the parties shall jointly pay for a traffic study and the percentages shall be determined pro rata based on the number of vehicles attributable to each of the respective parties.

IN WITNESS WHEREOF, the Seller and Buyer have executed this Addendum under seal on the date set forth below their respective signatures.

WITNESS:

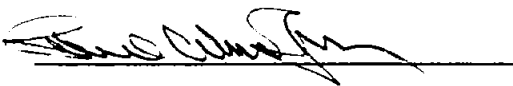
AAI CORPORATION

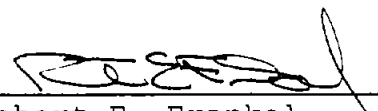


By:  (Seal)
Robert W. Worthing, Vice-
President, General Counsel,
& Secretary, Seller

Date: October 15, 1992.

WITNESS:



 (Seal)
Robert E. Frankel
Buyer

Date: October 15, 1992.

PROJECT NAME: Frankel Property

PROJECT NUMBER: VIII-613 (92268Z)

- b. Additional landscaping is to occur throughout the interior of the site. The tree areas labelled for display should contain tree and shrub landscaping. The interior of the used car lot must also contain landscaping consisting of trees and shrubs or groundcover to meet the intent of the letter.
 - c. Signage - The height of the pylon signs should be the smallest of the car maker's signs, and in no case exceed the height of the building.
2. The dumpster pad should be screened from the parking lot with a fence and shrub plantings.
 3. The existing AAI decorative fence should be reused around the perimeter of the site.

VARIANCES

1. Variance from Section 413.2.F Baltimore County Zoning Regulations (BCZR) to allow 350 sq. ft. on four (4) free standing signs in lieu of the maximum 100 sq. ft. on three (3) free standing signs.

The Office of Planning and Zoning does not object to the area of sign face requested or the number of signs. However, the height of the pylon signs should not exceed the height of the building support face. The most preferable solution would be ground mounted signs integrated with landscaping.

2. Variances from Section 238.2 BCZR to allow an eight ft. rear yard setback and a 12 ft. side yard setback for Building A and a 16 ft. side yard setback for Building B.

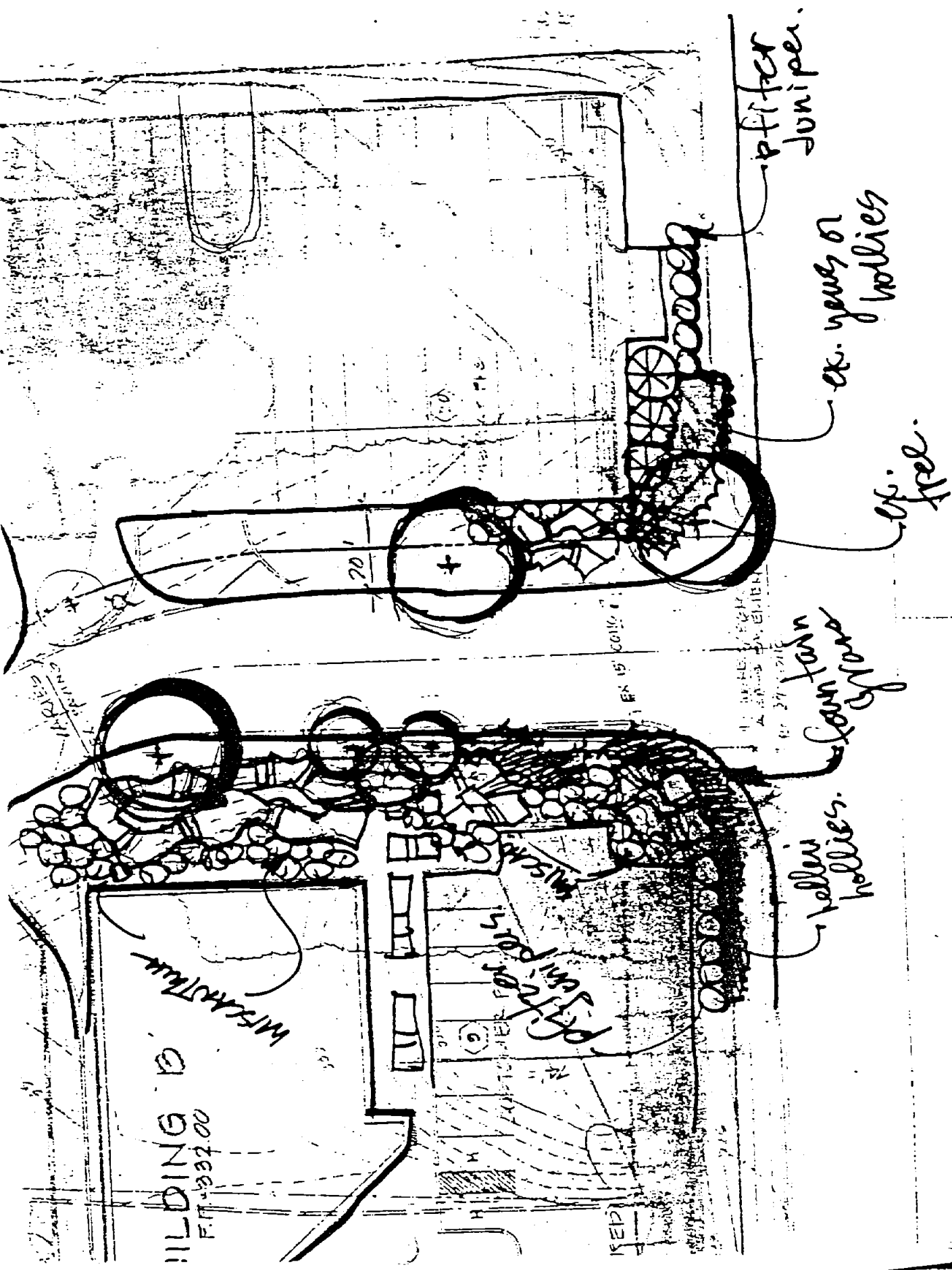
The Office of Planning and Zoning supports the granting of these variances to enable the applicant to achieve the high quality site and landscape design originally proffered.

3. Special Variance from Section 4A02.4.D and 4A02.4.F BCZR to permit development within a traffic shed area containing an F-rated level of service. The requested relief sought would satisfy a technical requirement. The opening of the Warren Road interchange with I-83 is expected to relieve congestion along York Road and should improve the level of service at York Road and Padonia Road.

Division Chief: Erwin McDaniel

Attachment:

CMcE: BJS



(MD RTE 4B)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Kurt Kugelberg, ZADM

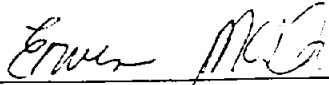
DATE: June 14, 1993

FROM: Ervin McDaniel, Chief
Development Review Section
Strategic Planning Division, OPZ

SUBJECT: Frankel Property (DRC# 6073A) Limited Exemption

The Office of Planning and Zoning has reviewed the red lined Plan for the above referenced project and recommends DENIAL for the following reason(s).

1. The approved Development and Landscape Plans do not agree with each other.
2. The red lined Development Plan is not within the spirit and intent of the rezoning agreement for this property.
3. All future red line Plans should be consistent with the approved Development Plan and any agreement made during the 1992 Comprehensive Zoning Map Process.


Ervin McDaniel

EMcD:bjs

Baltimore County Government
Office of Planning and Zoning

File.



401 Bosley Avenue
Towson, MD 21204

(410) 887-3211
Fax (410) 887-5862

DATE: July 1, 1993

TO: Arnold Jablon, Director
ZADM

ATTENTION: Don Rascoe

FROM: P. David Fields, Director
Office of Planning & Zoning

PDF

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