IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL HEARING and SPECIAL EXCEPTION - S/S Joppa Road, E of Goucher Blvd. 9th Election District 4th Councilmanic District

Talisman-Towson Partnership, LLC Owner/Developer

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case Nos. IX-386 and 97-89-SPHX

*

* * * * * * * * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer for consideration of a modified development plan prepared by KCW Consultants, Inc., for the proposed redevelopment of the subject property, known as Towson Marketplace, by the Talisman-Towson Partnership LLC, Owner/Developer, in accordance with the red-lined plan submitted and marked as Exhibit 1A. In addition to development plan approval, the Owner/Developer requests a special hearing to approve an amendment to the previously approved site plan in prior Case No. 96-95-XA, and a special exception to permit the relocation of the existing service garage operation of Montgomery Ward, as approved in prior Case Nos. 79-125-X and 96-95-XA. The Petitions were filed by the Owner of the property, Talisman-Towson Partnership, LLC, through James Schlesinger, its President, and John B. Gontrum, Esquire, its attorney. The subject property consists of 43.1 acres, split zoned B.L.-C.C.C., B.M., M.L.-I.M., and D.R. 10.5, and is located on the northeast corner of Putty Hill Avenue and Goucher Boulevard in Towson.

This matter previously came before me for development plan approval and special exception and variance relief in prior Case Nos. IX-386 and 96-95-XA. By Order dated November 9, 1995, and as amended on February 22, 1996, the development plan was approved and the Petitions for Special Exception and Variance granted in part and denied in part, subject to

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Date 11/8/96
By
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certain terms and restrictions. Subsequent to the issuance of said opinion, the Owner/Developer made changes or alterations to the plan, and following a Development Plan Conference, the Development Review Committee (DRC) determined that an additional public hearing on those modifications was necessary. Therefore, the matter was scheduled for a second Hearing Officer's Hearing on September 27, 1996 for consideration of those modifications and for the purpose of eliciting public opinion of those changes.

Appearing at that hearing on behalf of the Owner/Developer were James Schlesinger, President of Talisman-Towson Partnership, LLC, Douglas Kennedy, Professional Engineer who prepared the development plan/site plans for the subject property, and John B. Gontrum, Esquire, attorney for the Owner/Developer. As in the previous hearings held on this matter, many residents from the surrounding communities attended the hearing, all of whom signed the Citizen's/Protestant's Sign-In-Sheets. In addition, Mike Sarkin, a representative of C.A.M.M. (Citizens Against Movies at the Marketplace), attended the hearing and appeared with his attorney, John Murphy, Esquire. Numerous representatives of the various Baltimore County reviewing agencies also attended the hearing.

As noted above, this property has been the subject of numerous public hearings as it has progressed through the development process. On behalf of the Owner/Developer, Mr. Douglas Kennedy, appeared and testified. Mr. Kennedy was responsible for preparing the site plans and development plans for the redevelopment of Towson Marketplace. Mr. Kennedy testified concerning the proposed changes to the previously approved development plan. Specifically, the Developer has altered the entranceway into this site from Joppa Road. Instead of a straight road entrance into this site, the Developer now proposes a curved entranceway approach to the shopping

center, as shown on Exhibit 1A. Secondly, in lieu of having loading docks along the outside perimeter of several of the proposed tenants on the south side of the site along Putty Hill Avenue, the Developer proposes an interior truck loading court. This truck loading court will serve most, if not all, of the tenants on the southern portion of the subject site. The Developer proposes this interior loading court in order to lessen the impact of trucks delivering goods to the various tenants in this center. This truck loading court is surrounded almost entirely by stores with a small area open for ingress and egress to and from the loading court. The Developer hopes that this will lessen the noise associated with trucks making deliveries to the various tenants. Mr. Kennedy also testified that the loading dock associated with the Toys R Us operation has been moved from its previously approved location. In addition, the Developer has relocated the service garage operation of Montgomery Wards from the north side of the store to the south side of the store at the request of that tenant. Testimony indicated that the size of the service garage operation will remain as it presently exists, but will merely be relocated to the south side of the store; however, a special exception is necessary in order to proceed with the proposed relocation. Additionally, the Developer proposes to relocate the pad site originally proposed to be located on the east side of the Blockbuster Video Store to a location north of that store. As stated previously, all of these modifications are more clearly depicted on Exhibit 1A.

Mr. Kennedy also testified that in certain areas of the project, the Developer has straightened building facades and eliminated offsets which existed on the previously approved plan. This is another design

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feature which Mr. Kennedy believes will improve the overall appearance of the subject site, once it is finally renovated.

Also testifying on behalf of the Developer was Ms. Sally Malena, a Landscape Architect with Human and Rohde, Inc. Ms. Malena gave a brief presentation of the landscaping that is proposed for the redevelopment of Towson Marketplace and answered specific questions regarding the types of vegetation proposed for this site. A copy of the landscape plan was submitted into evidence as Petitioner's Exhibit 3, and shows extensive landscaping in and around the subject site.

Mr. Henry Monday, an architect, also testified briefly regarding the architectural theme of Towson Marketplace. Mr. Monday testified that the architectural theme of Towson Marketplace has remained consistent with that which was previously testified to and approved at the prior hearings on the redevelopment of the subject property.

Finally, Mr. Schlesinger testified concerning the proposed changes to the previously approved development plan. Mr. Schlesinger testified that the service garage operation of Montgomery Wards will continue to operate as it has in the past, however, it will merely be relocated to the south side of the store. He testified that the use will not be enlarged and no additional service bays will be added. He stated that Wards simply requested that the automotive service center be relocated to the south side of the existing store. Mr. Schlesinger was also kind enough to divulge to the residents of the surrounding communities, most, if not all, of the tenants which have either signed a lease with him or shown an intention to locate at Towson Marketplace. Furthermore, Mr. Schlesinger identified several agreements that he has either signed or agreed to abide by regarding the redevelopment of the subject site. Marked and accepted

into evidence as Protestant's Exhibit 1 was a copy of a letter agreement dated September 26, 1996 on Talisman-Towson Partnership, LLC letterhead, which had been signed by Mr. Schlesinger. This agreement lists several items which Mr. Schlesinger has agreed to perform. In addition, two other items were written in by hand at the hearing before me on the bottom of the letter. Mr. Schlesinger agreed to abide by those conditions as well. The citizens who attended the hearing and Mr. Scheslinger agreed that this letter agreement shall be incorporated into my decision as a part of my Order so as to bind Mr. Schlesinger to perform those items that are specified thereon. Therefore, the letter agreement dated September 26, 1996 shall be attached to this decision and enforceable as if part of my Order.

Secondly, submitted into evidence as Protestant's Exhibit 2, was an unsigned Statement to Hearing Officer, which had been prepared by the Towson Marketplace Liaison Committee. Contained in Paragraph 3 of that statement are certain concerns and suggestions marked as Items A through H which the Towson Marketplace Liaison Committee would like to have imposed as part of my approval of the special exception and development plan in this case. Items A through F have been agreed to by Mr. Schlesinger and he is willing to abide by those; however, there has been no agreement on Items G and H. It was clearly stated to this Hearing Officer that those two items have not been agreed to by Mr. Schlesinger. Those items deal with the hours of operation of the shopping center as well as some additional uses which the communities wish to prohibit from locating within the shopping center.

As stated previously, many residents from the surrounding communities appeared and testified concerning this matter. Mike Sarkin offered testimony, both as an individual and as President of C.A.M.M. Also appear-

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ing and testifying were Don Vovakes, Kim McGavin, Auburn Bell, Robert Cook, Leon Rozankowski, and Margaret Davis. The consensus of the testimony offered by these citizens demonstrated that there is a great deal of concern over the noise that will be generated by trucks making deliveries to Towson Marketplace. These residents, many of whom live in close proximity to the center, feel that the tractor trailers coming and going to the site will infringe upon their quiet enjoyment of their residential properties. They fear deliveries being made 24 hours a day and particularly deliveries made after midnight and in the early hours of the morning. Mr. Vovakes testified concerning the problems he is currently having with the adjacent commercial uses, particularly the Metro Food Store, wherein refrigerated trucks park outside the Metro along Joppa road and create a tremendous amount of noise which he clearly hears from his house. He and others fear that this situation will worsen once the Towson Marketplace is operating at full capacity. Furthermore, the residents believe that truck traffic should be eliminated entirely along Putty Hill Avenue, east of the Towson Marketplace site. Putty Hill Avenue east of Lasalle Road is, in fact, very residential in character. It becomes two lanes with houses on both sides of the street. In addition, there is a school located on the south side of Putty Hill Avenue. The residents are very much concerned over additional truck traffic on their residential streets. Testimony further revealed that the County already restricts truck traffic on Putty Hill Avenue from 7:00 PM to 7:00 AM; however, the residents would like this restriction expanded to a 24-hour restriction so that they do not have trucks travelling through their neighborhood at any time.

The issues that remained unresolved at the hearing before me concerned the hours of operation of the shopping center as well as the

loading and unloading of delivery trucks. Furthermore, contained within the written Statement from the Towson Marketplace Liaison Committee to this Hearing Officer are certain uses that the Committee does not wish to see located within this shopping center. Specifically, within Paragraph 3(h) of that written statement there are 14 uses listed as not acceptable to the Liaison Committee. I do not believe it is appropriate to prohibit the Developer from utilizing the site in a manner consistent with that which is permitted by the B.C.Z.R. It appears that all of the uses listed as Items 1 through 14 in Paragraph 3(h) are either permitted as of right, or by special exception on this particular piece of property, although many of these uses would require a public hearing if the Developer intended to locate such a use within this center. I do not believe it is appropriate to impose a restriction that these uses be prohibited, with the exception of the movie theater use, which was previously limited in scope by my prior decision. Therefore, I will not impose any restrictions to that effect.

As to the issue concerning the hours of operation for this retail center and the times at which trucks may make deliveries to the various tenants within Towson Marketplace, I do not believe it is appropriate to restrict either the hours of operation of the tenants or the times at which deliveries can be made thereto. I believe the Developer has minimized the effects of delivery trucks by eliminating exterior loading docks and providing an interior loading court. Furthermore, the Developer has agreed to provide $10,000 for the purpose of studying noise abatement techniques. He has also agreed to construct a 10-foot high screening wall at the entrance to the interior loading dock, again designed to screen both the sound and the view of trucks coming and going to the loading dock.

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I believe the Developer has done the best job possible in trying to soften the impact of truck deliveries to the Towson Marketplace.

Truck deliveries to retail establishments are a necessary evil. It is true that tractor trailers are probably the loudest commercial vehicles which travel our roadways. However, in order for the tenants of Towson Marketplace to operate, it is essential to have truck deliveries. I believe it would not be prudent to dictate the manner in which these tenants receive their deliveries. Most of these tenants are national and international retailers who have developed policies and practices for deliveries to and from their stores. I do not believe it is appropriate for this Hearing Officer to dictate to these national retailers how and when deliveries should be made to their businesses. Any attempt to do so, I believe, would be overstepping my authority as Hearing Officer for Baltimore County. I will , however, instruct the Developer of this site, specifically Mr. Schlesinger, to issue an advisory request to all tenants within this center, to make an effort to limit deliveries to and from the site to no later than 12 midnight on any given day. The advisory letter should make the existing tenants, as well as any prospective tenants, aware of the surrounding residential character of this area, and the fact that late night deliveries would infringe upon the residential quietness of the surrounding communities. Hopefully, the individual tenants, as good neighbors, will work with the communities regarding deliveries. Furthermore, the representatives of the various communities existing in this area, be it C.A.M.M., Fellowship Forest, Loch Raven Village, Towson Estates, or other community groups, can meet on an individual basis with each tenant as they locate within Towson Marketplace to develop a mutually agreeable delivery schedule for each store. Hopefully, the management of

each store will accede to the wishes of the community as to what are appropriate times for deliveries to their stores. However, not knowing the particular delivery patterns of the many national retailers that will be locating at this center, I am reluctant, and therefore, will not impose restrictions on the times of deliveries of goods to and from these tenants.

In addition, I am also reluctant, and therefore, will not restrict the hours of operation of the particular tenants who propose to locate within this retail center. There may be some occasions, such as Christmas, where for example the Toys R Us might operate 24 hours a day the last few shopping days prior to Christmas. These 24-hour operations might help those of us who procrastinate in doing their Christmas shopping. Again, I do not believe it is the purpose of this Hearing Officer to restrict the manner in which these national retailers operate their businesses. These businesses are retail operations which, for the most part, will operate during usual and customary retail hours of operation. Therefore, I shall not impose any restrictions on the hours of operation of the Towson Marketplace tenants.

As to the issue of truck traffic on Putty Hill Avenue, testimony from Mr. Schlesinger was that he entirely supports the community in their request to have no truck traffic on Putty Hill Avenue east of the subject site; however, that issue is strictly under the jurisdiction of the Baltimore County Bureau of Traffic Engineering and the Developer has no authority to post Putty Hill Avenue accordingly. Furthermore, I do not have the authority to order that truck traffic be entirely restricted on Putty Hill Avenue. I do recommend that 18-wheel truck traffic be restricted on a 24-hour basis on Putty Hill Avenue east of Lasalle Road. That area is purely residential and I do not believe that tractor trailer traffic

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should travel that roadway. However, this is just a recommendation and I have no authority to order Traffic Engineering to post the road to prohibit tractor trailer traffic. Hopefully, the community will continue to work with Traffic Engineering on this issue and arrange to have the road posted with no tractor trailer traffic.

After considering all of the testimony and evidence offered by the Developer as well as the many citizens who attended the hearing, I find that the modifications to the previously approved development should be approved. I believe that the changes proposed by the Developer serve to improve the overall development of the Towson Marketplace property and take into consideration some of the concerns of surrounding residents. Testimony indicated that these modifications will also provide a better redevelopment of the subject property.

In addition to approval of the modified development plan, I am also persuaded to grant the special hearing and special exception relief. The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. and would be conducted without any detriment or adverse impact upon the surrounding communities. The facts and circumstances do not show that the proposed relocation of the Montgomery Wards automotive service center to the south side of the existing store, as set forth on Exhibit 1, would adversely affect the surrounding locale, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R. Furthermore, the proposed modifications to the site plan/development plan as set forth herein will not be detrimental to the public health, safety, and general welfare.

Pursuant to the zoning and development plan 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, the development plan shall be approved consistent with the comments contained herein and the Petitions for Special Hearing and Special Exception shall be granted, subject to the restrictions set forth below.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 8th day of October, 1996 that the development plan for Towson Marketplace, marked herein as Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve an amendment to the previously approved site plan in prior Case No. 96-95-XA, in accordance with Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED tnat the Petition for Special Exception to permit the relocation of the existing service garage operation of Montgomery Ward, as approved in prior Case Nos. 79-125-X and 96-95-XA, in accordance with Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the letter agreement signed by James Schlesinger for the Towson-Talisman Partnership, LLC, dated September 26, 1996, shall be incorporated into this Order and enforceable as if part of my Order, and Mr. Schlesinger shall be required to perform all of the actions contained within that letter. Failure to comply with any of the terms and conditions of that agreement shall be a violation of this Order and shall be enforceable by the Zoning Enforcement Division of the Department of Permits and Development Management; and,

IT IS FURTHER ORDERED that the Statement to Hearing Officer prepared by the Towson Marketplace Liaison Committee, shall also be incor-

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Date 10/8/96
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porated into and made a part of this Order. Mr. Schlesinger shall be required to perform Items 3(a) through 3(f) as contained within that Statement. The Developer shall not be bound by Items 3(g) and 3(h); however, Items 3(a) through 3(f) shall be enforceable as if a part of my Order.

IT IS FURTHER ORDERED that all prior conditions and restrictions imposed by my previous decisions dated November 9, 1995 and February 22, 1996 which have not been modified by this Order, shall remain in full force and effect.

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

TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

TMK:bjs

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 8, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: DEVELOPMENT PLAN HEARING AND PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION - S/S Joppa Road, E of Goucher Boulevard
9th Election District - 4th Councilmanic District
Talisman-Towson Partnership, LLC - Owner/Developer
Case Nos. IX-386 and 97-89-SPHX

Dear Mr. Gontrum:

Enclosed please find a copy of the Order issued in the above-captioned matter. The development plan has been approved and the Petitions for Special Hearing and Special Exception granted, in accordance with the Order attached hereto.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. James Schlesinger, Talisman-Towson Partnership, LLC
1500 San Remo Avenue, Suite 185-A, Coral Gables, Fla. 33146

John V. Murphy, Esquire, 14 N. Rolling Road, Baltimore, Md. 21228

Mr. Douglas L. Kennedy, KCW Consultants, Inc.
3104 Timanus Lane, Baltimore, Md. 21244

Ms. Sally Malena, Human & Rohde, 110 E. Pennsyl. Ave., Towson, 21286

Mr. Michael Sarkin, 1308 Putty Hill Ave., Baltimore, Md. 21286
Mr. Wayne Skinner, 1813 Edgewood Road, Baltimore, Md. 21234
David Flowers, Proj. Mgr., PDM; People's Counsel; DEPRM; DPW; File

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Printed with Soybean Ink
on Recycled Paper

84

Petition for Special Hearing

97-89-SPHX

to the Zoning Commissioner of Baltimore County

for the property located at Towson Marketplace

which is presently zoned B.L. C.C.C. B.M. M.L. I.M. D.R. 10.5

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an amended site plan to that approved in case no. 96-95-XA.

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

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Legal Owner(s): Talisman-Towson Partnership, L.L.C.

By: James Schlesinger, President

(Type or Print Name)

Signature

(Type or Print Name)

Signature

1500 San Remo Ave. Suite 185A

Address Phone No.

Coral Gables, Florida 33146

City State Zipcode

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

Name

Address Phone No.

Attorney for Petitioner:

John B. Gontrum

(Type or Print Name)

Signature

814 Eastern Blvd. (410) 686-8274

Address Phone No.

Baltimore, Maryland 21221

City State Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

Drop Off
No Review
8/19/96
ucc

ORDER RECEIVED FOR FILING

Date

By

Zoning Administration & Development Management

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84

Petition for Special Exception

97-89-SPHX

to the Zoning Commissioner of Baltimore County

for the property located at Towson Marketplace

which is presently zoned B.L. C.C.C. B.M. M.L. I.M. D.R. 10.5

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 Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a relocation of the existing service garage operation of Montgomery Ward approved in case no. 79-125-X and in 96-95-XA.

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

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Legal Owner(s): Talisman-Towson Partnership, L.L.C.

By: James Schlesinger, President

(Type or Print Name)

Signature

?

(Type or Print Name)

Signature

1500 San Remo Avenue, Suite 185A

Address Phone No.

Coral Gables, Florida 33146

City State Zipcode

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

Attorney for Petitioner:

John B. Gontrum

(Type or Print Name)

Signature

814 Eastern Blvd. (410) 686-8274

Address Phone No.

Baltimore, Maryland 21221

City State Zipcode

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE

DROP OFF
No REVIEW
5/19/96
ucl

ORDER RECEIVED FOR FILING
Date: 5/19/96
By: ucl

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William K. Woody, L.S.

Douglas L. Kennedy, P.E.

KCW Consultants, Inc.

Civil Engineers and Land Surveyors
3104 Timanus Lane, Suite 101 / Baltimore, Maryland 21244

(410) 281-0030 / 281-0033 / Fax (410) 298-0604

84

97-89-SPHX

August 23, 1995

ZONING DESCRIPTION
"TOWSON MARKETPLACE"
9th Election District, Baltimore County, Maryland

BEGINNING at a point on the north side of Putty Hill Avenue, 94 feet wide at the distance 130 feet east of the centerline of Putty Hill Avenue and Goucher Boulevard, 110 feet wide. Thence the following courses and distances:

1. North 49 degrees 19 minutes 10 seconds West 106.07 feet;
2. North 04 degrees 19 minutes 10 seconds West 279.68 feet;
3. curve to the left having a radius of 1965.00 feet, an arc length of 132.50 feet and a chord bearing North 06 degrees 15 minutes 04 seconds West 132.47 feet;
4. North 07 degrees 22 minutes 07 seconds East 95.98 feet;
5. North 23 degrees 38 minutes 33 seconds East 497.69 feet;
6. North 23 degrees 38 minutes 33 seconds East 655.64 feet;
7. North 68 degrees 36 minutes 24 seconds East 33.18 feet;
8. South 64 degrees 56 minutes 08 seconds East 148.69 feet;
9. South 50 degrees 41 minutes 08 seconds East 36.53 feet;
10. South 64 degrees 56 minutes 08 seconds East 338.58 feet;
11. North 25 degrees 03 minutes 52 seconds East 9.00 feet;
12. South 64 degrees 56 minutes 08 seconds East 301.19 feet;
13. curve to the left having a radius of 4062.49 feet, an arc length of 19.99 feet and a chord bearing South 65 degrees 04 minutes 36 seconds East 19.99 feet;
14. South 51 degrees 41 minutes 51 seconds East 37.79 feet;
15. curve to the left having a radius of 4071.49 feet, an arc length of 344.34 feet and a chord bearing South 68 degrees 09 minutes 27 seconds East 344.24 feet;
16. South 13 degrees 56 minutes 50 seconds West 1132.47 feet;
17. curve to the left having a radius of 1637.00 feet, an arc length of 434.40 feet and a chord bearing North 86 degrees 43 minutes 02 seconds West 433.13 feet;
18. South 85 degrees 40 minutes 50 seconds West 93.96 feet;
19. South 04 degrees 19 minutes 10 seconds East 10.00 feet;
20. South 85 degrees 40 minutes 50 seconds West 294.00 feet;
21. North 56 degrees 28 minutes 50 seconds West 14.00 feet;
22. South 66 degrees 59 minutes 10 seconds West 58.00 feet;
23. South 85 degrees 40 minutes 50 seconds West 346.35 feet to the place of beginning as recorded in deed Liber S.M. 10547, Folio 579.

CONTAINING 43.120 acres of land, more or less. Also known as "Towson Marketplace" and located in the 9th Election District.

AMENDED

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 056700

DATE 8/31/98 ACCOUNT 001-6150

AMOUNT $ 40.00 (JJS)

RECEIVED FROM: KCW Consultants Inc

FOR: VERIFICATION #98-3306

Towson Place (FKA Towson Marketplace)
1238 Putty Hill Avenue

DISTRIBUTION
WHITE - CASHIER

PAID RECEIPT
PROCESS ACTUAL TIME
9/01/1998 9/01/1998 11:57:05
REF 4502 CASHIER JRIC JAM DRAWER 2
6 MISCELLANEOUS CASH RECEIPT
Receipt # 061181 OPLN
CR NO. 056700
40.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

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

No. [illegible]

DATE [illegible] ACCOUNT [illegible]

AMOUNT $[illegible]

RECEIVED FROM [illegible]

FOR: [illegible]

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VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

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

No. 133574

DROP-OFF REVISIONS - NO REVIEW
ITEM #84

DATE 9/25/96 ACCOUNT 001-6150

AMOUNT $ 100.00 (WCR/JJS)

RECEIVED FROM: KCW Consultants, Inc.

#110 - REVISIONS
Towson Marketplace

FOR:

[illegible] $100.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

97-89-SPHX

District 9TH

Date of Posting 8/29/96

Posted for: DEVELOPMENT PLAN HEARING : 97-89

Petitioner: TALISMAN - TOWSON PARTNERSHIP, LLC

Location of property: TOWSON MARKET PLACE

JOPPA RD @ GOUCHER BLVD. AND PUTTY HILL RD.

Location of Signs: JOPPA RD ENTRANCE AND

PUTTY HILL ENTRANCE

Remarks:

Posted by KCW CONSULTANTS, INC

Signature

Date of return: SEPT. 30, 1996 (MON)

Number of Signs: 2

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NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-89-SPHX
(Item 84)
Towson Marketplace
NEC. Putty Hill Avenue and Goucher Boulevard, also SEC Joppa and Prince Roads
9th Election District
4th Councilmanic
Legal Owner(s):
Talisman-Towson Partnership, L.L.C.

Special Hearing: to approve an amended site plan to that approved in case number 96-95-XA. **Special Exception:** for a relocation of the existing service garage operation of Montgomery Ward approved in case number 79-125-X and 96-95-XA.

Hearing: Friday, September 27, 1996 at 2:00 p.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.
(2) For information concerning the File and/or Hearing, Please Call 887-3391.

9/062 Sept. 5. C80072

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 6, 1996

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 Sept. 5, 1996.

THE JEFFERSONIAN,

A. Henrikson

LEGAL AD. - TOWSON

[redacted]

MICROFILMED

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 30, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

DEVELOPMENT PLAN HEARING
PROJECT NAME: TOWSON MARKETPLACE
PROJECT NUMBER: IX-386
LOCATION: S/S Joppa Road, E of Goucher Boulevard
ACRES: 43.12
DEVELOPER: Talisman-Towson Partnership, LLC
PROPOSAL: Commercial - 562,763 sq. ft.

and

CASE NUMBER: 97-89-SPHX (Item 84)
Towson Marketplace
NEC Putty Hill Avenue and Goucher Boulevard, also SEC Joppa and Prince Roads
9th Election District - 4th Councilmanic
Legal Owner(s): Talisman-Towson Partnership, L.L.C.

Special Hearing to approve an amended site plan to that approve in case number 96-95-XA.
Special Exception for a relocation of the existing service garage operation of Montgomery Ward approved in case number 79-125-X and 96-95-XA.

HEARING: FRIDAY, SEPTEMBER 27, 1996 at 2:00 p.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Talisman-Towson Partnership, LLC
John B. Gontrum, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED

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on Recycled Paper

TO: PUTUXENT PUBLISHING COMPANY
September 5, 1996 Issue - Jeffersonian

Please foward billing to:

John B. Gontrum, Esq.
814 Eastern Boulevard
Baltimore, Maryland 21221
686-8274

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-89-SPHX (Item 84)
Towson Marketplace
NEC Putty Hill Avenue and Goucher Boulevard, also SEC Joppa and Prince Roads
9th Election District - 4th Councilmanic
Legal Owner(s): Talisman-Towson Partnership, L.L.C.

Special Hearing to approve an amended site plan to that approve in case number 96-95-XA.
Special Exception for a relocation of the existing service garage operation of Montgomery Ward approved in case number 79-125-X and 96-95-XA.

HEARING: FRIDAY, SEPTEMBER 27, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 20, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Item No.: 84
Case No.: 97-89-SPHX
Petitioner: James Schlesinger

Dear Mr. Gontrum:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 19, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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Sec. 10-6-3
STANDBY PAY
Continued)

*Note: Employees receive a minimum of four hours pay at time and one-half (1 1/2) for the first call-back in a 24-hour period. All callbacks after the first will be paid at the appropriate over-time rate for the hours actually worked.

3. An employee who is on standby for 16 hours and receives two callbacks, the first one for two hours and the second one for one hour will receive 2.75 hours of standby pay and 5 hours of callback pay.
((16 - 5) = 11/4 = 2.75)

Sec. 10-6-4
CALLBACK PAY

Refer to Chapter II, Section IV, Personnel Rules and Regulations, Regulation 10.01J, page 73, and the respective memorandum of understanding.

All employees entitled to callback pay will receive a minimum of four (4) hours pay for the first callback in a twenty-four hour period. Second and additional callbacks in a twenty-four hour period will be reimbursed at time and one-half for actual hours worked.

If Pay Schedule I (BCCEA) employees are called in to work early, and the call-in assignment and regular working shift overlap, such employees will receive a minimum payment for two (2) hours at one and one-half (1 1/2) times their regular hourly rate.

If Pay Schedule II (AFSCME) employees are called in to work early, and the call-in assignment and regular working shift overlap, such employees will receive a minimum payment for two and one-half (2 1/2) hours at one and one-half (1 1/2) times their regular hourly rate.

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

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: September 13, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for September 9, 1996
Item No. 084

The Development Plans Review Division has reviewed the subject zoning item. Subject to previously approved Schematic Landscape Plan. Please see development plan comments.

RWB:HJO:jrb

cc: File

ZONE25B

MICROFILMED

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 09/05/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: TALISMAN - TOWSON PARTNERSHIP, L.L.C.

Location: NEC PUTTY HILL AVE. AND GOUCHER BLVD., ALSO SEC JOPPA AND PRINCE RDS. (TOWSON MARKETPLACE)

Item No.: 084 Zoning Agenda: SPECIAL HEARING

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.

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

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

SEP 1996

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM DATE: Sep. 6, 91

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Sep 3/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 81, 82, 83, (84), 87, 88, 90, 454, 475

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND

ELECTRICAL INSPECTION FEE SCHEDULE

EFFECTIVE APRIL 1. 1992

MINIMUM FEE FOR ELECTRICAL PERMITS IS $17.00

PERMIT EXPIRATION

A permit shall expire one year from the date it was issued unless it is extended, in which case it can only be extended for one additional year. The maximum duration of an electrical permit is two years.

ROUGH WIRING FIXTURES

All switches, receptacles, and lights to be counted as outlets:

1 to 50 outlets . . . $17.00	1 to 50 fixtures . . . $17.00
For each additional 25 outlets or fraction thereof . $ 3.00	For each additional 25 fixtures or fraction thereof . .$3.00

COMPLETED INSTALLATIONS, where wiring and fixtures are installed and can be inspected on one visit, apply *rough wiring schedule* based on total number of outlets.

FEES - NEW RESIDENCE - FLAT RATE - INCLUDES ALL APPLIANCES & SERVICE

Not over 100 amp. service $44.00
Not over 200 amp. service $52.00
Over 200 amp. service $57.00

FEES - NEW APARTMENTS - INCLUDES ALL APPLIANCES - SERVICE ADDITIONAL

1 to 5 - Use Rough Wiring & Fixture Schedules, *Service Additional*
6 or more - $17.00 per apartment, Service Additional

ADDITIONS & REMODELING - Use Rough Wiring and Fixture Schedules. Appliances such as electric ranges, range tops, ovens, air conditioners, water heaters, disposals, dishwashers, dryers, water pumps, electric heating units, etc., installed in dwelling occupancies: a charge of $5.00 will be made for the first unit 20 KW or less, and $2.00 for each additional unit or outlets.

INDUSTRIAL AND COMMERCIAL EQUIPMENT - such as air conditioners, motors, generators, commercial heaters, transformers, capacitors, welders and similar devices:

Secondary Fee

Single unit or group not exceeding 5 motors whose total capacity does not exceed 1 HP or KW . . . $17.00 -- $5.00
1 HP to 40 HP, KW or KVA. . . . . $17.00 -- $5.00
Over 40 HP to 75 HP, KW or KVA. . . . . $17.00 -- $6.00
Over 75 HP, KW or KVA . . . . . $17.00 -- $7.00

NOTE: Where above motor fees exceed $75.00 and inspections can be completed within 90 days of filing application, apply 50% of the above fees for the amount over $75.00.

NEW SERVICE - RELOCATION OR CHANGE IN SERVICE

Not over 400 amps $17.00
Over 400, not over 800 amps.. . . . . $25.00
Over 800 amps.. . . . . $43.00

INVESTIGATION FEE

Whenever any work for which a permit is required under this code has been commenced without authorization of such permit, a special investigation shall be made before a permit may be issued for such work. In addition to the regular permit fee, an investigation fee of $43.00 shall be collected.

MODULAR HOMES OR PREFABRICATED STRUCTURES

Must bear a sticker of approval from the U.S. federal government, the state, a national testing facility, or other recognized inspection bureau. When this sticker is in evidence, a flat rate of $43.00 will be charged.

TRANSFORMERS, VAULTS - OUTDOOR ENCLOSURES
OUTDOOR SUB-STATIONS

Not over 200 KVA $19.00
Over 200 to 500 KVA. $21.00
Over 500 KVA $28.00

NOTE: Above applied to each bank of transformers.

SWIMMING POOLS

Bonding $17.00
Filters & Pool Lights (Use fixture & appliance schedule)

REINSPECTION OR REINTRODUCTION OF CURRENT

Charge is in relation to amount of supervision, but no less than $43.00
Any equipment not heretofore approved, the schedule covering classification to apply used.

ADDITIONAL INSPECTIONS

For reported correction of defects found in original installation (after notice of correction and second inspection) $17.00

ELECTRIC SIGNS

Electric discharge sign lighting systems, charge based on amp. rating of each sign:
0 to 10 amp. $17.00
Each additional 5 amp. or fraction thereof .$ 7.00
For incandescent signs, divide total number of sockets by "4" applying rough wiring schedule for each sign, minimum fee. $17.00
Charge for each combination incandescent and gas tube sign to be computed by adding charge for each class.

ELEVATOR INSTALLATIONS

Single unit, non-automatic, 1 to 20 HP each $17.00
Single unit, non-automatic, *Over 20 HP: apply primary motor schedule.*
Automatic elevators: Add $5.00 to primary motor schedule.

RADIO OR TV APPARATUS

Minimum fee $17.00

PROTECTIVE SIGNALING SYSTEMS, SOUND OR TIME SYSTEMS OUTLETS, TELEPHONES

1 to 15 devices $17.00
Each additional 5 . . . . . $ 3.00

TEMPORARY INSTALLATIONS AND DECORATIVE DISPLAYS
Temporary installations for carnivals, Christmas decorations, halls churches, etc., where inspection is on a one-time basis, apply the following fees:

1 to 10 KW $17.00
11 to 25 KW. $21.00
26 to 50 KW. $28.00
Over 50 KW $34.00

Where Inspection is not on a one-time basis, [illegible] Special Services below:

SPECIAL SERVICES

Special services (such as annual inspections, hospital operating floors, motion picture equipment, mobile homes, etc.) and/or conditions not provided for in the schedule shall be charged for on the basis of time required.
Minimum fee $17.00

Temporaries and inspections requested after the first inspection, when work was not ready, EACH $43.00

Issuance of duplicate certificate . . . $ 3.00

PRE-PURCHASE AND USE POSTCARD PERMITS ($17.00) FOR SIMPLE, ONE-ITEM INSPECTIONS.

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

8-30-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 084 (WCR)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

MICROFILMED

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING PETITION FOR VARIANCE NEC Putty Hill Avenue and Goucher Blvd., also SEC Joppa and Prince Roads (Towson Marketplace), 9th Election Dist., 4th Councilmanic Talisman-Towson Partnership, L.L.C. Petitioners	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 97-89-SPHX

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of September, 1996, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 6, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Drop-Off Petition Review (Item #84)
Towson Marketplace
9th Election District

Dear Mr. Gontrum:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the $100.00 revision fee.

1. Need telephone number on petition forms for legal owner.

2. Add dimension, setbacks, and use of the "5,500 square foot pad site".

3. Label tenant locations and use, i.e., retail, restaurant, service garage, etc. (specifically note if Martins is to remain a tenant).

4. Enlarge the "Parking Detail (typicals) and Amenity Open Space (AOS)" at the top of sheet #D-1B.

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on Recycled Paper

5. Add note that parking spaces comply with Section 409.8.A.4. of the Baltimore County Zoning Regulations (BCZR); 8 feet if existed prior to 5/26/88.

6. Add new zoning hearing information (case number, date of approval, what was granted or denied, plus any restrictions to the site plan).

7. Development Conference Plan must be identical to the submitted forth-coming special exception, special hearing plans (i.e., some building square footages differ).

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:scj

Enclosure (receipt)

c: Zoning Commissioner

KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane Suite 101
BALTIMORE, MARYLAND 21244

(410) 281-0030 281-0033

LETTER OF TRANSMITTAL

DATE	JOB NO.
9-30-96	94150

ATTENTION

RE: "TOWSON MARKETPLACE"

#84
DROP. OFF
NO REVIEW

TO BALTO. CO. ZONING OFFICE

WE ARE SENDING YOU ☑ Attached ☐ Under separate cover via ____ the following items:

☐ Shop drawings ☑ Prints ☐ Plans ☐ Samples ☐ Specifications

☐ Copy of letter ☐ Change order ☐ ____

COPIES	DATE	NO.	DESCRIPTION
6	9-18-96	D-1B	PLAT TO ACCOMPANY PETITIONS FOR SPECIAL (ZONING) HEARING & SPECIAL EXCEPTION

9/25/96

THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ Approved as submitted ☐ Resubmit ____ copies for approval

☑ For your use ☐ Approved as noted ☐ Submit ____ copies for distribution

☑ As requested ☐ Returned for corrections ☐ Return ____ corrected prints

☐ For review and comment ☐ ____

☐ FOR BIDS DUE ____

REMARKS ____

9/25 WED

SOP: Petition, Towson Market Place Plans JJS OK.

PRINTS RETURNED AFTER LOAN TO US

COPY TO 94150

SIGNED: LUB

MICROFILMED

If enclosures are not as noted, kindly notify us at once.

KCW CONSULTANTS, INC.
Civil Engineers and Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore, Maryland 21244
Tele: (410) 281-0030 Fax: (410) 298-0604

LETTER OF TRANSMITTAL

TO: BALTO. COUNTY
ZONING OFFICE
ROOM 111

DATE: 8/29/96
J.O.#: 94150
REF: TOWSON MARKET PLACE
(CERT. OF POSTING)

ATTN: GWYNN

WE ARE SENDING YOU ☑ Attached ☐ Under separate cover via _____ the following

☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications

☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
1	8/29/96	1	CERT. OF POSTING

THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ Approved as submitted ☐ Resubmit_____copies for approval

☐ For your use ☐ Approved as noted ☐ Submit_____copies for distribution

☑ As requested ☐ Returned for corrections ☐ Return_____corrected prints

☐ For review and comment ☐ _____

☐ FOR BIDS DUE_____19_____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

COPY TO _____ SIGNED: Charles A. Cremen Jr.

MICROFILMED

96-5135

William K. Woody, L.S. Douglas L. Kennedy, P.E.

KCW Consultants, Inc.

Civil Engineers and Land Surveyors
3104 Timanus Lane, Suite 101 / Baltimore, Maryland 21244

(410) 281-0030 / 281-0033 / Fax (410) 298-0604

9/19/96
Item 84
Revised plans
To: JJS
ASAP - Review
+ Ret. to Sph

September 16, 1996

Baltimore County P.A.D.M.
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention: John J. Sullivan, Jr.

Reference: Towson Marketplace
9th Election District
Drop-off Petition Review (Item #84)

Dear Mr. Sullivan:

In response to your review comments for the above referenced petition as noted in your letter dated September 6, 1996 to John B. Gontrum, Esq., and your Development Plan review comments received at the Development Plan Conference on September 11, 1996, we are submitting herewith six (6) revised prints of the "Amended Proposed Conditions Development Plan and Plats to Accompany Petitions for Special Hearing and Special Exception", Drawing No. D-1B, dated May 14, 1996 with revision date September 16, 1996. The revisions to this plan are in response to your Zoning Office comments as outlined below.

1. The telephone number for the legal owner is:
   (305)662-9559 at their Coral Gables, FLA office, and
   (410)337-0505 at the Towson Marketplace Management Office.

2. The dimensions, setbacks and use of the 5,500 s.f. Pad Site are now noted on the revised plans. The exact use of this proposed pad site is unknown at this time, and therefore has been noted as "Retail, Restaurant, Bank or other permitted B.L. zone use."

3. Within each tenant space is a note as to Tenant #, gross leasable area, and identification of existing tenants to remain. Proposed tenant spaces do not reflect a specific user. A specific note has been placed on the plan stating that Martin's will not be a tenant after redevelopment and that all proposed uses shall be retail, restaurant, bank or other permitted B.L. zone use.

4. The typical detail for parking and amenity open space has been enlarged for clarity.

RECEIVED

CHECK FOR #100.-

5. A note has been added to the plan stating "All parking spaces comply with BCZR Section 409.8.A.4."

6. The information for zoning hearing per case #96-95-XA has been noted on these plans under note number 29 and the Order has been placed on Drawing No. D-1A.

7. The "Amended Proposed Conditions Development Plan" for the Hearing Officer's Hearing and the "Plats to Accompany Petitions for Special Hearing and Special Exception" are now identical.

Please contact me at 281-0033 if you have any additional questions concerning this Development Plan or Zoning Special Hearing plan.

Very truly yours,
KCW Consultants, Inc.

Douglas L. Kennedy

Douglas L. Kennedy, P.E.

cc: John Gontrum
J.O. 94150

MICROFILMED

William K. Woody, L.S. Douglas L. Kennedy, P.E.

KCW Consultants, Inc.

Civil Engineers and Land Surveyors
3104 Timanus Lane, Suite 101 / Baltimore, Maryland 21244

(410) 281-0030 / 281-0033 / Fax (410) 298-0604

8/28/98
&
ok

To: JJS
8/31/98 ca
Basket

August 27, 1998

Baltimore County PADM
111 W. Chesapeake Avenue
Towson, MD. 21204

Attention: Mr. Arnold Jablon, Director

RECEIVED SEP 0 1 1998

Reference: "Towson Place" (f.k.a. "Towson Marketplace")
1238 Putty Hill Avenue, Towson, MD 21286
9th Election District

As a requirement of the lender for permanent financing on this project, it is required that the Owner have the County furnish a Certification of Zoning.

On behalf of the Owner, Talisman Towson Partnership, LLC, it is hereby requested that the Office of Zoning furnish a Certification of Zoning in the format specified by NationsBank, N.A., attached hereto, for the Towson Place property.

Name:	Towson Place
Address:	1238 Putty Hill Avenue, Towson, MD 21286
Area:	43.12 acres
Zoned:	B.L.-CCC (42.55 ac.), M.L.-IM (0.51 ac.), D.R. 10.5 (0.06 ac.)
Zoning Map:	1"=200' scale N.E. 9-B, N.E. 10-B.
Use:	Retail sales and uses permitted per B.L. zoning; auto service garage per Case No. 79-125-X, 96-95-XA, and 97-89-SPHX.
Tax No.:	0905840080
Location:	Bounded by Joppa Road to the North, Putty Hill Avenue to the East, Goucher Boulevard to the South, and Prince Road to the West.
Development Plan:	# IX-386
Zoning Cases:	97-89-SPHX, 96-95-XA, 77-230-XA.

Very truly yours,
KCW Consultants, Inc.

Douglas L. Kennedy

Douglas L. Kennedy, P.E.

Attachments
cc: J.O. 94150

RECEIVED
AUG 28
98-3306
PDM

FORM OF CERTIFICATION FOR ZONING.

(DATE)

NationsBank, N.A., a national banking association
c/o NationsBanc Montgomery Securities, LLC
NationsBank Corporate Center - 11th Floor
100 North Tryon Street
Charlotte, North Carolina 28255
Attn: Conduit Program Manager

Re: [Name of Project/General Legal Description] (the "Property")

Ladies and Gentlemen:

This letter will confirm that the Property referenced above is zoned _____, which zoning designation permits the use of the Property as a _____ as approved by the _____ [Planning Commission/City Council/County/Etc.]. Permitted uses for the property are _____. Attached hereto are copies of the applicable zoning laws, ordinances, variances, resolutions and regulations reflecting such designation. The Property and the improvements located thereon, and the use thereof comply with all such laws, ordinances, variances, resolutions and regulations.

Sincerely,

City/County of _____

_____

City/County Administrator

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

September 11, 1998

NationsBank, N.A., a national banking association
c/o NationsBanc Montgomery Securities, LLC
NationsBank Corporate Center - 11th Floor
100 North Tryon Street
Charlotte, NC 28255

Attention: Conduit Program Manager

Ladies and Gentlemen:

RE: Towson Place (AKA Towson Marketplace), 1238 Putty Hill Avenue, Towson, MD 21286, 9th Election District

The zoning of this 43.12-acre site, per the 1" = 200' scale zoning map numbers NE 9 & 10-B is B.L.-C.C.C. (Business, Local - Commercial, community core), M.L.-I.M. (Manufacturing, Light - Industrial, major), and D.R.-10.5 (Density Residential). Enclosed are copies of zoning case number 98-245-SPH, in which the deputy zoning commissioner granted a special hearing which sought clarification and revisions, if necessary, of restrictions in prior approved zoning case numbers IX-386 and 96-95-XA and an amendment to the site plan approved in case numbers IX-386 and 97-89-SPHX. Also see attached sheet summarizing all prior zoning hearings held on this site. In accordance with the zoning classification and granted zoning hearings, the use of a retail shopping center, including an automotive service garage ancillary to the Montgomery Ward Department Store, complies with the Baltimore County Zoning Regulations (BCZR). Also enclosed are copies of the appropriate sections of the BCZR. A review of files in the Code Enforcement office found no current violations.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

John J. Sullivan, Jr.
Planner II, Zoning Review

c: zoning case numbers 98-245-SPH, 97-89-SPHX, 96-95-XA, 93-360-SPHA, 88-136-SPH, 79-125-X, 77-230-XA, 74-143-R, 68-83-R, and 5900

Printed with Soybean Ink on Recycled Paper

[redacted]VSON MARKETPLACE ZONING HISTOR[redacted]		
CASE NO.	DATE	DESCRIPTION
5900		Variance for identification sign
68-83-R		Reclassification from R-6 to B.L.
74-143-R	Approved Jan. 7, 1974	Reclassification of 0.33 acres from B.L. to B.M. for Martin's catering.
77-230-XA	Approved	Variance to permit 3047 off-street parking spaces in lieu of the required 3415 spaces (-368 parking spaces). Use of theaters was denied.
79-125-X	Approved Feb. 5, 1979	Special Exception for automotive service garage in Montgomery Wards.
1984 Compr. Zoning Maps	1984	B.L.CCC and D.R.5.5 (13.9 acres)
88-136-SPH	Denied Jan. 29, 1988	SPH for a use permit to store new automobiles in D.R.5.5 zone.
1988 Compr. Zoning Maps	1988	Zoning Change: D.R.5.5 to B.L.-CCC
Permit 104135 C-1664-88	Approved March 1989	Site plan updated to include "Blockbuster Video" pad site building.
93-360-SPHA	Approved June 24, 1993	Variance for 0' setback for existing parking SPH to amend site plan for Hemphill's Outdoor Garden Center.
96-95-XA and Development Plan #IX-386	Approved Nov. 9, 1995 Amended Order Feb. 22, 1996	Variance for parking granted for continuance of –368 p.s. per #77-230-XA and additional –130 p.s. to allow 2972 p.s. total. Relocation of auto service garage previously approved per #79-125-X granted for new location specified on Development Plan #IX-386.
97-89-SPHX, and Development Plan #IX-386	Approved Oct 8, 1996	SPH to approve Amended Development #IX-386. Special Exception to approve relocation of auto service garage previously approved per Case #79-125-X and Case #96-95-XA.
98-245-SPH	Approved March 31, 1998	SPH to clarify previous restrictions #3 & #4 case #96-95-XA as they relate to exhibits 11(a), 11(b) and 12 in that case and an amendment to the site plan in case #97-89-SPHX (3 restrictions) also the lighting plan and jurisdiction and authority to modify same shall be with the DZC (Deputy Zoning Commissioner). Also the DZC shall have jurisdiction over any changes in the facades. Also all of the terms and conditions and restrictions in prior case #IX-386 and #96-95-XA and #97-89-SPHX shall remain in full force and effect unless changed by this Decision.
00-213-SPH	Approved Jan. 1, 2000	SPH to amend restrictions in prior cases to permit the Toys-R-US façade and and installation. To allow a hedgerow in lieu of brick wall along Putty Hill Ave. In accordance with agreement entered into between the parties, Tailsman and CAMM, Inc., dated 12/17/99, which shall be incorporated in this Order.

* 02-204-SPH & IX-386 > 02-15-02 Hearing

OK per Deputy ZC, (T.K) See 00-213-SPH Note

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 11, 2000

Bank of America, N.A.
Bank of America Corporate Center, 15th Floor
100 N. Tryon Street
Charlotte, North Carolina 28255
Attn: Jodie O. Noble - NCI-007-15-07

Ladies and Gentlemen:

RE: Towson Marketplace, Talisman Towosn Limited Partnership, 1238 Putty Hill Avenue, Baltimore County Maryland

This is to advise you that the zoning and the use of the above captioned Premises have been zoned for retail and office use as allowed in the Business Local-Commercial Core and granted by Zoning Case No. 00-213-SPH, 98-245-SPH, 97-89-SPHX, 93-360-SPHA, 88-136-SPH, etc. and Development Hearing file #1X-386.

As of the date hereof, the Premises and the improvements thereon are not in violation of the aforesaid building and zoning laws, rules and regulations.

The number of parking spaces serving the Premises is adequate and is in conformance with the aforesaid building and zoning laws, rules, and regulations and hearings for the premises.

All required Certificates of Occupancy for the Premises have been issued - OR - Certificates of Occupancy have not been issued for the Premises as none are required.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:kew

TALISMAN COMPANIES, L.L.C.
COMMERCIAL DEVELOPMENT, LEASING & MANAGEMENT

September 26, 1996

RE: *Proposed Redevelopment Plan of Towson Marketplace*

To Whom It May Concern:

This letter shall serve to confirm that Talisman Towson, L.P. and Talisman Towson, L.L.C., the owners and developers of Towson Marketplace, agree to take the following actions in regard to the proposed redevelopment plan of Towson Marketplace:

- We will resurface the Joppa Rd. screening wall in a manner acceptable to the Towson Estates Community Association and the Towson Marketplace Liaison Committee.

- We will support in writing any and all attempts by any of the community organizations surrounding Towson Marketplace to have Baltimore County prohibit all truck traffic over ¾ ton on Putty Hill Ave. east of the Towson Marketplace site.

- We will designate and post the existing exit to Putty Hill Ave. adjacent to the Post Office and immediately opposite the proposed loading court as a "Truck Exit Only" and "Right Turn Only".

- We will spend up to the sum of Ten Thousand Dollars ($10,000.00) on noise abatement construction techniques and materials on the exterior surfaces which will form the perimeter of the proposed loading court on the Putty Hill Ave. side of the property.

- We will construct and appropriately landscape a red brick screening wall at least 5' in height along the entire length of the alley bordering Loch Raven Village. A photograph of a prototype for this wall will be provided by the Associates of Loch Raven Village, Inc. The wall should be terminated at the north edge of the alley behind the residences in the 1300 block of Putty Hill Ave. in such a way as to prohibit pedestrian traffic from Towson Marketplace into the alley.

- We will construct a decorative brick wall along the entire frontage of Putty Hill Ave. to a height sufficient to preclude pedestrian traffic in order to preserve the landscape of the surrounding area. Mix of Landscaping & small wall at entranceways.

- We will construct a 10'-screening wall at entrance to loading dock.

Respectfully yours,

TALISMAN TOWSON, L.P.
TALISMAN TOWSON, L.L.C.

By: _____
James A. Schlesinger, Pres.

PROTESTANT'S EXHIBIT NO. 1

ORDER RECEIVED FOR FILING
Date 10/9/96
By

MICROFILMED

PROTE
EXHIBIT 2

TOWSON MARKETPLACE LIAISON COMMITTEE
STATEMENT TO HEARING OFFICER
TOWSON MARKETPLACE DEVELOPMENT PLAN IX-386
SPECIAL HEARING AND EXCEPTION 97-89
FRIDAY, SEPTEMBER 27, 1996, 2:00 P.M.
ROOM 106, COUNTY OFFICE BUILDING
TOWSON, MARYLAND

The Towson Marketplace Liaison Committee (TMLC) is composed of duly appointed representatives from the following community associations:

Campus Hills Community Association
Cromwell Valley Community Association
Fellowship Forest Community Association
Knettishall Community Association
The Associates of Loch Raven Village, Inc.
Towson Estates Association, Inc.

TMLC was created in 1989 as a result of a Declaration and Agreement entered into between the six community associations and Bramalea, Ltd., the former owners of the Towson Marketplace property. The covenants so entered into run with the land and, therefore, Talisman Properties, the current owner of the property, is burdened by them.

TMLC and Mr. James Schlesinger, the developer, have been meeting for over two years to review and discuss the redevelopment effort. We recently met with Mr. Schlesinger to review the development plans under consideration today, i.e. Amended Proposed Conditions and Development Plan DWG No. D-1B. TMLC has the following comments:

1) TMLC believes that the redevelopment of Towson Marketplace is crucial to the stabilization of the surrounding communities.

2) The Committee believes the redevelopment efforts must be compatible with the residential character of the area. We also believe that the current development plan showing a retail center are generally compatible with the surrounding residential communities.

3) TMLC has discussed several points of concern with Mr. Schlesinger. Today, we ask the County to consider the following concerns and suggestions, which we believe should be integrated into the development plan and incorporated into the Hearing Officer's Order:

   a) Truck traffic, over 3/4 ton, should be prohibited on Putty Hill Avenue east of the Marketplace property.

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Mr. Schlesinger is in agreement with and supports this request as evidenced by his letter to Mr. Stephen Weber dated September 20, 1996 and his letter to concerned parties dated September 26, 1996.

b) We request that a median cut be made on Putty Hill Avenue opposite the proposed truck loading dock/roundabout and that there be signs posted restricting traffic at that entrance to truck deliveries. This will increase safety to pedestrians by permitting trucks to directly enter the loading dock area rather than having to drive through parking lot areas where customers will be entering and exiting stores.

Passenger cars should be prohibited from using this proposed "truck only" entrance for further reasons of safety.

Moreover, appropriate traffic signs should be posted prohibiting trucks from turning left onto Putty Hill Avenue after exiting the loading dock area.

Mr. Schlesinger further agrees with and supports this request as evidenced by his letters dated September 20, 1996 and September 26, 1996.

c) We request construction of an 8' screening wall of appropriate and compatible building materials in front of the Toys R Us loading dock. The Associates of Loch Raven Village, Inc. should have approval rights for the building materials used. Appropriate landscaping should also be provided for the area in front of the screening wall and between the proposed "truck only" entrance on Putty Hill Avenue and the easternmost entrance to the center located on Putty Hill Avenue.

d) TMLC asks that a red brick screening wall be erected along the easternmost Marketplace property line which borders the alley adjacent to Loch Raven Village. This wall should be erected of a height and design acceptable to The Associates of Loch Raven Village, Inc.

Mr. Schlesinger has agreed in his letter dated September 26, 1996 to construct, and appropriately landscape, a red brick screening wall at least 5' in height along the entire length of the alley bordering Loch Raven Village in accordance with a prototype to be provided by The Associates of Loch Raven Village.

ORDER RECEIVED FOR FILING
Date 10/8/96
By

MORGAN MILL

e) TMLC requests that northbound passenger traffic on Goucher Boulevard be allowed ingress and egress to and from the Marketplace property via a curb cut on Goucher Boulevard.

Mr. Schlesinger concurs with this request per his letter dated September 20, 1996.

f) We request that the existing Joppa Road screening wall be resurfaced with materials compatible with the stone residences in the Towson Estates community. The materials used should be acceptable to and approved by the Towson Estates community association.

Mr. Schlesinger has agreed to resurface the Joppa Road screening wall in a manner acceptable to the Towson Estates community association and TMLC per his letter dated September 26, 1996.

g) We further ask that the hours of operation of the center be restricted from 6:00 a.m. to 12 midnight inasmuch as the operation of the center should be congruous with the residential character of the area.

Not agreed to by Schles.

h) Finally, we respectfully request that the following otherwise permissible uses under the BL-CCC zoning, either as of right or by way of special exception, be prohibited uses on the property and/or retail center:

1) Animal boarding
2) Arcade
3) Billiard and pool room or hall
4) Car wash
5) Community building
6) Drive-in restaurant
7) Funeral establishment
8) Helicopter port
9) Medical clinic
10) Pawn shop
11) Tavern
12) Theatre and/or movie theatre
13) Wireless transmitting or receiving station
14) Any other use otherwise permitted in a BL-CCC zone which are not compatible with the residential character of the areas surrounding the Towson Marketplace property.

Mr. Schlesinger, representing Talisman Properties, has indicated he is in agreement with and supports TMLC in these requests, with the exception of the limitation on the hours of operation, as evidenced by his verbal communications with this

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KCW CONSULTANTS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
3104 Timanus Lane, Suite 101
Baltimore, Maryland 21244
(410) 281-0033

TOWSON MARKETPLACE REDEVELOPMENT

BALTIMORE COUNTY 1" = 200' SCALE ZONING MAP N.E. 10-B

TO ACCOMPANY PETITIONS FOR SPECIAL EXCEPTION & VARIANCE

AUGUST 22, 1995 AND AUGUST 12, 1996.

84

NO VIOL.

Initial Dev. Plan and Zoning

REVIEWED

BY JJS

NOT This Plan

MICROFILMED

8/19/96

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

Ms. Sallie Worthington and Ms. Jean Neer
106 Garrison Forest Road
Garrison, MD 21055

RE: Item No.: 91
Case No.: 97-90-SPH
Petitioner: S. Worthington, et al

Dear Ms. Worthington and Ms. Neer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

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

September 9, 1996

FROM: Robert A. Wirth RAW/gp
DEPRM

SUBJECT: Zoning Item #91 - Worthington-Neer Property
Greenspring Valley Road
Zoning Advisory Committee Meeting of September 3, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

VK:sp

RAW:VK:sp

WORTHING/DEPRM/TXTSBP

MICROFILMED

ALEXANDER

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: September 13, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for September 9, 1996
Item Nos. 082, 083, 086, 088,
089, 090, 091, 092. & 093

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE25

ENCLOSED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 11, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 91, 94, 95, 96, 97, and 101

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Pat Keller

PK/JL

ITEM91/PZONE/TXTJWL

MICROFILMED

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 09/05/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 03, 1996.

Item No.: SEE BELOW Zoning Agenda:

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:82, 83, 85, 86, 88, 90, 91 AND 93.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED

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BALTIMORE COUNTY, MARYLAND

ELECTRICAL INSPECTION FEE SCHEDULE

EFFECTIVE APRIL 1. 1992

MINIMUM FEE FOR ELECTRICAL PERMITS IS $17.00

PERMIT EXPIRATION

A permit shall expire one year from the date it was issued unless it is extended, in which case it can only be extended for one additional year. The maximum duration of an electrical permit is two years.

INVESTIGATION FEE

Whenever any work for which a permit is required under this code has been commenced without authorization of such permit, a special investigation shall be made before a permit may be issued for such work. In addition to the regular permit fee, an investigation fee of $43.00 shall be collected.

ROUGH WIRING	FIXTURES
All switches, receptacles, and lights to be counted as outlets:	
1 to 50 outlets . . . $17.00	1 to 50 fixtures . . . $17.00
For each additional 25 outlets or fraction thereof . $ 3.00	For each additional 25 fixtures or fraction thereof . .$3.00

COMPLETED INSTALLATIONS, where wiring and fixtures are installed and can be inspected on one visit, apply rough wiring schedule based on total number of outlets.

FEES - NEW RESIDENCE - FLAT RATE - INCLUDES ALL APPLIANCES & SERVICE

Not over 100 amp. service $44.00
Not over 200 amp. service $52.00
Over 200 amp. service $57.00

FEES - NEW APARTMENTS - INCLUDES ALL APPLIANCES - SERVICE ADDITIONAL

1 to 5 - Use Rough Wiring & Fixture Schedules, Service Additional
6 or more - $17.00 per apartment, Service Additional

ADDITIONS & REMODELING - Use Rough Wiring and Fixture Schedules. Appliances such as electric ranges, range tops, ovens, air conditioners, water heaters, disposals, dishwashers, dryers, water pumps, electric heating units, etc., installed in dwelling occupancies: a charge of $5.00 will be made for the first unit 20 KW or less, and $2.00 for each additional unit or outlets.

INDUSTRIAL AND COMMERCIAL EQUIPMENT - such as air conditioners, motors, generators, commercial heaters, transformers, capacitors, welders and similar devices:

	Secondary Fee
Single unit or group not exceeding 5 motors whose total capacity does not exceed 1 HP or KW . . .	$17.00 -- $5.00
1 HP to 40 HP, KW or KVA.	$17.00 -- $5.00
Over 40 HP to 75 HP, KW or KVA.	$17.00 -- $6.00
Over 75 HP, KW or KVA	$17.00 -- $7.00

NOTE: Where above motor fees exceed $75.00 and inspections can be completed within 90 days of filing application, apply 50% of the above fees for the amount over $75.00.

NEW SERVICE - RELOCATION OR CHANGE IN SERVICE

Not over 400 amps $17.00
Over 400, not over 800 amps.. . . . . $25.00
Over 800 amps.. . . . . $43.00

MODULAR HOMES OR PREFABRICATED STRUCTURES

Must bear a sticker of approval from the U.S. federal government, the state, a national testing facility, or other recognized inspection bureau. When this sticker is in evidence, a flat rate of $43.00 will be charged.

TRANSFORMERS, VAULTS - OUTDOOR ENCLOSURES
OUTDOOR SUB-STATIONS

Not over 200 KVA $19.00
Over 200 to 500 KVA. $21.00
Over 500 KVA $28.00

NOTE: Above applied to each bank of transformers.

SWIMMING POOLS

Bonding $17.00
Filters & Pool Lights (Use fixture & appliance schedule)

REINSPECTION OR REINTRODUCTION OF CURRENT

Charge is in relation to amount of supervision, but no less than $43.00
Any equipment not heretofore approved, the schedule covering classification to apply used.

ADDITIONAL INSPECTIONS

For reported correction of defects found in original installation (after notice of correction and second inspection) $17.00

ELECTRIC SIGNS

Electric discharge sign lighting systems, charge based on amp. rating of each sign:
0 to 10 amp. $17.00
Each additional 5 amp. or fraction thereof .$ 7.00
For incandescent signs, divide total number of sockets by "4" applying rough wiring schedule for each sign, minimum fee. $17.00
Charge for each combination incandescent and gas tube sign to be computed by adding charge for each class.

ELEVATOR INSTALLATIONS

Single unit, non-automatic, 1 to 20 HP each $17.00
Single unit, non-automatic, Over 20 HP: apply primary motor schedule.
Automatic elevators: Add $5.00 to primary motor schedule.

RADIO OR TV APPARATUS

Minimum fee $17.00

PROTECTIVE SIGNALING SYSTEMS, SOUND OR TIME SYSTEMS OUTLETS, TELEPHONES

1 to 15 devices $17.00
Each additional 5 . . . . . $ 3.00

TEMPORARY INSTALLATIONS AND DECORATIVE DISPLAYS
Temporary installations for carnivals, Christmas decorations, halls churches, etc., where inspection is on a one-time basis, apply the following fees:

1 to 10 KW $17.00
11 to 25 KW. $21.00
26 to 50 KW. $28.00
Over 50 KW $34.00

Where Inspection is not on a one-time basis, see Special Services below:

SPECIAL SERVICES

Special services (such as annual inspections, hospital operating floors, motion picture equipment, mobile homes, etc.) and/or conditions not provided for in the schedule shall be charged for on the basis of time required.
Minimum fee $17.00

Temporaries and inspections requested after the first inspection, when work was not ready, EACH $43.00

Issuance of duplicate certificate . . . $ 3.00

PRE-PURCHASE AND USE POSTCARD PERMITS ($17.00) FOR SIMPLE, ONE-ITEM INSPECTIONS.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
2610 and 2620 Greenspring Valley Rd, N/S
Gr. Valley Road, 800' W of Brooklawn Rd * ZONING COMMISSIONER
3rd Election District, 3rd Councilmanic
* OF BALTIMORE COUNTY
Legal Owner(s): Sallie-Graham Worthington
and Jean Hurst Neer * CASE NO. 97-90-SPH
Petitioners
* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to McKee & Associates, Inc., 5 Shawan Road, Hunt Valley, MD 21030, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

BALTIMORE COUNTY, MARYLAND

Inter-office Correspondence

TO: Robert W. Bowling, Chief
Development Plans Review Division
Dept. of Permits and Development Management

DATE: February 10, 1998

FROM: Lawrence E. Schmidt
Zoning Commissioner

SUBJECT: Weiskopf/Helfrich/PDM No. I-456 and Case No. 98-90-A

Dear Bob:

Following up our telephone conversation, last week, regarding the approved development plan on the above subject case, I have reviewed my opinion and Order that I issued. In that Order, I granted a waiver, pursuant to Section 26-172 of the Code. That section permits the Hearing Officer to grant a waiver of any or all of the requirements in Divisions 3, 4, and 5 of the development regulations, at the request of a department director. In granting the waiver, I acted upon the request of the Director of the Office of Planning.

A question has arisen as to whether my action related only to road improvements or both the improvements and right of way for Hilton Avenue. In answering this question, I have reviewed the request for waiver submitted by the developer and have also consulted with Ervan McDaniel of the Office of Planning. It appears that the requested waiver was from both the requirement that the road be widened and the right of way be dedicated. Moreover, Mr. McDaniel advised that it was his department's intent to support a waiver from both requirements.

In that I am obligated, pursuant to Section 26-172, to grant what has been requested and nothing more, it is my judgment that the waiver granted in my opinion and Order is from both the actual improvements and the dedication of the right of way.

I trust that the above has adequately clarified this issue. If you would like to discuss further, please do not hesitate to contact me.

LES:mmn

c: Howard Alderman, Jr., Esquire
c: Mr. Crocken, Fax No. 410-549-9063
c: Mr. E. McDaniel, Office of Planning

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
TWO HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W CHESAPEAKE AVENUE
SUITE 113
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.
halderman@counsel.com

February 5, 1998

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME	TELEFAX NO.
Robert W. Bowling, PE	410-887-4393
Lawrence Schmidt, Esquire/Hearing Officer	410-887-3468
Evergreen Homes	410-747-6683

FROM: HOWARD L. ALDERMAN, JR., ESQUIRE

NUMBER OF PAGES [INCLUDING THIS COVER PAGE]: 1

CLIENT/MATTER: **Weiskopf/Helfrich/PDM No. I-456 & Case No. 98-90-A**

COMMENTS: **Bob: I spoke with Hearing Officer Schmidt regarding the waiver that was approved in the above-referenced matter. Commissioner Schmidt indicated that based on the waiver request as submitted AND the recommendation of the Office of Planning (thru Erv. McDaniel), a waiver of road improvements AND OF DEDICATION OF RIGHT-OF-WAY was approved by him, as Hearing Officer, by his order of November 14, 1997. Commissioner Schmidt indicated that he would be dictating correspondence to you in this regard. Therefore, I would appreciate it if you would IMMEDIATELY UPON RECEIPT OF THE COMMISSIONER'S CORRESPONDENCE, CAUSE THE FDP & RECORD PLAT TO BE APPROVED/SIGNED BY THE APPROPRIATE PERSONNEL. Please call me with any questions.**

[x] ORIGINAL WILL NOT BE MAILED

If you do not receive all of the pages indicated above, please call 321-0600 as soon as possible.
My return FAX Number is (410) 296-2801.

WARNING: UNAUTHORIZED INTERCEPTION OF THIS TELEFAX COMMUNICATION
COULD BE A VIOLATION OF FEDERAL AND MARYLAND LAW.

The information contained in this transmission is attorney privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone collect and return the original message to us at the above address via the U.S. Postal Service. We will reimburse you for expenses. Thank You

PETITIONER

PLEASE PRINT CLEARLY

~~PROTESTANT~~(S) SIGN-IN SHEET

NAME	ADDRESS
Geoffrey C Schultz	McKee + Assoc 5 Shawan Road Hunt Valley 21030
Guy C Ward	〃 〃
TOM WASHBURNE Esq	120 E. Baltimore St 21202
Sallie J Washington	1069 Garrison Forest Rd. Garrison Md. 21117
Jean H. Neer	2602 Evergreen Valley Rd. Stevenson Md. 21153

MICROFILMED

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Virginia Scott	2626 Greenspring Valley Rd.
	PO 165
	21117

MICROFILMED

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

No. 024613

97-90

DATE 8-23-96 ACCOUNT R-001-615-000

AMOUNT $ 85.00

RECEIVED FROM: CLAPP

010 -- Variance $ 50.00 ITEM # 20

080 -- Sign $ 35.00 Taken by: JCM

FOR:

RV + SIGN

$85.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

97-90

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

No.

DATE 8-23-96 ACCOUNT R-001-6150

RSPH + SIGN

AMOUNT $ 85.00

RECEIVED FROM: Sallie G. Worthington

#080 - Sign ~~Posting~~ fee 35.00

#030 - Special Hearing F.I.G. fee 50.00

FOR: Special Hearing F.I.G. fee

S.E. North Side Greenspring Valley Rd. Total $85.00
800' West of Brookfield Rd.
~~House~~
14.944 Acres ±

PUS 2620 L 2620

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

95-234-A

R.C. 5

CRESTLINE COURT

BURNSIDE

N 42,000

PRIVATE ROAD

PRIVATE

(SHEET N.W.-11-G)

FARM ROAD

R.C. 2

R.C. 2

RD.

ROAD

N 41,000

VALLEY RD.

N 574,000

GREENSPRING

130

ZONING MAP N.W. 11-F
TO ACCOMPANY
SPECIAL HEARING REQUEST
FOR
WORTHING / NEER PROPERTY

3RD ELECT. DIST.

SCALE: 1" = 200'

BALTIMORE CO., MD.

AUGUST 23, 1996

McKEE & ASSOCIATES, INC.
CIVIL ENGINEERS - LAND SURVEYORS
SHAWAN PLACE 5 SHAWAN ROAD
HUNT VALLEY, MD 21030
PHONE - (410) 527-1555

MICROFILMED

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
N/S Greenspring Valley Rd.,
800 ft. W of Brooklawn Road * ZONING COMMISSIONER
2610 & 2620 Greenspring Valley Rd.
3rd Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
Sallie Graham Worthington, et al * Case No. 97-90-SPH
Petitioners

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the parcel known as the Worthington/Neer property located adjacent to Greenspring Valley Road in north central Baltimore County. The Petition is filed by Sallie Graham Worthington and Jean Hurst Neer, property owners. Special Hearing relief is requested to approve the creation of three non-density R.C.2 parcels and permit the transfer of said parcels to three contiguous properties. The subject property and requested relief is more particularly shown on Petitioners' Exhibit No. 1, the Minor Subdivision Plat, and Petitioners' Exhibit No. 2, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case were Sallie Graham Worthington and Jean H. Neer, property owners. Also present were Geoffrey C. Schultz and Guy C. Ward from McKee & Associates. That firm prepared the site plan the Minor Subdivision Plat. The Petitioners were represented by Thomas Washburne, Esquire. Virginia Scott, a nearby property owner also appeared and participated at the hearing.

Testimony and evidence presented was that the subject site is 14.9 acres in area, zoned R.C.2. Presently, the site is unimproved. However, the Petitioners propose subdividing the property so as to create two lots. This number is permitted under the R.C.2 regulations relating to the subdivision. Lot No. 1 will abut Greenspring Valley Road. A proposed single family dwelling envelope is shown on the Minor Subdivision Plan.

ORDER RECEIVED FOR FILING
Date 10/9/96
By

MICROFILMED

Lot No. 2 is to the north of lot No. 1 and farther back from Greenspring Valley Road. The Minor Subdivision Plan also shows a single family dwelling site for that lot. Both lots will be served by a driveway to be constructed from Greenspring Valley Rod.

As part of the subdivision process, the Petitioners propose transferring three small parcels to adjacent landowners. These parcels are all small in area and irregular in shape. They are part of the larger tract of 14.9 acres described above. The transfers to be made to adjust property lines consistent with conditions in the field and provide adjacent landowners with slightly larger lots. None of the transfers will impact the rights of these adjacent property owners from a subdivision standpoint. That is, the transfers are made only for the purpose of conveying acreage and not to increase the adjacent property owners rights of subdivision. Parcel A will be transferred to C. Palmer Neer. As shown, Parcel A is .89588 acres in area and is vacant but for an existing barn. Parcel B is .9247 acres and will be transferred to A. MacDonough Plant. Parcel C is .5951 acres in area and will be transferred to Michael T. Ott.

Based upon the testimony and evidence presented, I am persuaded that the relief should be granted. The effect of the proposed transfers is innocuous, and will cause no detriment to the surrounding properties. In my judgment there will be no negative impact to the health, safety or general welfare of the community at large.

The testimony offered by Ms. Scott is not relative to the transfers, per se. She raised certain questions about the maintenance of the subject property and the proposed subdivision. The subdivision is permitted by right and it does not appear that the property is maintained improperly. The parties agree to confer after the hearing to discuss these issues, which are outside the reach of the Zoning Commissioner's decision on this issue.

ORDER RECEIVED FOR FILING
Date 10/8/96
By

MICROFILMED

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 8th day of October, 1996 that, pursuant to the Petition for Special Hearing, approval for the creation of three non-density R.C.2 parcels and to permit the transfer of said parcels to three contiguous properties, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 10/8/96
By M. Gorah

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 7, 1996

Thomas Washburne, Esquire
120 E. Baltimore Street
Baltimore, Maryland 21202

RE: Petition for Special Hearing
Case No. 97-90-SPH
Property: Greenspring Valley Road
Sallie-Graham Worthington & Jean Hurst Neer, Petitioners

Dear Mr. Washburne:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restriction, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn
encl.
c: Ms. Sallie-Graham Worthington, 106 Garrison Forest Road, Garrison,Md., 21055
Ms. Jean Hurst Neer, 2602 Greenspring Valley Rd., Stevenson, 21153
Ms. Virginia Scott, 2626 Greenspring Valley Road, Stevenson, 21153

MICROFILMED

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Petition for Special Hearing

97-90-SPH

to the Zoning Commissioner of Baltimore County

for the property located at Greenspring Valley Road

which is presently zoned RC-2

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

the creation of three non-density R.C.-2 parcels and permit the transfer of said non-density parcels to three contigious properties.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

Legal Owner(s):

Sallie-Graham Worthington
(Type or Print Name)

Sallie Graham Worthington
Signature

Jean Hurst Neer
(Type or Print Name)

Jean Hurst Neer
Signature

106 Garrison Forest Road 363-1496
Address Phone No.

Garrison, Maryland 21055
City State Zipcode

Name, Address and phone number of representative to be contacted.

McKee & Associates, Inc. 527-1555
Name
5 Shawan Road, Hunt Valley, MD 21030
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1½ hrs

unavailable for Hearing the following dates _____ Next Two Months

ALL ✓ OTHER _____

REVIEWED BY: JJR/MJK DATE 8-23-96

MICROFILMED

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555
Facsimile: (410) 527-1563

August 22, 1996 97-90-SPH #91

Zoning Description to
Accompany Special Hearing for
Worthington/Neer Property
2410 Greenspring Valley Road

Beginning at a point on the North side of Greenspring Valley Road at a distance of 800 feet, more or less, west of Brooklawn Road. As recorded in Deed Liber 6454 Folio 175 thence running the following 36 lines:

1. S 53° 23' 31" W 256.53', 2.S 62° 44' 31" W 68.00', 3. S 70° 01' 31" W 70.50', 4. 80° 17' 31" W 104.33', 5.S 86° 06' 31" W 77.58', 6. S 78° 50' 31" W 107.25', 7. S 72° 00' 28" W 115.25', 8. N 03° 53' 52" W 185.53', 9. N 06° 15' 25" E 89.48', 10. N 88° 02' 23" E 99.78', 11. N 01° 11' 33" E 210.77', 12. S 88° 00' 07" W 121.45', 13. N 04° 42' 06" W 30.03', 14. S 89° 22' 03" W 104.37', 15. N 02° 40' 43" E 81.67', 16. N 87° 40' 04" W 12.50', 17. N 02° 57' 06" W 286.52', 18. N 11° 56' 51" E 47.00', 19. N 00° 03' 09" W 35.00', 20. N 14° 03' 09" W 37.00', 21. N 22° 48' 09" W 71.67', 22. N 34° 44' 09" W 222.00', 23. N 53° 14' 09" W 100.00', 24. N 78° 44' 09" W 86.33', 25. N 83° 49' 51" E 80.42', 26. S 72° 18' 09" E 415.67', 27. N 04° 48' 39" E 26.17', 28. N 69° 53' 57" E 372.28', 29. N 77° 07' 57" E 86.50', 30. S 12° 52' 03" E 88.08', 31. S 20° 14' 14" W 98.66', 32. N 54° 38' 58" W 189.70', 33. S 41° 00' 05" W 214.02', 34. S 66° 10' 43" E 275.51', 35. S 18° 16' 01" W 106.52', 36. S 53° 39' 54" W 22.82'. Thence by a curve with a radius of 170.50' and an arc length of 196.70' and a chord of S 19° 30' 13" W 185.97'. Thence by a curve with a radius of 129.50' and an arc length of 71.46' and a chord of S 29° 21' 17" E 70.55'. Thence S 45° 09' 48" E 61.71'. Thence by a curve with a radius of 173.00' and an arc length of 68.23 and a chord of S 56° 27' 42" E 68.23'. Thence the running the following seven lines: 1. S 67° 45' 37" E 45.31', 2.S 22° 14' 23" W 367.50', 3. N 38° 44' 27" E 367.50', 4. S 51° 15' 33" E 82.63', 5. S 38° 44' 27" W 330.00', 6. N 68° 23' 26" E 330.00', 7. S 21° 36' 34" E 63.52' to the point of beginning.

Containing 650,959 square feet or 14.944 acres more or less. Also known as _____ Greenspring Valley Road and located in the 3rd Election Disctrict, 3rd Councilmatic District.

MICROFILMED

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555
Facsimile: (410) 527-1563

97-90-SPH

9/

August 23, 1996

Zoning Description for Proposed Parcel "A" to Accompany
Special Hearing for
Worthington/Neer Property
2620 & 2610 Greenspring Valley Road

Beginning at a point said point being 1170' north of Greenspring Valley Road and at a distance of 1375' west, measured along Greenspring Valley Road, of the intersecting Brooklawn Road. Being part of the deed recorded in Deed Liber 6454 Folio 175 and running the following 8 lines:

1. N 04° 48' 39" E 26.17', 2. N 69° 53' 57" E 372.28', 3. N 77° 07' 57" E 86.50',
4. S 12° 52' 03" E 88.08', 5. S 20° 14' 14" W 98.66', 6. 54° 38' 58" W 189.70',
7. S 41° 00' 05" W 214.02', 8. N 65° 46' 22" W 138.69 to the place of the beginning.

Containing 39,021 square feet or 0.8958 acres more or less.

Also known as part of ____ Greenspring Valley Road located in the 3rd Election District , 3rd Councilmatic District.

MICROFILMED

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555
Facsimile: (410) 527-1563

97-90-SPH

91

August 23, 1996

Zoning Description for Proposed **Parcel "B"**
to Accompany Special Hearing for
Worthington/Neer Property
2610, 2620 Greenspring Valley Road

Beginning at a point, said point being located at 585' north of Greenspring Valley Road and at a distance of 1,490 feet west, measured along Greenspring Valley Road, from the intersecting Brooklawn Road. Being part of the deed recorded in Deed Liber 6454 Folio 175 and running the following 15 lines:

1. N 87° 40' 04" W 62.82', 2. N 87° 40' 04" W 12.50', 3. N 02° 57' 06" W 286.52', 4. N 11° 56' 51" E 47.00', 5. N 00° 03' 09" W 35.00', 6. N 14° 03' 09" W 37.00', 7. N 22° 48' 09" 71.67', 8. N 34° 44' 09" W 34.10', 9. N 53° 03' 00" E 75.06', 10. S 34° 44' 09" E 44.84', 11. S 22° 48' 09" E 85.25', 12. S 14° 03' 09" E 51.95', 13. S 00° 03' 09" E 52.09', 14. S 11° 56' 51" W 45.08', 15. S 02° 57' 06" E 283.65' to the place of the beginning.

Containing 40,281 square feet or 0.9247 acres of land, more or less.

Also known as part of ___ Greenspring Valley Road located in the 3rd Election District, 3rd Councilmatic District.

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555
Facsimile: (410) 527-1563

97-90-SPH

August 23, 1996

91

Zoning Description for Proposed Parcel "C"
to Accompany Special Hearing for
Worthington/Neer Property
2610 & 2620 Greenspring Valley Road

Beginning at a point, said point being located 1,130 feet north of Greenspring Valley Road and 1,497 feet west, measured along Greenspring Valley Road, from the intersecting Brooklawn Road. Being part of the deed recorded in Deed Liber 6454 Folio 175 thence running the following 7 lines:

1. S 53° 03' 00" W 75.06', 2. N 34° 44' 09" W 187.90', 3. 53° 14' 09" W 100.00', 4. N 78° 44' 09" W 86.33', 5. N 83° 49' 51" E 80.42', 6. S 72° 18' 09" E 265.67', 7. S 00° 36' 09" W 113.90' to the point of beginning.

Containing 25,923 square feet or 0.5951 acres more or less. Also known as part of ____ Greenspring Valley Road located in the 3rd Election District and 3rd Councilmatic District.

MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-80-SPH
(Item 91)
2610 and 2650 Springspring Valley Road
N/S Greenspring [illegible] Road, 800 W[illegible]
3rd Election District
3rd Councilmanic
Legal Owner(s):
Sallie Graham Worthington and Jean Hurst Neer

Special Hearing: to approve the creation of three non-density R.C.-2 parcels and permit the transfer of said non-density parcels to three contiguous properties.

Hearing: Wednesday, October 2, 1996 at 10:00 a.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.
(2) For information concerning the File and/or Hearing, Please Call 887-3391.

9/061Sept. 5. C80067

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 6, 1996

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 Sept. 5, 1996.

THE JEFFERSONIAN,

G. Harrison

LEGAL AD. - TOWSON

LEGAL AD. - TOWSON

[redacted]

MICROFILMED

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-90-SPH

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 91 Petitioner: -

Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Sallie Graham Worthington & Jean Hurst Neer

ADDRESS: 106 Garrison Forest Road

Garrison, Maryland 21055

PHONE NUMBER: (410) 363-1496

MICROFILMED

Printed with Soybean Ink on Recycled Paper

TO: PUTUXENT PUBLISHING COMPANY
September 5, 1996 Issue - Jeffersonian

Please foward billing to:

Sallie Graham Worthington and Jean Hurst Neer
106 Garrison Forest Road
Garrison, MD 21055
363-1496

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-90-SPH (Item 91)
2610 and 2620 Greenspring Valley Road
N/S Greenspring Valley Road, 800' W of Brooklawn Road
3rd Election District - 3rd Councilmanic
Legal Owner(s): Sallie-Graham Worthington and Jean Hurst Neer

Special Hearing to approve the creation of three non-density R.C.-2 parcels and permit the transfer of said non-density parcels to three contigious properties.

HEARING: WEDNESDAY, OCTOBER 2, 1996 at 10:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 30, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-90-SPH (Item 91)
2610 and 2620 Greenspring Valley Road
N/S Greenspring Valley Road, 800' W of Brooklawn Road
3rd Election District - 3rd Councilmanic
Legal Owner(s): Sallie-Graham Worthington and Jean Hurst Neer

Special Hearing to approve the creation of three non-density R.C.-2 parcels and permit the transfer of said non-density parcels to three contigious properties.

HEARING: WEDNESDAY, OCTOBER 2, 1996 at 10:00 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Sallie Graham Worthington and Jean Hurst Neer
McKee & Associates, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED

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TOWSON MARKETPLACE REDEVELOPMENT
PROPOSED CONDITIONS DEVELOPMENT PLAN

1. **OWNER/DEVELOPER:** Talisman - Towson Partnership LLC
1500 San Remo Drive, Suite 105-A
Coral Gables, FLA. 33146
Attn: James Schlesinger
Tele: (305) 662-9569

2. **PREPARED BY:** KCW Consultants, Inc.
Civil Engineers / Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore, MD 21244
Attn: Douglas L. Kennedy, P.E.
Tele: (410) 281-0033

3. **DEED REFERENCE:** Liber 10547/ folio 579
4. **PLAT REFERENCE:** Lot #4 of "Loch Raven Manor" Plat 23-folio 122
5. **TAX ACCOUNT NO.** 09-05-840090
6. **AREA:** 4.12 acres
7. **ELECTION DISTRICT:** 9 **COUNCILMANIC DIST.:** C-4
CENSUS TRACT: 4012.01 **WATERSHED:** Herring Run
SUBDIVISION: 51
WATER DESIGNATION: W-1 **SEWER DESIGNATION:** S-1

8. **ZONING:** B.L.-CCC (42.20 ac.) B.M. (0.36 ac)
M.L.-IM (0.51 ac.) D.R. 10.5 (0.06 ac)

9. **EXISTING LAND USE:** Retail Shopping Center, Auto Service Garage, and Caravan (Roller Rink). The Towson Marketplace, located at the west of B.M. Zoning, will not be a tenant after redevelopment.
PROPOSED LAND USE: Retail Shopping Center and other uses permitted per B.L. Zoning; auto service garage per Zoning Case Nos. 79-123-X, 96-95-XA and 97-89-SPHX.

10. **PROPOSED BUILDING AREA:**
Gross Building Area (G.B.A.) 750,000 s.f.
Common Area 56,000 s.f.
Gross Leasable Area (G.L.A.) 694,000 s.f.

11. **PARKING:** Retail Shopping Center:
694,000 s.f. G.L.A. x 5 p.s. per 1000 s.f. = 3470 p.s.
Parking Variance per Case 97-220-XA = - 588 p.s.
Parking Variance per Case 96-95-XA = - 130 p.s.
Parking Provided = 2872 p.s.
Note: Parking assessed only with BCZR Section 409.6.A.4.

12. **AVERAGE DAILY TRIPS:** Retail Shopping Center:
694,000 s.f. G.L.A. x 47 trips per 1000 s.f. = 32,618 adt.

13. **STORMWATER MANAGEMENT:** The existing shopping center was constructed prior to the enactment of Baltimore County's SWM Policy. The redevelopment of this site will provide stormwater management measures in accordance with the SWM policy in effect at the time of redevelopment. Waiver of SWM policy granted by DEPRM.

14. **CHANGES TO TOPOGRAPHY:** The redevelopment of this site will not result in any significant changes to topography.

15. **ZONING VARIANCES:** Zoning variances granted for parking per Case #77-220-XA to allow 3,342 parking spaces and Case #96-95-XA for -130 parking spaces. Combined parking variance granted per Case #97-220-XA is 2872 p.s. in lieu of 3,470 p.s. per BCZR Section 409.6 as shown hereon and per Case #97-89-SPHX.
SPECIAL EXCEPTION: Special Exception to amend location of auto service garage previously granted per Case #79-125-X and Case #96-95-XA to that area now specified hereon and per Case #97-89-SPHX.
SPECIAL HEARING: Special Hearing requested to amend previously approved Development Plan #IX-386.

16. **WAIVERS:** No waivers of standards or development regulations are anticipated for this Development Plan.

17. **LANDSCAPE PLAN:** A Landscape Plan to be approved by Baltimore County is a part of this redevelopment proposal.

18. This Development Plan is consistent with:
- Comprehensive Manual of Development Policies
- Baltimore County Zoning Regulations, 1967, as amended
- Baltimore County Development Regulations

19. **COUNTY ADOPTED PLANS:**

	EXISTING	NOT EXISTING	IN CONFORMANCE	
Baltimore County Master Plan 1989 - 2000	✓		✓	
Towson Community Plan, Feb. 3, 1986	✓		✓	
Towson Community Open Space Plan (Adopted Oct. 23, 1989)	✓		✓	

20. **COVENANTS:** Redevelopment of this property is subject to an Open Space Lot recorded in the Land Records of Baltimore County in Liber 6588 folio 000 between Brannister (previous owner) and community associations representing Towson Estates, Loch Raven Village, Knottshire, Fox Chase, Towson Heights, Campus Hills, and Cromwell Valley.

21. **LIGHTING:** All parking lot lighting shall be pole or building mounted and shall be directed away from public rights-of-way and adjacent residential areas.

22. **SIGNAGE:** All signs shall comply with BCZR Section 413 and all zoning sign regulations for B.L. Zone.

23. **BUILDING SETBACKS:** Per B.L. zone

	Required	Proposed (Main Bldg.)	Proposed (Pad Sites)
Front:	10 ft.	380 ft.	25 ft.
Side:	0 ft.	52 ft.	50 ft.
Rear:	0 ft.	46 ft.	500 ft.

24. **FLOOR AREA RATIO:** 750,000 sf / (43.12 ac)(43560 sf/ac) = 0.4

25. **ENVIRONMENTAL:** The site is fully developed with an existing retail shopping center and parking. To the best of our knowledge, there are no 100-year floodplains, wetlands, streams, seeps, ponds, or bodies of water on or within 200 ft. of this site; no significant regulated plant or forest communities, wells, septic systems, or underground storage tanks on this site.

26. **AMENITY OPEN SPACE:**
Required: 0.2 x 750,000 sf (G.B.A.) = 150,000 sf = 3.44 ac
Provided: = 156,000 sf = 3.58 ac

27. **HISTORIC:** There are no known historic buildings or sites on or adjacent to this property; there are no areas of critical State concern.

28. **SOILS:** This site does not indicate any plastic or productive soils. Per Baltimore County Soil Survey pp-sheets are: GaB and GuA.

29. **PREVIOUS ZONING CASES:**

CASE NO.	DATE	DESCRIPTION
2000		Variance for Identification Sign
66-66-A		Reclassification from R-6 to B.L.
74-145-A	Approved Jan. 7, 1974	Reclassification of 0.33 ac. from B.L. to B.M. for Marshall planting.
77-220-XA	Approved	Variances to permit 3342 off-street parking spaces in lieu of the required 3416 spaces. Use of Travelers was denied.
79-125-X	Approved Feb. 6, 1979	Special Exception for Automotive service garage in Montgomery Wards.
1984 Cycle Zoning Issue	1984	B.L.-CCC and D.R. 5.5 (15.53 ac)
88-138-SPH	Denied Jan. 26, 1988	SPH for a sign permit to erect new identification sign in D.R. 5.5 zone. Denied.
1989 Cycle Zoning Issue	1989	Zoning Change: D.R. 5.5 to B.L.-CCC
Permit 104158 C-1989-88	Approved March 1989	Site Plan approval to include "Blockbuster - Video" (just out building).
93-360-SPHA	Approved June 24, 1993	SPH to use 8 of restaurant for existing parking; SPH to use 8 of restaurant for Casa Fiesta Restaurant's Outdoor Garden Cafe.
96-95-XA and Permit 96-1268	Approved Nov. 6, 1995 Permit Feb. 22, 1996	Reclassification of 0.33 ac. from B.L. to B.M. for Marshall planting. Variance to permit 3342 off-street parking spaces in lieu of the required 3416 spaces (previously approved per #79-125-X) and to permit a sprinkler system in lieu of the required 6" water main.
97-89-SPHX and Permit 96-1268	Approved Oct. 9, 1996	SPH to approve Amended Development Plan (96-95-XA) to permit a 6,000 s.f. addition to existing auto service garage previously approved per Case #79-125-X and #96-95-XA.

30. **PUBLIC SAFETY:** Public Safety will be addressed as part of redevelopment project per amended order dated Feb. 22, 1996 in Case # 96-95-XA.

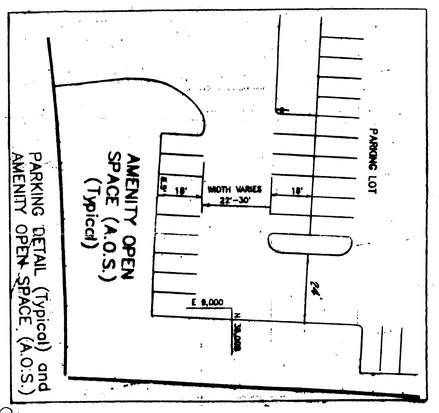
31. **COMMUNITY HEARING:** Per Baltimore County Development Regulations Section 26-206.1, a hearing has been held for a combined meeting for Zoning Variance, Special Exception, Special Hearing for sign and amended Development Plan.

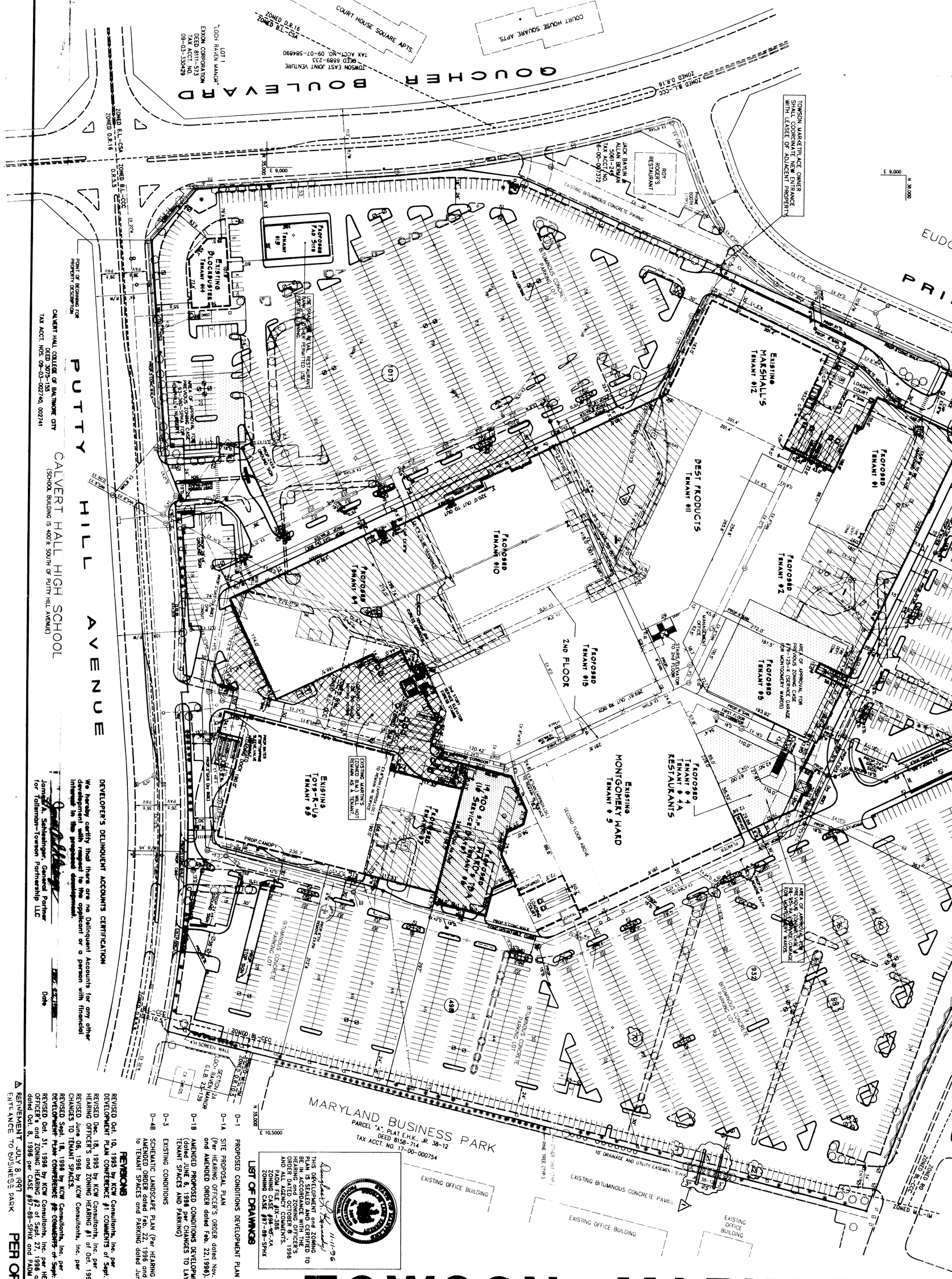
32. **COMMUNITY INPUT MEETING:** Community Input Meeting was held at Loch Raven Senior High School on May 22, 1996. Issues discussed included public safety, parking and lighting. Public safety issues addressed per Amended Order dated Feb. 22, 1996. Variances for parking granted per Case # 77-220-XA and #96-95-XA. No use of theaters is now proposed.

33. **MASS TRANSIT:** This site is presently served by the #3 and #55 Mass Transit Administration bus lines.

34. **ELIMINATIONS:** Electricity and gas will continue to be used as sources of energy. No smoke, noxes, dust, odors, vibrations, glare or heat are anticipated from the proposed uses and redevelopment.

35. **TRASH REMOVAL:** Trash and debris shall be removed from the parking lot on a daily basis.




GOUCHER BOULEVARD
PRINCE ROAD
JOPPA ROAD
CENTRE ROAD
PUTTY HILL AVENUE
COURT HOUSE SQUARE APTS.
COURT HOUSE SQUARE APTS.
TOWSON EAST JOINT VENTURE
DEED 6588-233
TAX ACCT. NO. 09-07-584890
"LOCH RAVEN MANOR"
LOT 1
EXXON CORPORATION
DEED 8011-573
TAX ACCT. NO.
09-05-330429
EUDOWOOD HOLDING CORP.
DEED 4797-412
TAX ACCT. NO. 09-05-840090
CALVERT HALL COLLEGE OF BALTIMORE CITY
DEED 3075-135
TAX ACCT. NOS. 09-03-002740, 002741
CALVERT HALL HIGH SCHOOL
(SCHOOL BUILDING IS 400'± SOUTH OF PUTTY HILL AVENUE)
MARYLAND BUSINESS PARK
PARCEL "A", PLAT E.H.K., JR. 38-12
DEED 8158-714
TAX ACCT. NO. 17-00-000754
EXISTING BITUMINOUS CONCRETE PARKING
EXISTING OFFICE BUILDING
EXISTING DWLGS.
EUDOWOOD TOWERS APARTMENTS
STAPLES The Office Superstore
TOWSON MARKETPLACE OWNER SHALL MAINTAIN ENTRANCE WITH LESSEE OF ADJACENT PROPERTY
ROY ROGER'S RESTAURANT
JACK BAKIN & ALAN BAKIN
TAX ACCT. NO. 09-00-097372
EXISTING BITUMINOUS CONCRETE PAVING
PROPOSED TENANT #1
PROPOSED TENANT #2
PROPOSED TENANT #3
PROPOSED TENANT #4
PROPOSED TENANT #4A
PROPOSED TENANT #5
PROPOSED TENANT #6
PROPOSED TENANT #7
PROPOSED TENANT #8
PROPOSED TENANT #9
PROPOSED TENANT #10
PROPOSED TENANT #11
PROPOSED TENANT #12
PROPOSED TENANT #13
PROPOSED TENANT #14
PROPOSED TENANT #15
PROPOSED TENANT #16
PROPOSED TENANT #17
PROPOSED TENANT

TOWSON MARKETPLACE REDEVELOPMENT
PROPOSED CONDITIONS DEVELOPMENT PLAN

1. **OWNER/DEVELOPER:** Talisman - Towson Partnership LLC
1500 San Remo Avenue, Suite 185-A
Coral Gables, FLA. 33146
Attn: James Schlesinger
Tele: (305) 662-9559

2. **PREPARED BY:** KCW Consultants, Inc.
Civil Engineers / Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore, MD 21244
Attn: Douglas L. Kennedy, P.E.
Tele: (410) 281-0033

Kann and Associates, Inc.
Architects, Planners
207 E. Redwood Street
Baltimore, MD 21244
Attn: Geoff Glazer, AIA
Tele: (410) 235-0900

3. **DEED REFERENCE:** Liber 10547 folio 579
4. **PLAT REFERENCE:** Lot 1 of Loch Raven Manor Plat 23 folio 122
5. **TAX ACCOUNT NO.** 0905840080
6. **AREA:** 43.12 acres
7. **ELECTION DISTRICT:** 9 **COUNCILMATIC DIST.:** C-4
CENSUS TRACT: 4912.01 **WATERSHED:** Herring Run
SUBSEWERSHED: 51
8. **WATER DESIGNATION:** W-1 **SEWER DESIGNATION:** S-1
9. **ZONING:** B.L.-CCC (42.20 ac.) B.M. (0.35 ac)
M.L.-IM (0.51 ac.) D.R. 10.5 (0.06 ac)
10. **EXISTING LAND USE:** Retail Shopping Center, Auto Service Garage, and Caterer (Note: The tenant Martin's Caterers, located within the area of B.M. Zoning, will not be a tenant after redevelopment.
PROPOSED LAND USE: Retail Shopping Center and other uses permitted per B.L. Zoning, auto service garage per Zoning Case Nos. 79-125-X, 96-95-XA, and 97-89-SPHX.
11. **PROPOSED BUILDING AREA:**
Gross Building Area (G.B.A.) 750,000 s.f.
Common Areas 56,000 s.f.
Gross Leasable Area (G.L.A.) 694,000 s.f.
12. **PARKING:** Retail Shopping Center:
694,000 s.f. G.L.A. x 5 p.s. per 1000 s.f. = 3470 p.s.
Parking Variance per Case #77-230-XA = - 368 p.s.
Parking Waiver per Case #96-95-XA = - 540 p.s.
Proposed Parking Spaces = 2972 p.s.
Note: Parking spaces comply with BCZR Section 409.8.A.4
13. **AVERAGE DAILY TRIPS:** Retail Shopping Center:
694,000 s.f. G.L.A. x 47 trips per 1000 s.f. = 32,618 adt
14. **STORMWATER MANAGEMENT:** The existing shopping center was constructed prior to the enactment of Baltimore County's SWM Policy. The redevelopment of this site will not cause an increase in stormwater runoff. Waiver of SWM policy granted by DEPRM.
15. **CHANGES TO TOPOGRAPHY:** The redevelopment of this site will not result in any significant changes to topography.
16. **ZONING VARIANCES:** Zoning variances granted for parking per Case #77-230-XA, #79-125-X, #96-95-XA, and #97-89-SPHX. **Case #96-95-XA granted a waiver of 368 parking spaces. Continuation of these variances requested to allow 2972 p.s. in lieu of 3470 p.s. per BCZR Section 409.6 as shown hereon and per Case #97-89-SPHX.**
SPECIAL EXCEPTION: Special Exception to amend location of auto service garage previously granted per Case #79-125-X and Case #96-95-XA to that area now specified hereon and per Case #97-89-SPHX.
SPECIAL HEARING: Special Hearing requested to amend previously approved Development Plan #IX-386.
17. **WAIVERS:** No waivers of standards or development regulations are anticipated for this Development Plan.
18. **LANDSCAPE PLAN:** A Landscape Plan to be approved by Baltimore County is a part of this redevelopment proposal.
19. This Development Plan is consistent with:
~ Comprehensive Manual of Development Policies
~ Baltimore County Zoning Regulations, 1987, as amended
~ Baltimore County Development Regulations
20. **COUNTY ADOPTED PLANS:**

EXISTING	NOT IN COMPLIANCE	IN COMPLIANCE	
✓		✓	Balto. Co. Master Plan 1989 - 2000
✓		✓	Community or Revitalization Plans Towson Community Plan, Feb. 3, 1995
		✓	Recreation and Parks Plan, 6/1994 Towson Community Open Space Plan (Adopted Oct. 20, 1994)

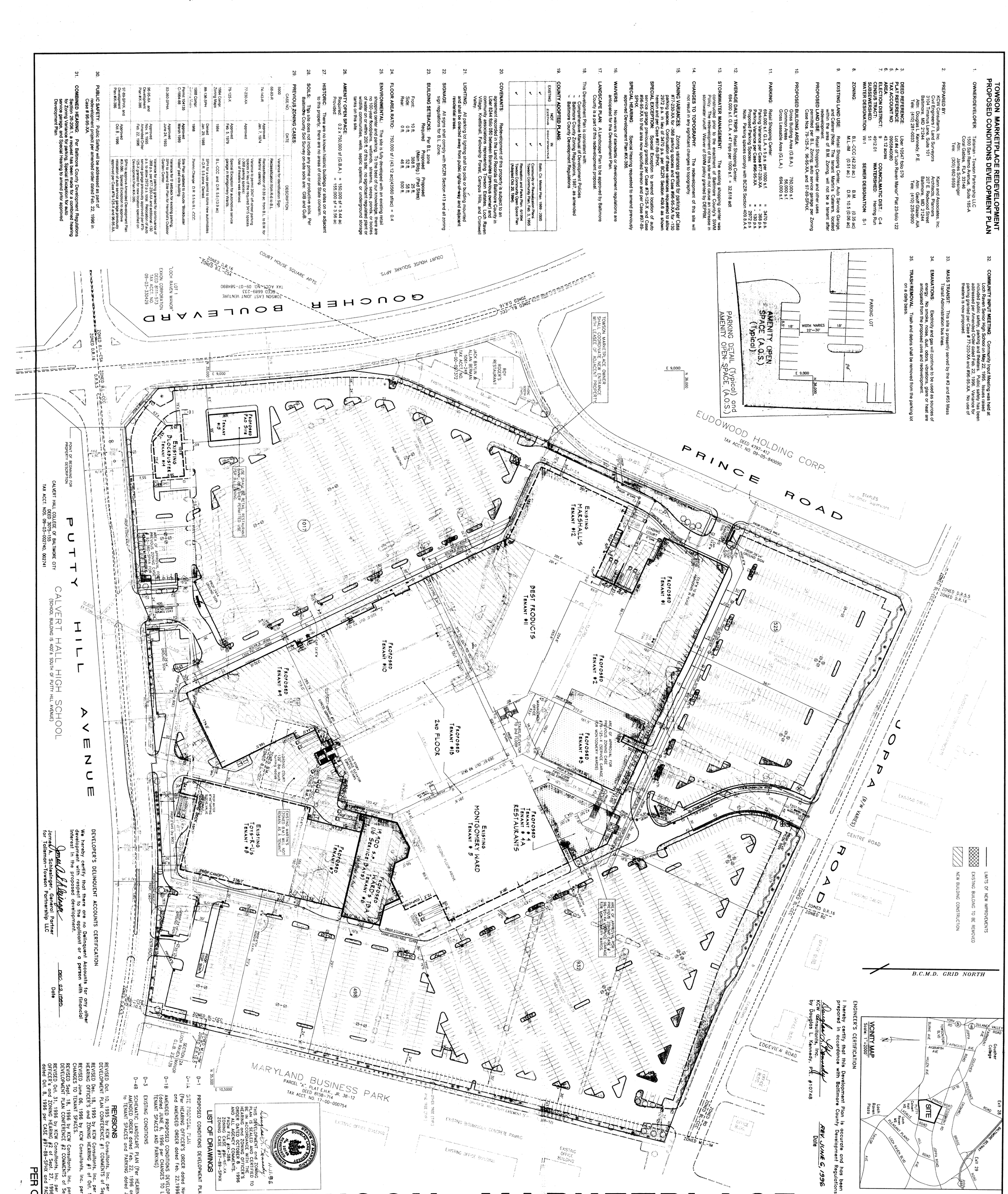
21. **COVENANTS:** Redevelopment of this property is subject to an Agreement recorded among the Land Records of Baltimore County in Liber 8244 folio 050 between Brianglade (predecessor in title) and community associations representing Towson Estates, Loch Raven Village, Knettishall, Fellowship Forest, Campus Hills, and Cromwell Valley.
22. **LIGHTING:** All parking lot lighting shall be pole or building mounted and shall be directed away from public rights-of-way and adjacent residential areas.
23. **SIGNAGE:** All signs shall comply with BCZR Section 413 and all zoning sign regulations for B.L. Zone.
24. **BUILDING SETBACKS:** Per B.L. zone

	Required (Main Bldg.)	Proposed (Pad Sites)
Front:	10 ft.	35 ft.
Side:	0 ft.	50 ft.
Rear:	0 ft.	46 ft.

25. **FLOOR AREA RATIO:** 750,000 sf / (43.12 ac)(43560 sf/ac) = 0.4
26. **ENVIRONMENTAL:** The site is fully developed with an existing retail shopping center and parking. To the best of our knowledge, there are no 100-year floodplains, wetlands, streams, seeps, ponds, or bodies of water on this site. There are no known rare, threatened or endangered wildlife communities, wells, septic systems, or underground storage tanks on this site.
27. **AMENITY OPEN SPACE:**
Required: 0.2 x 750,000 sf (G.B.A.) = 150,000 sf = 3.44 ac
Provided: = 155,000 sf = 3.56 ac
28. **HISTORIC:** There are no known historic buildings or sites on or adjacent to this property; there are no areas of critical State concern.
29. **SOILS:** The site does not include any prime or productive soils. Per Baltimore County Soil Survey on-site soils are: GlB and GuB.
30. **PREVIOUS ZONING CASES:**

CASE NO.	DATE	DESCRIPTION
5900		Variance for Identification Sign
68-88-R	Approved Jan. 7, 1974	Reclassification from R-6 to B.L. Reclassification of 0.39 ac. from B.M. to B.M. for Harris catering
74-143-R	Denied Jan. 29, 1988	Variance to permit 30'x7' off-street parking space in lieu of required 9'x19' spaces (366 parking spaces)
77-230-XA	Approved	Use of theaters was denied. Special Exception for automotive service garage in Montgomery Wards.
79-125-X	Approved Feb. 5, 1979	Variance for Identification Sign
1984 Comp. Zoning Maps	1984	Reclassification from R-6 to B.L. BL - CCC and D.R. 5.5 (13.9 ac)
86-136-SPH	Denied Jan. 29, 1988	SPH for a use permit to store new automobiles in D.R. 5.5 zone Denied.
1988 Comp. Zoning Maps	1988	Zoning Change D.R. 5.5 to B.L.-CCC
Permit 104135 C-1994-88	Approved March 1989	Site Plan updated to include "Blockbuster Video" paid site building
93-360-SPHA	Approved June 24, 1993	Variance for 0 setback for existing parking. SPH to amend Site Plan for Hampton's Outdoor Garden Center.
96-95-XA and Development Plan #IX-386	Approved Amended Development Plan Feb. 22, 1996	Variance for parking for continuation of B.L. use above 2972 p.s. total. Reduction ratio of 368 p.s. per #77-230-XA and additional -180 parking spaces per 2972 p.s. total. Relocation of #79-125-X granted for new location specified on Development Plan #IX-386.
97-89-SPHX and Development Plan #IX-386	Approved Oct 8, 1996	SPH to approve Amended Development Plan #IX-386. Special Exception to approve automotive service garage previously approved per Case #79-125-X and 96-95-XA.

30. **PUBLIC SAFETY:** Public Safety will be addressed as part of redevelopment project per amended order dated Feb. 22, 1996 in **Case # 96-95-XA.**
31. **COMBINED HEARING:** **Per Baltimore County Development Regulations Section 26-206.1 a request has been made for a combined hearing for Zoning Variance for parking, Special Exception for auto service garage, and Special Hearing to amend prior approved Development Plan**
32. **COMMUNITY INPUT MEETING.** Community Input Meeting was held at Loch Raven Senior High School on **May 22, 1995.** Issues raised included public safety, parking and theaters. Public safety has been addressed by the security patrol. Variance for parking granted per **Case # 77-230-XA and #96-95-XA.** No use of theaters is now proposed.
33. **MASS TRANSIT:** This site is presently served by the #3 and #55 Mass Transit Administration bus lines.
34. **EMANATIONS.** Electricity and gas will continue to be used as sources of energy. No smoke, noise, dust, odors, vibrations, glare or heat are anticipated from the proposed uses and redevelopment.
35. **TRASH REMOVAL.** Trash and debris shall be removed from the parking lot on a daily basis.


TOWSON MARKETPLACE OWNER SHALL COORDINATE NEW ENTRANCE WITH LEASEE OF ADJACENT PROPERTY
GOUCHER BOULEVARD
ZONED D.R.16
ZONED B.L.-CCC
COURT HOUSE SQUARE APTS.
ZONED D.R.16
ZONED B.L.-CSA
TOWSON EAST JOINT VENTURE
DEED 6689-233
TAX ACCT. NO 09-07-9848901
ROY ROGER'S RESTAURANT
JACK BAYLIN & ALLAN BERMAN
DEED 4797-412
TAX ACCT. NO. 09-00-097372
EXISTING BITUMINOUS CONCRETE PAVING
PROP. 8' CONC. WALK
PROP. 5' CONC. WALK
PROP. 24' GROUND SIGN
PROP. 26'-6" GROUND SIGN
PROP. 35' GROUND SIGN
PROP. 24'-6" GROUND SIGN
PROP. 30' GROUND SIGN
PROP. 8' SIGN
PROP. 6' SIGN
PROP. 4' SIGN
PROP. 2' SIGN
PROP. CANOPY
PROP. 8' CANOPY
PROP. 6' CANOPY
PROP. 4' CANOPY
PROP. 2' CANOPY
PROP. 8' RET. WALL
PROP. 6' RET. WALL
PROP. 4' RET. WALL
PROP. 2' RET. WALL
PROP. 8' FENCE
PROP. 6' FENCE
PROP. 4' FENCE
PROP. 2' FENCE
PROP. LOADING
PROP. 6" CURB
PROP. 4" CURB
PROP. 2" CURB
PROP. 8" CURB
PROP. 12" CURB
PROP. 18" CURB
PROP. 24" CURB
PROP. 30" CURB
PROP. 36" CURB
PROP. 42" CURB
PROP. 48" CURB
PROP. 54" CURB
PROP. 60" CURB
PROP. 72" CURB
PROP. 84" CURB
PROP. 96" CURB
PROP. 108" CURB
PROP. 120" CURB
PROP. 132" CURB
PROP. 144" CURB
PROP. 156" CURB
PROP. 168" CURB
PROP. 180" CURB
PROP. 192" CURB
PROP. 204" CURB
PROP.

TOWSON MARKETPLACE

TOWSON MARKETPLACE LIMITED PARTNERSHIP
DEED REFERENCE: 10959-472
TAX ACCOUNT NO. 09-05-840080

9TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

SCALE: 1"=60' DATE: JUNE 6, 1996

BALTIMORE COUNTY PADM FILE NO. IX-386

LANDSCAPE PLAN
DWG. NO. D-4B
SEPTEMBER 20, 1996

KCW Consultants, Inc.
CIVIL ENGINEERS AND LAND SURVEYORS
3104 TIMANUS LANE, SUITE 101
BALTIMORE, MARYLAND 21244
TELE: (410) 281-0033
FAX: (410) 298-0604
COMPUTED: LVB * DRAWN: LVB * CHECKED: DLK

HUMAN AND ROHDE, INC.
HUMAN AND ROHDE, INC.
LANDSCAPE ARCHITECTS
110 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(410) 825-3885

Kann and Associates Inc.
207 East Redwood Street Architecture
Fourth Floor Planning
Baltimore, MD 21202 Preservation
410 284 0900 Interior Design
410 539 4921 Fax Facilities Management

TALISMAN COMPANIES
COMMERCIAL DEVELOPMENT, LEASING & MANAGEMENT
1500 SAN REMO DRIVE, SUITE 185-A (305) 662-9559
CORAL GABLES, FLORIDA 33146 (305) 662-9618 (Fax)

ENGINEER'S CERTIFICATION

I hereby certify that this Development Plan is accurate and has been prepared in accordance with Baltimore County Development Regulations.

KCW Consultants, Inc.
by Douglas L. Kennedy, P.E. #10748 — Date

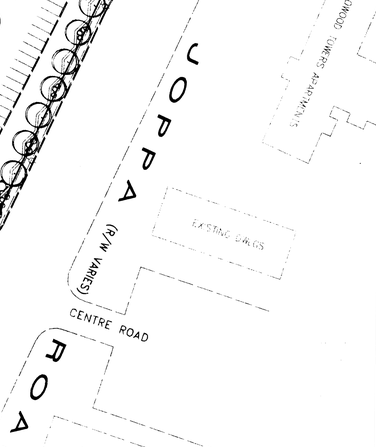
KEY

- EXISTING TREES TO REMAIN
- PROPOSED MAJOR TREES
- PROPOSED FLOWERING TREES
- PROPOSED EVERGREENS
- PROPOSED SHRUBS & GROUND COVER

LIMITS OF NEW IMPROVEMENT
EXISTING FIRE DEPT. CONNECTION
EXISTING BUILDING TO BE REMOVED
BUILDING ADDITION ADDED PER AMENDED PLAN (JUNE 6, 1996)

B.C.M.D. GRID NORTH

VICINITY MAP
Scale: 1"=2000'



Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

November 9, 1995

(410) 887-4386

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: DEVELOPMENT PLAN HEARING AND
PETITIONS FOR SPECIAL EXCEPTION & VARIANCE FOR TOWSON MARKETPLACE
S/S Joppa Road, E of Goucher Boulevard
9th Election District - 4th Councilmanic District
Talisman-Towson Partnership, LLC - Owner/Developer
Case Nos. IX-386 and 96-95-XA

Dear Mr. Gontrum:

Please be advised that a decision has been rendered in the above-captioned matter. The Development Plan submitted as Developer's Exhibit 6A has been approved, and the Petitions for Special Exception and Variance, as modified, have been granted in accordance with the Order. Due to the length of the decision in this matter and the cost to duplicate same, we are unable to send copies to all of the Protestants CC'd below. Therefore, please feel free to review the case files which have been forwarded back to Permits and Development Management (PDM), or contact either John Murphy or Mike Sarkin. Thank you for your cooperation in this matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 9th day of November, 1995 that the development plan for Towson Marketplace, identified as Developer's Exhibit 6A, be and is hereby APPROVED, consistent with the comments contained herein and the conditions and restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that Developer's Exhibit 6B, the alternative development plan which proposed a parking garage on the southeast corner of the subject site, be and is hereby DENIED. Should the Developer wish to pursue the construction of a parking garage in the future, a new Community Input Meeting (CIM) must be held in order to entertain community concerns as to said parking garage; and,

IT IS FURTHER ORDERED that a six-screen movie theater complex, with a total seating capacity of 1500, is hereby approved, subject to the restrictions set forth hereinafter, and as such, the Petition for Special Exception, as modified, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the relocation of the Montgomery Wards automotive service center to the location highlighted in pink on Developer's Exhibit 6A, be and is hereby GRANTED, and pursuant to this relocation, the old special exception area previously granted in Case No. 79-125-X, shall be abandoned and thus, terminated; and,

IT IS FURTHER ORDERED that the previously approved variance of 368 parking spaces, pursuant to Case No. 77-230-XA, shall continue forward and may be utilized by the Developer at this time; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.6.A.2 to permit 3,000 parking spaces in lieu of the required 3,357 spaces for a retail center and movie theaters, in accordance with Developer's Exhibit 1, be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the area of the Towson Marketplace that is zoned B.M. and which currently encompasses the Martin's Eudowood operation, shall in no way be utilized for the purpose of locating movie theaters therein. Movie theaters are permitted as of right in the B.M. zone, however, there is no proposal to locate movies in the B.M. zone at this time, and thus, it is not permissible for the Developer to locate them within the B.M. zone at any time in the future, without another public hearing being held on the appropriateness of same; and,

IT IS FURTHER ORDERED that the Martin's Eudowood catering operation shall be permitted to continue to operate in the B.M. zone; however, in the event that operation should relocate to elsewhere within the Towson Marketplace, it must operate in a zone that permits such a use. This in effect would necessitate a request for zoning reclassification; and,

IT IS FURTHER ORDERED that all of the relief granted herein, that being approval of the development plan marked as Developer's Exhibit 6A, the granting of the special exception for six movie theaters with a seating capacity of 1500, and the relocation of the Montgomery Wards automotive service center, shall be expressly conditioned upon the Developer's compliance with the following restrictions:

SEE AMENDED ORDER DATED FEBRUARY 22, 1996

1) One of the major issues raised by the citizens concerned security measures for the redevelopment of Towson Marketplace. The Developer has prepared an elaborate security plan for this property, pursuant to Developer's Exhibit 16. The Developer will be required to install the surveillance cameras designated on that plan, and all six (6) surveillance cameras shall be operable every day of the year. Furthermore, the Developer shall provide a roving patrol to cover the perimeter of the shopping center to provide security 24 hours a day, 7 days a week. Inasmuch as the theater operation has been drastically reduced, the Developer shall only be required, pursuant to this Order, to provide one security guard in the interior of the shopping center and one guard to monitor the surveillance cameras in the command center. The Developer is certainly permitted to add any additional security measures he deems necessary, however, these restrictions shall be the minimum amount of security to be provided pursuant to this Order. In the event the minimum security measures set forth by this restriction are not adhered to by the Developer, then the special exception granted for the six-movie theater operation shall be rescinded and become null and void.

3) The lighting for the Towson Marketplace shall be in accordance with Developer's Exhibit 12, which was the lighting proposal discussed at the hearing before me. All lighting of the property shall be operational and replaced as necessary.

4) The facade of the Towson Marketplace shall be consistent with the elevation drawings entered into evidence as Developer's Exhibits 11A and 11B. Mr. Glazer, the Architect who designed the facade, did an excellent job in providing a residential look to this shopping center. Therefore, the redevelopment of Towson Marketplace shall be consistent with those elevation drawings.

5) The Developer shall be required to ensure that the parking lot areas as well as all buffer areas remain free and clear of trash and debris. This trash removal shall be performed on a daily basis.

6) The Developer proposes to relocate the entrance from Putty Hill Avenue on the southeastern portion of the Towson Marketplace. This relocation requires that the median strip in Putty Hill Avenue be eliminated at that location. This will cause the landscaping that was planted by the community association to be destroyed and lost. Therefore, the Developer shall be obligated to replace the lost or destroyed landscaping with an equal amount of planting elsewhere in the community. The Office of Planning and Zoning (OPZ) shall oversee and ensure that the landscaping that is lost is offset by additional landscaping planted elsewhere within the community.

7) Submitted into evidence as Developer's Exhibit 13 was a proposed landscaping plan for Towson Marketplace. The Developer shall be required to install all landscaping in accordance with that plan. The Developer shall work in conjunction with the Office of Planning and Zoning in furtherance of this landscaping requirement.

SEE AMENDED ORDER DATED FEBRUARY 22, 1996

8) The developer has been granted a special exception to operate a six screen, 1500-seat movie theater operation. The granting of this special exception is conditioned upon the following specific restrictions:

a) All movies shown at Towson Marketplace shall be first-run movies with the only exception being Holiday movies or re-releases of children's movies.

b) There shall be no showing of midnight movies whatsoever. All movies shall conclude by 11:30 PM Sunday through Thursday, and conclude by 12:30 AM on Fridays, Saturdays and Legal Holidays. This restriction is essential to the preservation of the quality of life the surrounding communities of the Towson Marketplace currently enjoy.

VIOLATION OF RESTRICTIONS 8A and 8B SHALL CAUSE THE SPECIAL EXCEPTION GRANTED HEREIN FOR THIS THEATER USE TO IMMEDIATELY CEASE AND TERMINATE, AND THEREBY CAUSE THIS DEVELOPER, OR ITS TENANTS, TO BE PROHIBITED FROM SHOWING ANY MOVIES WHATSOEVER AT TOWSON MARKETPLACE.

9) The Developer shall post the parking lot with "No Loitering" signs and shall strictly enforce this regulation. Furthermore, the Developer, through the use of his security force, shall dissuade and prevent, to the extent possible, individuals from gathering and congregating within the interior of the Towson Marketplace complex where said individuals are not patronizing the retail establishments located therein.

10) There shall be no Arcades, game rooms, virtual reality-type uses or other similar establishments located within the theater or entertainment area of the Towson Marketplace, without a public hearing being held to determine the appropriateness of same.

IT IS FURTHER ORDERED, that each and every restriction and condition imposed by this Order is essential to the relief granted herein. They all stand in conjunction with one another. No person shall be permitted to single out certain restrictions and appeal only that aspect of this decision. Any appeal filed hereinafter shall be an appeal of this entire decision and shall cause all issues to be re-litigated before the Board of Appeals.

Any appeal of this decision must be taken within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 22, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: MOTION FOR RECONSIDERATION - DEVELOPMENT PLAN HEARING AND PETITIONS FOR SPECIAL EXCEPTION & VARIANCE FOR TOWSON MARKETPLACE
Talisman-Towson Partnership, LLC - Owner/Developer
Case Nos. IX-386 and 96-95-XA

Dear Mr. Gontrum:

Enclosed please find a copy of the Amended Order in the above-captioned matter. The relief requested within the Motion for Reconsideration has been approved, in accordance with the Order attached hereto.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of February, 1996 that the Order issued November 9, 1995 be and the same is hereby AMENDED as follows:

1) Restriction No. 1 which relates to the level of security that the Developer is to provide at Towson Marketplace shall be eliminated in its entirety. It shall be within the discretion of the Developer and the Manager of the Towson Marketplace to provide the level of security that they feel is necessary to provide a safe shopping environment for their patrons.

2) Restriction No. 10 which addresses arcades, game-rooms, virtual reality type uses, or other similar establishments, shall be eliminated. The Developer shall be bound by the applicable provisions of the B.C.Z.R. as to whether arcades, game-rooms, virtual reality type uses, or other similar businesses, shall be permitted to be located within Towson Marketplace. This may involve a future public hearing should the Developer wish to locate an arcade on the subject site; however, as of this date, no arcade is proposed to be located within Towson Marketplace.

IT IS FURTHER ORDERED that the special exception previously granted to allow a six-screen movie theater operation with a 1500-seat capacity, shall cease, terminate and be rescinded thirty-five (35) days from the date of this Order. In the event that this decision is appealed, then the issue of whether movie theaters shall be permitted at Towson Marketplace shall be decided by the Board of Appeals. If no appeal is filed within thirty (30) days from the date of this Order, then the six-screen movie operation granted by my Order shall be rescinded on the thirty-fifth (35th) day and there shall be no movie theaters whatsoever at Towson Marketplace.

IT IS FURTHER ORDERED that all other conditions and restrictions of the Order issued November 9, 1995 shall remain in full force and effect.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

P.A.D.M. FILE # IX-386 and ZONING CASE # 96-95-XA per HEARING OFFICER'S ORDER dated NOVEMBER 9, 1995 and AMENDED ORDER dated FEBRUARY 22, 1996

NOTE:
THE HEARING OFFICER'S ORDER WAS ISSUED NOV 9, 1995 WITH THE ATTACHED CONDITIONS AND RESTRICTIONS SET FORTH. UPON RECEIPT OF THIS ORDER THE DEVELOPER REQUESTED TO ELIMINATE THEATRES AND HAVE RETAIL AS THE PROPOSED USE FOR THE TOTAL SITE REDEVELOPMENT. REVISED DEVELOPMENT PLANS DATED DEC. 18, 1995 WERE SUBMITTED TO THE HEARING OFFICER'S AMENDED ORDER DATED FEBRUARY 22, 1996.

STATE OF MARYLAND
DOUGLAS LANE KENNEDY
No. 10748
REGISTERED
PROFESSIONAL ENGINEER

Douglas L. Kennedy
P.E. # 10748

THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING OFFICER'S ORDER DATED NOV. 9, 1995 AND AMENDED ORDER DATED FEBRUARY 22, 1996 AND ALL AGENCY COMMENTS. PADM FILE NO. IX-386 AND ZONING 96-95-XA.

TOWSON MARKETPLACE

KCW Consultants, Inc.
CIVIL ENGINEERS AND LAND SURVEYORS
3104 TIMANUS LANE, SUITE 101
BALTIMORE, MARYLAND 21244
TELE: (410) 281-0033
FAX: (410) 298-0604
COMPUTED: LVB • DRAWN: LVB • CHECKED: DLK

HUMAN and ROHDE, Inc.
LANDSCAPE ARCHITECTS
110 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(410) 825-3885

TOWSON MARKETPLACE LIMITED PARTNERSHIP
DEED REFERENCE: 10959-472
TAX ACCOUNT NO. 09-05-840080

9TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
SCALE: 1"=60'

PROPOSED CONDITIONS
DEVELOPMENT PLAN
DWG. NO. D-1A

BALTIMORE COUNTY PADM FILE NO. IX-386

Kann and Associates Inc.
207 East Redwood Street
Fourth Floor
Baltimore, MD 21202
410 234 0900
410 539 4921 Fax
Architecture
Planning
Preservation
Interior Design
Facilities Management

TALISMAN COMPANIES
COMMERCIAL DEVELOPMENT, LEASING & MANAGEMENT
1500 SAN REMO DRIVE, SUITE 185-A
CORAL GABLES, FLORIDA 33146
(305) 662-9559
(305) 662-9616 (Fax)

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 8, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: DEVELOPMENT PLAN HEARING AND PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION - S/S Joppa Road, E of Goucher Boulevard
9th Election District - 4th Councilmanic District
Talisman-Towson Partnership, LLC - Owner/Developer
Case Nos. IX-386 and 97-89-SPHX

Dear Mr. Gontrum:

Enclosed please find a copy of the Order issued in the above-captioned matter. The development plan has been approved and the Petitions for Special Hearing and Special Exception granted, in accordance with the Order attached hereto.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: **Mr. James Schlesinger, Talisman-Towson Partnership, LLC**
1500 San Remo Avenue, Suite 185-A, Coral Gables, Fla. 33146

John V. Murphy, Esquire, 14 N. Rolling Road, Baltimore, Md. 21228

Mr. Douglas L. Kennedy, KCW Consultants, Inc.
3104 Timanus Lane, Baltimore, Md. 21244

Ms. Sally Malena, Human & Rohde, 110 E. Pennsyl. Ave., Towson, 21286

Mr. Michael Sarkin, 1308 Putty Hill Ave., Baltimore, Md. 21286
Mr. Wayne Skinner, 1813 Edgewood Road, Baltimore, Md. 21234
David Flowers, Proj. Mgr., PDM; People's Counsel; DEPRM; DPW; File

After considering all of the testimony and evidence offered by the Developer as well as the many citizens who attended the hearing, I find that the modifications to the previously approved development should be approved. I believe that the changes proposed by the Developer serve to improve the overall development of the Towson Marketplace property and take into consideration some of the concerns of surrounding residents. Testimony indicated that these modifications will also provide a better redevelopment of the subject property.

In addition to approval of the modified development plan, I am also persuaded to grant the special hearing and special exception relief. The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. and would be conducted without any detriment or adverse impact upon the surrounding communities. The facts and circumstances do not show that the proposed relocation of the Montgomery Wards automotive service center to the south side of the existing store, as set forth on Exhibit 1, would adversely affect the surrounding locale, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R. Furthermore, the proposed modifications to the site plan/development plan as set forth herein will not be detrimental to the public health, safety, and general welfare.

Pursuant to the zoning and development plan 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, the development plan shall be approved consistent with the comments contained herein and the Petitions for Special Hearing and Special Exception shall be granted, subject to the restrictions set forth below.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 8th day of October, 1996 that the development plan for Towson Marketplace, marked herein as Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve an amendment to the previously approved site plan in prior Case No. 96-95-XA, in accordance with Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the relocation of the existing service garage operation of Montgomery Ward, as approved in prior Case Nos. 79-125-X and 96-95-XA, in accordance with Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the letter agreement signed by James Schlesinger for the Towson-Talisman Partnership, LLC, dated September 26, 1996, shall be incorporated into this Order and enforceable as if part of my Order, and Mr. Schlesinger shall be required to perform all of the actions contained within that letter. Failure to comply with any of the terms and conditions of that agreement shall be a violation of this Order and shall be enforceable by the Zoning Enforcement Division of the Department of Permits and Development Management; and,

IT IS FURTHER ORDERED that the Statement to Hearing Officer prepared by the Towson Marketplace Liaison Committee, shall also be incorporated into and made a part of this Order. Mr. Schlesinger shall be required to perform Items 3(a) through 3(f) as contained within that Statement. The Developer shall not be bound by Items 3(g) and 3(h); however, Items 3(a) through 3(f) shall be enforceable as if a part of my Order.

IT IS FURTHER ORDERED that all prior conditions and restrictions imposed by my previous decisions dated November 9, 1995 and February 22, 1996 which have not been modified by this Order, shall remain in full force and effect.

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

TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

TMK:bjs

TALISMAN COMPANIES, L.L.C.
COMMERCIAL DEVELOPMENT, LEASING & MANAGEMENT

September 26, 1996

RE: *Proposed Redevelopment Plan of Towson Marketplace*

To Whom It May Concern:

This letter shall serve to confirm that Talisman Towson, L.P. and Talisman Towson, L.L.C., the owners and developers of Towson Marketplace, agree to take the following actions in regard to the proposed redevelopment plan of Towson Marketplace:

- We will resurface the Joppa Rd. screening wall in a manner acceptable to the Towson Estates Community Association and the Towson Marketplace Liaison Committee.
- We will support in writing any and all attempts by any of the community organizations surrounding Towson Marketplace to have Baltimore County prohibit all truck traffic over ¾ ton on Putty Hill Ave. east of the Towson Marketplace site.
- We will designate and post the existing exit to Putty Hill Ave. adjacent to the Post Office and immediately opposite the proposed loading court as a "Truck Exit Only" and "Right Turn Only".
- We will spend up to the sum of Ten Thousand Dollars ($10,000.00) on noise abatement construction techniques and materials on the exterior surfaces which will form the perimeter of the proposed loading court on the Putty Hill Ave. side of the property.
- We will construct and appropriately landscape a red brick screening wall at least 5' in height along the entire length of the alley bordering Loch Raven Village. A photograph of a prototype for this wall will be provided by the Associates of Loch Raven Village, Inc. The wall should be terminated at the north edge of the alley behind the residences in the 1300 block of Putty Hill Ave. in such a way as to prohibit pedestrian traffic from Towson Marketplace into the alley.
- We will construct a decorative brick wall along the entire frontage of Putty Hill Ave. to a height sufficient to preclude pedestrian traffic in order to preserve the landscape of the surrounding area. Mix of Landscaping, small wall at entrances, etc.
- We will construct a 10'-screening wall at entrance to loading dock.

Respectfully yours,

TALISMAN TOWSON, L.P.
TALISMAN TOWSON, L.L.C.

By: James A. Schlesinger, Pres.

PROTESTANT'S EXHIBIT No. 1

TOWSON MARKETPLACE LIAISON COMMITTEE
STATEMENT TO HEARING OFFICER
TOWSON MARKETPLACE DEVELOPMENT PLAN IX-386
SPECIAL HEARING AND EXCEPTION 97-89
FRIDAY, SEPTEMBER 27, 1996, 2:00 P.M.
ROOM 106, COUNTY OFFICE BUILDING
ROOM 106, COUNTY OFFICE BUILDING
TOWSON, MARYLAND

PROTESTANT'S EXHIBIT No. 2

The Towson Marketplace Liaison Committee (TMLC) is composed of duly appointed representatives from the following community associations:

Campus Hills Community Association
Cromwell Valley Community Association
Fellowship Forest Community Association
Knettishall Community Association
The Associates of Loch Raven Village, Inc.
Towson Estates Association, Inc.

TMLC was created in 1989 as a result of a Declaration and Agreement entered into between the six community associations and Bramalea, Ltd., the former owners of the Towson Marketplace property. The covenants so entered into run with the land and, therefore, Talisman Properties, the current owner of the property, is burdened by them.

TMLC and Mr. James Schlesinger, the developer, have been meeting for over two years to review and discuss the redevelopment effort. We recently met with Mr. Schlesinger to review the development plans under consideration today, i.e. Amended Proposed Conditions and Development Plan DWG No. D-1B. TMLC has the following comments:

1) TMLC believes that the redevelopment of Towson Marketplace is crucial to the stabilization of the surrounding communities.

2) The Committee believes the redevelopment efforts must be compatible with the residential character of the area. We also believe that the current development plan showing a retail center are generally compatible with the surrounding residential communities.

3) TMLC has discussed several points of concern with Mr. Schlesinger. Today, we ask the County to consider the following concerns and suggestions, which we believe should be integrated into the development plan and incorporated into the Hearing Officer's Order:

a) Truck traffic, over 3/4 ton, should be prohibited on Putty Hill Avenue east of the Marketplace property.

Mr. Schlesinger is in agreement with and supports this request as evidenced by his letter to Mr. Stephen Weber dated September 20, 1996 and his letter to concerned parties dated September 26, 1996.

b) We request that a median cut be made on Putty Hill Avenue opposite the proposed truck loading dock/roundabout and that there be signs posted restricting traffic at that entrance to truck deliveries. This will increase safety to pedestrians by permitting trucks to directly enter the loading dock area rather than having to drive through parking lot areas where customers will be entering and exiting stores.

Passenger cars should be prohibited from using this proposed "truck only" entrance for further reasons of safety.

Moreover, appropriate traffic signs should be posted prohibiting trucks from turning left onto Putty Hill Avenue after exiting the loading dock area.

Mr. Schlesinger further agrees with and supports this request as evidenced by his letters dated September 20, 1996 and September 26, 1996.

c) We request construction of an 8' screening wall of appropriate and compatible building materials in front of the Toys R Us loading dock. The Associates of Loch Raven Village, Inc. should have approval rights for the building materials used. Appropriate landscaping should also be provided for the area in front of the screening wall and between the proposed "truck only" entrance OR Putty Hill Avenue and the easternmost entrance to the center located on Putty Hill Avenue.

d) TMLC asks that a red brick screening wall be erected along the easternmost Marketplace property line which borders the alley adjacent to Loch Raven Village. This wall should be erected of a height and design acceptable to The Associates of Loch Raven Village, Inc.

Mr. Schlesinger has agreed in his letter dated September 26, 1996 to construct, and appropriately landscape, a red brick screening wall at least 5' in height along the entire length of the alley bordering Loch Raven Village in accordance with a prototype to be provided by The Associates of Loch Raven Village.

e) TMLC requests that northbound passenger traffic on Goucher Boulevard be allowed ingress and egress to and from the Marketplace property via a curb cut on Goucher Boulevard.

Mr. Schlesinger concurs with this request per his letter dated September 20, 1996.

f) We request that the existing Joppa Road screening wall be resurfaced with materials compatible with the stone residences in the Towson Estates community. The materials used should be acceptable to and approved by the Towson Estates community association.

Mr. Schlesinger has agreed to resurface the Joppa Road screening wall in a manner acceptable to the Towson Estates community association and TMLC per his letter dated September 26, 1996.

~~g) We further ask that the hours of operation of the center be restricted from 6:00 a.m. to 12 midnight inasmuch as the operation of the center should be congruous with the residential character of the area.~~

~~h) Finally, we respectfully request that the following otherwise permissible uses under the BL-CCC zoning, either as of right or by way of special exception, be prohibited uses on the property and/or retail center:~~

~~1) Animal boarding~~
~~2) Arcade~~
~~3) Billiard and pool room or hall~~
~~4) Car wash~~
~~5) Community building~~
~~6) Drive-in restaurant~~
~~7) Funeral establishment~~
~~8) Helicopter port~~
~~9) Medical clinic~~
~~10) Pawn shop~~
~~11) Tavern~~
~~12) Theatre and/or movie theatre~~
~~13) Wireless transmitting or receiving station~~
~~14) Any other use otherwise permitted in a BL-CCC zone which are not compatible with the residential character of the areas surrounding the Towson Marketplace property.~~

Mr. Schlesinger, representing Talisman Properties, has indicated he is in agreement with and supports TMLC in these requests, with the exception of the limitation on the hours of operation, as evidenced by his verbal communications with this

DOUGLAS LANE KENNEDY
STATE OF MARYLAND
No. 10748
REGISTERED PROFESSIONAL ENGINEER

11-11-96
Douglas L. Kennedy

THIS DEVELOPMENT and ZONING PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING and ZONING OFFICER'S ORDER DATED OCTOBER 8, 1996 AND ALL AGENCY COMMENTS.
PADM FILE #IX-386
ZONING CASE #96-95-XA
ZONING CASE #97-89-SPHX

P.A.D.M. FILE # IX-386 and ZONING CASE # 97-89-SPHX per HEARING OFFICER'S ORDER dated OCTOBER 8, 1996

TOWSON MARKETPLACE

OWNER:
TOWSON MARKETPLACE LIMITED PARTNERSHIP
DEED REFERENCE: 10959-472
TAX ACCOUNT NO. 09-05-840080

KCW Consultants, Inc.
CIVIL ENGINEERS AND LAND SURVEYORS
3104 TIMANUS LANE, SUITE 101
BALTIMORE, MARYLAND 21244
TELE: (410) 281-0033
FAX: (410) 298-0604

HUMAN AND ROHDE, INC.
LANDSCAPE ARCHITECTS
110 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(410) 825-3885

PROPOSED CONDITIONS
DEVELOPMENT PLAN
DWG. NO. D-1C

9TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

BALTIMORE COUNTY PADM FILE NO. IX-386

Kann and Associates Inc.
207 East Redwood Street Architecture
Fourth Floor Planning
Baltimore, MD 21202 Preservation
410 539 1921 fax Interior Design
Facilities Management

TALISMAN COMPANIES
COMMERCIAL DEVELOPMENT, LEASING & MANAGEMENT
1500 SAN REMO DRIVE, SUITE 185-A (305) 662-8656
CORAL GABLES, FLORIDA 33146 (305) 662-9698 (Fax)

DRAWING NOTES: (APPLY TO DRAWING ES-1)

1. ALL EXISTING POLES/LUMINAIRES ON SITE SHALL BE REMOVED. ABANDON IN PLACE ALL ASSOCIATED WIRING AND CONDUIT.
2. ROUTING BRANCH CIRCUITS EXPOSED OR IN CEILING SPACES OF TWO HOUR RATED EXIT PASSAGES IS UNACCEPTABLE.



SITE PLAN

SCALE: 1" = 60'-0"

0 30 60 120 180

GRAPHIC SCALE
1" = 60'-0"

These drawings are the property of the Architect, Kann and Associates, Inc. Unauthorized reproduction for any purpose is an infringement upon copyright laws. Violators will be subject to prosecution by the fullest extent of the law.

Written dimensions on these drawings shall have precedence over scale dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job and this office must be notified of any variation from the dimensions and conditions shown by these drawings.

Kann and Associates, Inc.
207 East Redwood Street
Fourth Floor
Baltimore, MD 21202
410 234 0900
410 539 4921 Fax

Architecture
Planning
Preservation
Interior Design
Facilities Management

SCHLENGER/PITZ & ASSOCIATES, INC.
Consulting Engineers
15 West Aylesbury Road
Timonium, MD 21093
Bus.: 410.561.1337
Fax: 410.561.1446

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Schlenger/Pitz Associates, Inc.

PACKAGE 'C' - BUILDING SHELL
@ TOWSON PLACE
JOPPA ROAD & GOUCHER BOULEVARD
BALTIMORE COUNTY, MARYLAND

Revisions:	Date:
2 ADDENDUM #2	8/12/97

Released For:		
☐ Preliminary Only		
■ Bidding		08/01/97
☐ Permits		
■ Construction		08/01/97
Drawn by:	SPA/JT	
Designed by:	SPA	
Quality Check by:	SPA	

KA Project Number: 95-035

Sheet Title:
ELECTRICAL SITE LIGHTING PLAN

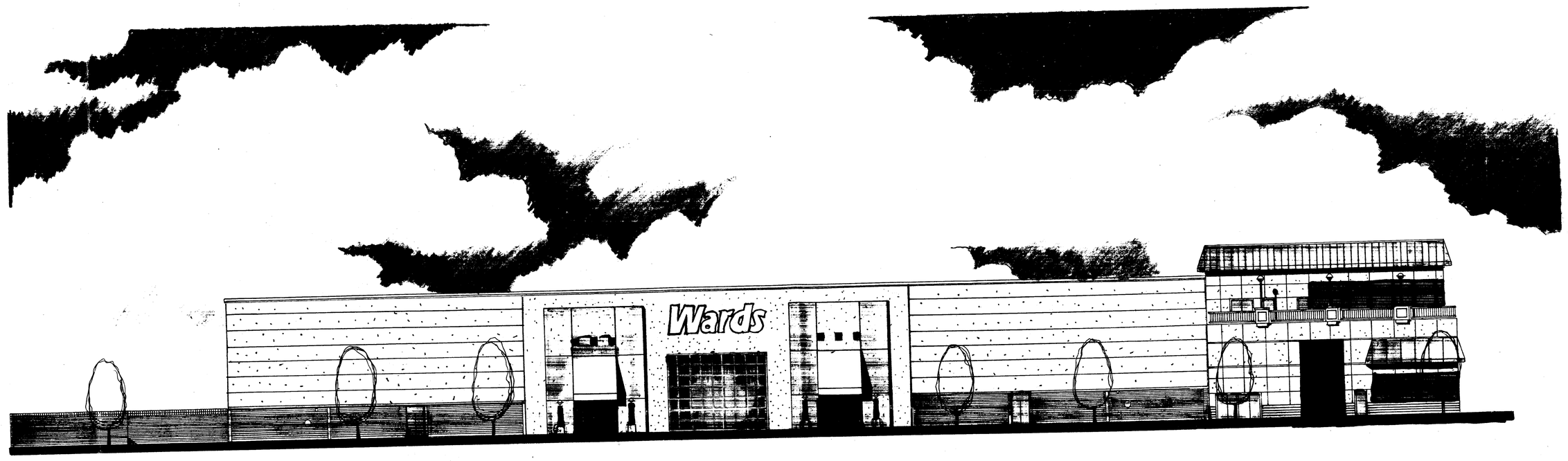
Scale:

C

ES-1
OF 2

95082/PKGC

I:\1995\051-100\95082\ELECT\DRAWINGS\PKGC\95082ES1 8-13-97 8:45:30 am EST

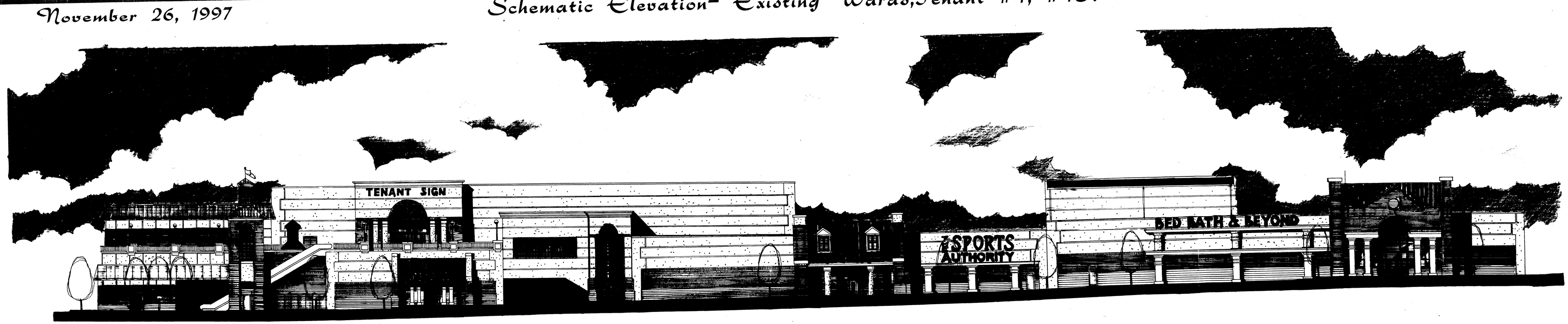


Jowson Place

November 26, 1997

Schematic Elevation- Existing Wards, Tenant #4, #4A

Scale: 1/16" = 1'-0"



Jowson Place

November 26, 1997

Schematic Elevation- Entrance Tower, Tenant #1, #2, #3, #4, #4A & #13

Scale: 1/16" = 1'-0"

R'S
4A

D.R. 2

D.R. 2

D.R. 3.5

B.L.

D.R. 3.5

D.R. 2

D.R. 16

D.R. 3.5

M.L.-IM

D.R. 5.5

D.R. 16

D.R. 3.5

D.R. 3.5

D.R. 3.5

M.R.-IM

R.A.E.-2

RO

M.R.

M.L.

D.R. 10.5

M.L.

D.R. 5.5

M.L.

D.R. 16

M.R.

M.L.

D.R. 5.5

D.R. 5.5

D.R. 16

B.L.-CCC

BL-CCC

D.R. 16

D.R. 5.5

RO

RO

M.L.-IM

M.L.R.

RO

97-89-SPHX

"TOWSON PLACE"

CAMPUS HILL

CROMWELL VALLEY

CROMWELL HIGTS

TOWSON ESTATES

GREENBRIAR

BALTIMORE BELTWAY I 695

JOPPA ROAD

PROVIDENCE ROAD

EPSOM ROAD

SEAFORD ROAD

SAYLOR ROAD

BROOK ROAD

HOLDEN ROAD

STEVENSON LANE

GREENBRIAR ROAD

CHARLES ELEM. SCH.

BLACK AND DECKER INC.

SCALE
1" = 200' +

DATE OF PHOTOGRAPHY
JANUARY 1986

LOCATION
EUDOWOOD
TOWSON ESTATES
TOWSON HEIGHTS

SHEET NE 10-B

N - NW
R - SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD 21210

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL

Kevin Kamenetz
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

D.R.10.5
D.R.5.5
D.R.16
D.R.2
D.R.3.5
D.R.5.5
D.R.2
D.R.3.5
D.R.5.5
D.R.3.5
D.R.16
D.R.5.5
D.R.2
D.R.2
D.R.3.5
D.R.16
D.R.10.5
D.R.5.5
D.R.10.5
D.R.10.5
D.R.10.5
D.R.5.5
D.R.10.5
B.L.-AS
B.L.-CCC
B.L.-CCC
B.L.-CCC
M.L.R.
B.L.
R.O.
M.L.-IM
97-89-SPHX
97-149-A
97-121-A
148
TOWSON
GREENBRIAR
HEIGHTS
DONNYBROOK
KNOLLWOOD
ARGYLE
FELLOWSHIP FOREST
TOWSON PLACE
SE
LOCH RAVEN JUNIOR HIGH SCHOOL
RAVENWOOD
LOCH RAVEN PLACE
GLENMONT APTS
CIRCLE
SUMMIT
RODGERS FORGE
ATHLETIC FIELD
N 36,000
N 33,000
N 30,000
N 27,000
N 52,000
E 5,000
E 6,000
E 7,000
E 8,000
E 9,000
E 10,000
E 11,000
E 12,000
N - NW
(SHEET NE-9-A)
(SHEET NE-9-B)

OCTOBER 8, 1996

Kevin Kamenetz
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	WILTONDALE TOWSON HEIGHTS LOCH RAVEN VILLAGE	NE 9-B
DATE OF PHOTOGRAPHY JANUARY 1986		

TOWSON MARKETPLACE REDEVELOPMENT
PROPOSED CONDITIONS DEVELOPMENT PLAN

1. **OWNER/DEVELOPER**: Talisman - Towson Partnership LLC
   1500 San Remo Ave., Suite 185-A
   Coral Gables, FL 33146
   Attn: James Schlesinger
   Tele: (305) 662-9559

2. **PREPARED BY**:
   KCW Consultants, Inc.
   Civil Engineers/ Land Surveyors
   3104 Timanus Lane, Suite 101
   Baltimore, MD 21244
   Attn: Douglas L. Kennedy, P.E.
   Tele: (410) 281-0033

   Karn and Associates, Inc
   Architects
   207 E. Redwood Street
   Baltimore, MD 21202
   Attn: Geoff Glazer, AIA
   Tele: (410) 235-0900

3. **DEED REFERENCE**: Liber 10547 folio 579
4. **TAX REFERENCE**: 09th District; Fourth Raven Manor; Plat 23 folio 122
5. **TAX ACCOUNT NO**: 090540090
6. **AREA**: 43.12 acres
7. **ELECTION DISTRICT**: C-4
   COUNCILMATIC DIST.: 9th
   WATERSHED: Herring Run
   SUBSEWERSHED: 51
   CENSUS TRACT: 4012.01
   WATER DESIGNATION: W-1 (Existing Public Water)
   SANITARY DESIGNATION: S-1 (Existing Public Sanitary)

8. **EXISTING ZONING**: BL-CCC (42.20 ac.) B.M (0.35 ac.)
   ML-IM (0.51 ac.) D.R 10.5 (0.06 ac.)
   BL-CCC and B.M and ML-IM and D.R 10.5

9. **PROPOSED ZONING**: Retail Shopping Center
   BL-CCC and B.M and ML-IM and D.R 10.5

10. **EXISTING LAND USE**: Retail Shopping Center
    PROPOSED LAND USE: Retail Shopping Center

11. **PROPOSED BUILDING AREA**: 750,000
    Gross Building Area 740,000 s.f.
    Common Areas 55,000 s.f.
    Gross Leasable Area 695,000 s.f.

    PARKING:
    Retail Shopping Center: 694,000 s.f. G.L.A. x 5 p.s. per 1000 s.f. = 3470 p.s.
    Existing Parking Variance per Case #77-230-XA = - 388 p.s.
    Required Parking Spaces = 3082 p.s.
    Proposed Parking Spaces = 2972 p.s.
    Additional Parking Variance per case # 96-95-XA = +- 130 p.s.
    ~~Proposed Parking Variance per case # 96-95-XA = +- 110 p.s.~~ (SEE AMENDED ORDER DATED FEB 22, 1996) ⚠ 6-06-96

12. **AVERAGE DAILY TRIPS**:
    Retail Shopping Center 694,000 s.f. G.L.A. x 47 trips per 1000 s.f = 32,618 adt

13. **STORMWATER MANAGEMENT**: The existing shopping center was constructed prior to the enactment of Baltimore County's Stormwater Management Policy in 1975. The redevelopment of this site will not cause an increase in impervious area and therefore will not increase the site runoff. A waiver of the County's SWM policy is requested from DEPRM.

14. **GRADING**: The redevelopment of this site will not result in any significant changes to existing topography.

15. **ZONING VARIANCES**: A zoning variance per Case #77-230-XA and the #96-95-XA was granted for 388 parking spaces, and the proposed additional variance requested as part of this redevelopment proposal was for 130 parking spaces to allow 2972 total parking spaces. ~~Additional variance requested for 110 parking spaces to allow 2972 total parking spaces.~~ ~~(SEE AMENDED ORDER DATED FEB 22, 1996)~~ ⚠ 6-06-96 ~~6-06-96~~

16. **WAIVERS**: No waivers of standards or development regulations are anticipated for this Development Plan.

17. **LANDSCAPE PLAN**: A Landscape Plan to be approved by Baltimore County is a part of this redevelopment proposal.

    FOREST CONSERVATION ACT: This proposed redevelopment project is exempt from the requirements of the Forest Conservation Regulations.

18. This Development Plan is consistent with:
    - Comprehensive Manual of Development Policies
    - Baltimore County Zoning Regulations, 1987, as amended
    - Baltimore County Development Regulations

19. **COUNTY ADOPTED PLANS**:

EXISTING	NOT EXISTING	IN CONFORMANCE	
		✓	Balto. Co. Master Plan 1989 - 2000
✓		✓	Community or Revitalization Plans Towson Community Plan, Feb. 3, 1995
✓		✓	Recreation and Parks Plan, 91/94 Towson Community Open Space Plan (Adopted Oct. 20, 1994)

20. **COVENANTS**: The redevelopment of this property is subject to an agreement recorded in the Land Records of Baltimore County in Liber 5240 folio 350 between the Greater Towson Council of Community associations representing Towson Estates, Loch Raven Village, Knettishall, Fellowship Forest, Campus Hills, and Cromwell Valley.

21. **LIGHTING**: All parking lot lighting shall be pole or building mounted and shall be directed away from public rights-of-way and adjacent residential areas.

22. **SIGNAGE**: All signs shall comply with BCZR Section 413 and all zoning sign regulations for B.L zone.

23. **BUILDING SETBACKS**:

	Minimum Required (Main Bldg.)	Proposed (Pad Sites)
Front:	10 ft.	25 ft.
Side:	0 ft.	25 ft.
Rear:	0 ft.	500 ft.

24. **FLOOR AREA RATIO**: 710,000 sf / 43.12 ac = 0.38

25. **ENVIRONMENTAL**: The site is fully developed with an existing retail shopping center and parking. To the best of our knowledge there are no wetlands, 100-year floodplain, streams, significant rare plant or wildlife habitats within 300 feet of the site, significant regulated plant or wildlife habitats within 100 feet of the site, existing or proposed public or private water and sewage systems, hazardous materials or underground storage tanks on this site, there are no areas of critical State concern; this site is not located within the Chesapeake Bay Critical Area.

26. **AMENITY OPEN SPACE**:
    Required 0.2 x 740,000 sf = 148,000 sf = 3.40 ac
    Provided = 149,900 sf = 3.44 ac
    (25,000 s.f. of Amenity Open Space shall be provided in the form of a pedestrian plaza.)

27. **HISTORIC**: There are no known historic buildings or sites on or adjacent to this property; there are no areas of critical State concern.

28. **SOILS**: This site does not include any prime or productive soils. Per Baltimore County Soil Survey on-site soils are: GiB and GuB.

29. **PREVIOUS ZONING CASES**: (See Note #32)

CASE NO.	DATE	DESCRIPTION
5900		Variance for Identification Sign
66-83-R	✓	Reclassification from R-6 to B.L.
74-143-R	Approved Jan. 7, 1974	Reclassification of 0.33 ac. from B.L. to B.M. for Mardor catering.
77-230-XA	Approved	Variance in lieu of the required 3415 spaces (-368 parking spaces). Use of theaters was denied
79-125-X	Approved Feb. 5, 1979	Special Exception for automotive service garage in Montgomery Wards.
1984 Compr. Zoning Maps	1984	B.L.-CCC and D.R. 5.5 (13.9 ac)
86-136-SPH	Denied Jan. 29, 1986	SPH for use permit to store new automobiles in D.R. 5.5 zone (denied)
1988 Compr. Zoning Maps	1988	Zoning Change: D.R. 5.5 to B.L.-CCC
Permit 104135 C-1864-88	Approved March 1989	Site Plan updated to include "Blockbuster Video" pad site building
93-350-SPHA	Approved June 24, 1993	Variance for 0' setback for existing parking. SPH to amend Site Plan for Hemphill's Outdoor Garden Center.
	Nov. 9, 1995	Variance granted for continuance of -368 parking spaces per 77-230-XA
	Feb. 22, 1996	to allow 2972 parking spaces in lieu of 3470 p.s.

30. **PUBLIC SAFETY**: Public Safety will be addressed as part of the renovation project by implementation of a security staff and monitoring equipment. (SEE AMENDED ORDER DATED FEB 22, 1996) ⚠ 6-06-96

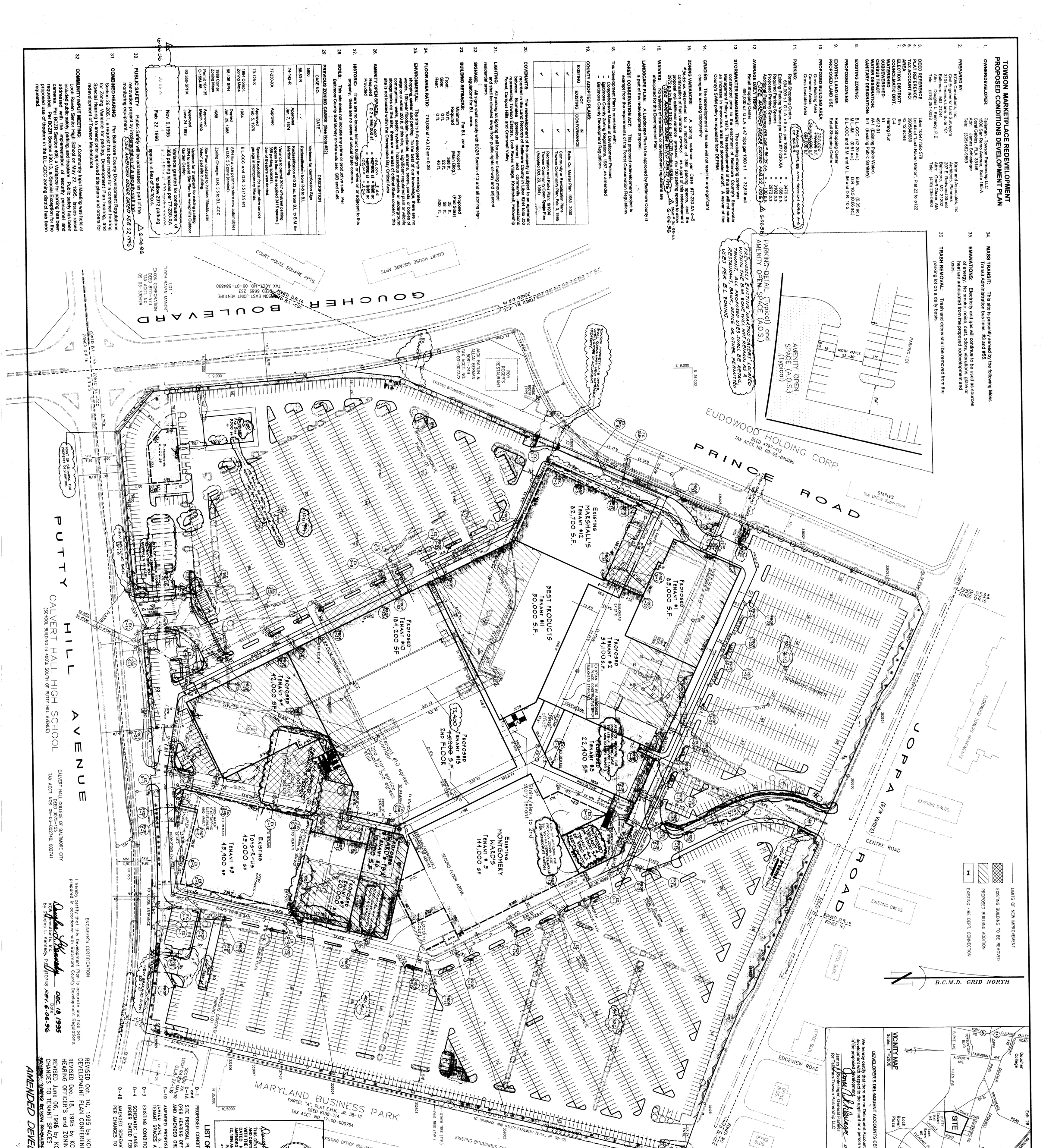
31. **COMBINED HEARING**: Per Baltimore County Development Regulations Section 26-206.1, a request has been made for a combined hearing for Zoning Variance for parking, Development Plan hearing, and Special Hearing to amend prior approved site plans and orders for redevelopment of Towson Marketplace.

32. **COMMUNITY INPUT MEETING**: A Community input Meeting was held at Loch Raven Senior High School on May 22, 1995. Issues raised included public safety, parking, and theaters. Public safety has been addressed with the implementation of security personnel and cameras. Per BCZR Section 409, a Variance for parking for the requested. Per BCZR Section 230.13, a Special Exception for the proposed use of theaters in the B.L.-CCC zoning district has been requested.

34. **MASS TRANSIT**: This site is presently served by the following Mass Transit Administration bus lines: #3 and #55.

35. **EMANATIONS**: Electricity and gas will continue to be used as sources of energy. No smoke, noise, dust, odors, vibrations, glare or heat are anticipated from the proposed redevelopment and uses.

36. **TRASH REMOVAL**: Trash and debris shall be removed from the parking lot on a daily basis.



GOUCHER BOULEVARD
COURT HOUSE SQUARE APTS.
TOWSON-UNIVERSITY-LOCH RAVEN EAST JOINT VENTURE DEED 6689-233 TAX ACCT. NO. 09-07-584890
ZONED BL-CCC
ZONED DR 16
ROGER'S RESTAURANT
JACK BAYLIN & ALLAN BERMAN DEED 4797-412 TAX ACCT. NO. 09-00-007372
EXISTING BITUMINOUS CONCRETE PAVING
PRINCE ROAD
EXISTING MARSHALL'S TENANT #12 32,700 S.F.
PROPOSED TENANT #1 35,000 S.F.
BEST PRODUCTS TENANT #11 50,000 S.F.
PROPOSED TENANT #2 54,100 S.F.
PROPOSED TENANT #10 151,200 SF
PROPOSED TENANT #4 42,000 SF
PROPOSED TENANT #13 72,400 SF 1st 2ND FLOOR
PROPOSED TENANT #5 22,400 SF
EXISTING MONTGOMERY WARD'S TENANT # 5 144,000 SF
EXISTING TOYS-R-US 45,000 SF TENANT #6 45,900 SF
PROPOSED TENANT #6 18,000 S.F.
PROPOSED TENANT #7 10,000 S.F.
PROPOSED TENANT #8 18,000 S.F.
PROPOSED TENANT #9 5,000 S.F.
PROPOSED TENANT #3 5,000 S.F.
PROPOSED TENANT #14 5,000 S.F.
PROPOSED TENANT #15 5,000 S.F.
PROPOSED TENANT #16 5,000 S.F.
PROPOSED TENANT #17 5,000 S.F.
PROPOSED TENANT #18 5,000 S.F.
PROPOSED TENANT #19 5,000 S.F.
PROPOSED TENANT #20 5,000 S.F.
PROPOSED TENANT #21 5,000 S.F.
PROPOSED TENANT

TOWSON MARKETPLACE
PROPOSED CONDITIONS DEVELOPMENT PLAN

1. **OWNER/DEVELOPER:** Talisman - Towson Partnership LLC
1500 San Remo Avenue, Suite 185-A
Coral Gables, FLA 33146
Attn: James Schlesinger
Tele: (305) 662-9559

2. **PREPARED BY:** KCW Consultants, Inc.
Civil Engineers/ Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore, MD 21244
Attn: Douglas L. Kennedy, P.E.
Tele: (410) 281-0033

3. **DEED REFERENCE:** Liber 10547 folio 579
4. **PLAT REFERENCE:** Lot #A of "Loch Raven Manor", Plat 23 folio122
5. **TAX ACCOUNT NO:** 0905840080
6. **AREA:** 43.12 acres
7. **ELECTION DISTRICT:** 9th
COUNCILMATIC DIST.: 5-4
WATERSHED: Herring Run
SUBSEWERSHED: 51
CENSUS TRACT: 4912.01
WATER DESIGNATION: W-1 (Existing Public Water)
SANITARY DESIGNATION: S-1 (Existing Public Sanitary)

8. **EXISTING ZONING:** B.L.-CCC (42.20 ac.) B.M. (0.35 ac.)
B.L.-AM (0.51 ac.) D.R.10.5 (0.45 ac.)
B.L.-CCC and B.M. and M.L.-IM and D.R. 10.5

9. **PROPOSED ZONING:** B.L.-CCC

10. **EXISTING LAND USE:** Retail Shopping Center
PROPOSED LAND USE: Retail Shopping Center

11. **PROPOSED BUILDING AREA:**
Gross Building Area 710,000 s.f.
Gross Leasable Area 16,000 s.f.
694,000 s.f.

PARKING:
Retail Shopping Center:
694,000 s.f. G.L.A. x 5 p.s. per 1000 s.f. = 3470 p.s.
Existing Parking Spaces = 369 p.s.
Required Parking Spaces per Case #77-230-XA = 3102 p.s.
Proposed Parking Spaces = 2972 p.s.
Additional Parking Variance per Case # 96-95-XA = 130 p.s.
(SEE AMENDED ORDER DATED FEB 22, 1996) △ 6-06-96
AVERAGE DAILY TRIPS:
Retail Shopping Center
694,000 s.f. G.L.A. x 47 trips per 1000 s.f. = 32,618 adt

12. **STORMWATER MANAGEMENT:** The existing shopping center was constructed prior to Baltimore County's Stormwater Management Regulations of 1975. The redevelopment of this site will not cause an increase in impervious area and stormwater runoff. A waiver of the County's SWM policy is requested from DEPRM.

13. **GRADING:** The redevelopment of this site will not result in any significant changes to existing topography

14. **ZONING VARIANCES:** A zoning variance per Case #77-230-XA and #96-95-XA was granted for a reduction of 368 parking spaces, and the continuation of that variance granted as a part of this redevelopment proposal and additional variance granted for 130 parking spaces (for a total of 2972 parking spaces) as shown on this development plan. (SEE AMENDED ORDER DATED FEB 22, 1996) △ 6-06-96
WAIVERS: No waivers or Variances or development regulations are anticipated for this Development Plan.

15. **LANDSCAPE PLAN:** A Landscape Plan to be approved by Baltimore County is a part of this redevelopment proposal.

16. **FOREST CONSERVATION ACT:** This proposed redevelopment project is exempt from the requirements of the Forest Conservation Regulations.

17. This Development Plan is consistent with:
- Comprehensive Manual of Development Policies
- Baltimore County Zoning Regulations, 1967, as amended
- Baltimore County Development Regulations

18. **COUNTY ADOPTED PLANS:**

EXISTING	NOT EXISTING	IN CONFORMANCE	
✔		✔	Balto. Co. Master Plan 1989 - 2000
✔		✔	Community or Revitalization Plans Towson Community Plan, Feb. 3, 1995
		✔	Recreation and Parks Plan: 6/1994 Towson Community Open Space Plan (Adopted Oct.20, 1964)

19. **COVENANTS:** The redevelopment of this property is subject to an agreement recorded in the Land Records of Baltimore County in Liber 8244 folio 050 between Bramalea (previous owner) and community associations representing Towson Estates, Loch Raven Village, Knettishall, Fellowship Forest, Campus Hills, and Cromwell Valley.

20. **LIGHTING:** All parking lot lighting shall be pole or building mounted and shall be directed away from public rights-of-way and adjacent residential areas

21. **SIGNAGE:** All signs shall comply with BCZR Section 413 and all zoning sign regulations for B.L. zone.

22. **BUILDING SETBACKS:** Per B.L. zone

Minimum	Proposed (Retaining Wall)	Proposed (Pad Sites)
Front:	10 ft.	388 ft.
Side:	0 ft.	52 ft.
Rear:	0 ft.	46 ft.
		25 ft.
		58 ft.
		500 ft.

23. **FLOOR AREA RATIO:** 710,000 sf / 43.12 ac = 0.38

24. **AMENITY OPEN SPACE:**
Required 0.2 x 710,000 sf = 142,000 sf = 3.26 ac
Provided = 145,000 sf = 3.33 ac

25. **ENVIRONMENTAL:** The site is fully developed with an existing retail shopping center and parking lot. To the best of our knowledge, there are no floodplain, wetlands, streams, seeps, ponds, or bodies of water on or within 200 ft of this site; no significant regulated plant or wildlife communities, wells, septic systems, hazardous materials or underground storage tanks on this site, there are no areas of significant regulated forest. This site is not located within the Chesapeake Bay Critical Area.

26. **SOILS:** This site does not include any prime or productive soils. Per Baltimore County Soil Survey on-site soils are: GIB and GuB

27. **HISTORIC:** There are no known historic buildings or sites on or adjacent to this property. There are no areas of critical State concern.

28. See Plan included to include "Blockbuster Video" pad site building

29. **PREVIOUS ZONING CASES** (See Note #32)

CASE NO.	DATE	DESCRIPTION
5900		Variance for Identification Sign
68-83-R		Reclassification from R-6 to B.L.
74-143-R	Approved Jan. 7, 1974	Reclassification of 0.33 ac. from B.L. to B.M. for Martini catering.
77-230-XA	Approved	Variance to permit 3047 off-street parking spaces in lieu of the required 3415 spaces (-368 parking spaces). Use of theaters was denied.
79-125-X	Approved Feb. 5, 1979	Special Exception for automotive service garage in Montgomery Wards.
1984 Compr. Zoning Maps	1984	B.L.-CCC and D.R. 5.5 (13.9 ac)
88-136-SPH	Denied Jan. 28, 1988	SPH for a use permit to store new automobiles in D.R. 5.5 zone (denied)
1988 Compr. Zoning Maps	1988	Zoning Change D.R. 5.5 to B.L.-CCC
Permit 104135 C-1664-88	Approved March 1989	Sign Permit for Blockbuster Video
93-380-SPHA	Approved June 24, 1993	Variance for 7 setback for existing patio at Ruby Tuesday's Outdoor Garden Center.
96-95-XA	Nov. 9,1995 Amended Feb. 22, 1996	Variance granted for continuance of -368 parking spaces per 77-230-XA and additional -130 parking spaces to allow 2972 parking spaces in lieu of 3415 p.s. △ 6-06-96

30. **PUBLIC SAFETY:** Public Safety will be addressed as part of the renovation project by implementation of a security staff and monitoring equipment. (SEE AMENDED ORDER DATED FEB 22, 1996) △ 6-06-96

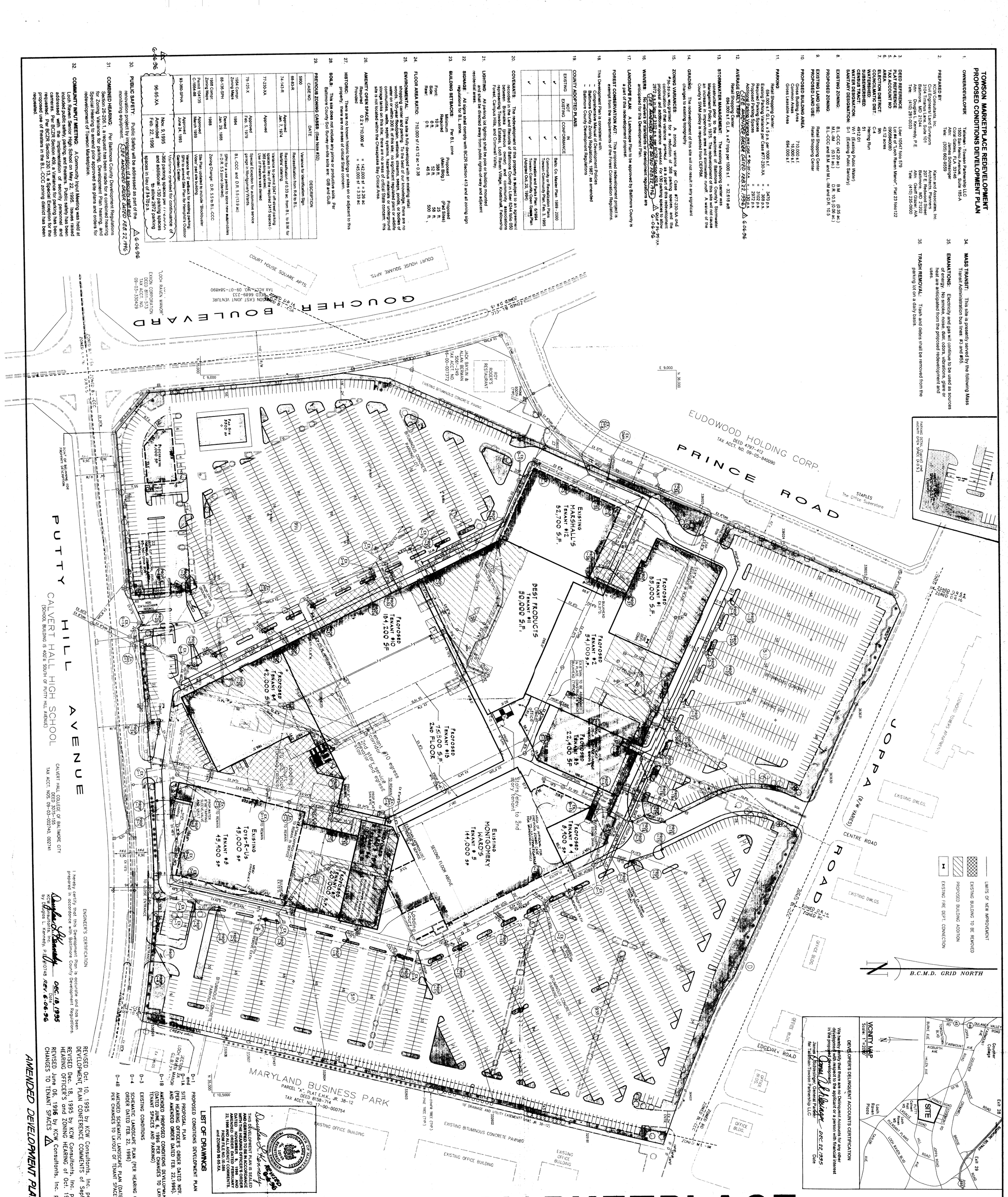
31. **COMBINED HEARING:** Per Baltimore County Development Regulations Section 26-206.1, a request has been made for a combined hearing for Zoning Variance for parking, Development Plan hearing and Special Hearing to amend prior approved site plans and orders for redevelopment of Towson Marketplace.

32. **COMMUNITY INPUT MEETING:** A Community Input Meeting was held at Loch Raven Senior High School on May 22, 1995. Issues raised included public safety, parking, and location of security personnel and addressed with the implementation of security personnel and cameras. Per BCZR Section 409 a Variance for parking has been requested. Per BCZR Section 230.13, a Special Exception for the proposed use of theaters in the B.L.-CCC zoning district has been requested.

34. **MASS TRANSIT:** This site is presently served by the following Mass Transit Administration bus lines: #3 and #55.

35. **EMANATIONS:** Electricity and gas will continue to be used as sources of energy. No smoke, noise, dust, odors, vibrations, glare or heat are anticipated from the proposed redevelopment and uses.

36. **TRASH REMOVAL:** Trash and debris shall be removed from the parking lot on a daily basis.


GOUCHER BOULEVARD
COURT HOUSE SQUARE APTS.
COURT HOUSE SQUARE APTS.
ZONED B.L.-CCC
ZONED D.R. 5.5
ZONED D.R. 10.5
TAX ACCT. NO. 09-07-5848901
DEED 6689-253
JACK BAXTIN & ALLAN BERMAN
5061-249
TAX ACCT. NO. 16-00-007372
ROY ROGER'S RESTAURANT
PYLON BOOTH (TYP.)
EXISTING BITUMINOUS CONCRETE PAVING
"LOCH RAVEN MANOR"
EXXON CORPORATION
DEED 8111-573
TAX ACCT. NO. 09-03-330429
EUDOWOOD HOLDING CORP.
DEED 4797-412
TAX ACCT. NO. 09-05-840090
PRINCE ROAD
STAPLES The Office Superstore
EXISTING MARSHALLS TENANT #12 32,700 S.F.
BEST PRODUCTS TENANT #11 50,000 S.F.
PROPOSED TENANT #1 35,000 S.F.
PROPOSED TENANT #2 54,100 S.F.
PROPOSED TENANT #10 154,200 SF
PROPOSED TENANT #4 12,000 SF
PROPOSED TENANT #13 75,300 S.F. 2ND FLOOR
PROPOSED TENANT #5 22,400 SF
PROPOSED TENANT #1 8,400 SF
EXISTING MONTGOMERY WARDS TENANT #5 144,000 SF
EXISTING Toys-R-Us 45,000 SF TENANT #6 45,900 SF
PROPOSED TENANT #7 20,000 S.F.
Tenant #10 egress
2nd story service and elevator egress
Stairs/elev. to 2nd story tenant
SECOND FLOOR ABOVE
Loading Court
Truck Court
Office
BITUMINOUS CONCRETE PARKING LOT
EXISTING OFFICE BUILDING
MARYLAND BUSINESS PARK
PARCEL "A" PLAT E.H.K., JR. 38-12
DEED 8158-714
TAX ACCT. NO. 17-00-000754
10' DRAINAGE AND UTILITY EASEMENT (Ref. JR 38-12)
EXISTING BITUMINOUS CONCRETE PAVING
EXISTING OFFICE BUILDING
EXISTING OFFICE BUILDING
PUTTY HILL AVENUE
CALVERT HALL HIGH SCHOOL
(SCHOOL BUILDING IS 400± SOUTH OF PUTTY HILL AVENUE)
CALVERT HALL COLLEGE OF BALTIMORE CITY
DEED LIBER 1455 FOLIO 155
TAX ACCT. NOS. 09-03-002740, 002741
JOPPA ROAD (MD 7) (VARIES)
CENTRE ROAD
EXISTING DWLGS.
EXISTING DWLGS.
EDGEVIEW ROAD
OFFICE BLDG.
OFFICE BLDG.
OFFICE BLDG.
EXISTING TOWERS APARTMENTS
EXISTING FIRE DEPT. CONNECTION
PROPOSED BUILDING ADDITION
LIMITS OF NEW IMPROVEMENT
EXISTING BUILDING TO BE REMOVED
B.C.M.D. GRID NORTH
PARKING DETAIL (SHEET 2 OF 3)
AREA/ITY OPEN SPACE (A.O.S.)
SEE SHEET 3 FOR CONTINUATION
SEE SHEET 2 FOR CONTINUATION
SEE SHEET 2 FOR CONTINUATION
SEE SHEET 3 FOR CONTINUATION
SEE SHEET 3 FOR CONTINUATION
SEE SHEET 3

TOWSON MARKETPLACE REDEVELOPMENT
EXISTING CONDITIONS DEVELOPMENT PLAN
Drawing No. D-3

1. **OWNER/DEVELOPER:** Talsman - Towson Partnership LLC
   1500 San Remo Avenue, Suite 185-A
   Coral Gables, FLA 33146
   Attn: James Schlesinger
   Tele: (305) 662-9559

2. **PREPARED BY:** KCW Consultants, Inc.
   Civil Engineers and Land Surveyors
   3104 Timanus Lane, Suite 101
   Baltimore, MD 21244
   Attn: Douglas L. Kennedy, P.E.
   Tele: (410) 281-0033

   Kann and Associates, Inc.
   Architects, Planners, Interior Designers
   207 E. Redwood Street, 4th Floor
   Baltimore, MD 21202
   Attn: Jeffrey Glacier
   Tele: (410) 235-0900

3. **DEED REFERENCE:** Liber 10547 folio 579

4. **PLAT REFERENCE:** Lot #4 of "Loch Raven Manor"
   Plat Book 23, folio 122

5. **TAX ACCOUNT NO:** 0905844080

6. **AREA:** 43.12 acres

7. **ELECTION DISTRICT:** 9
   COUNCILMATIC DIST.: C-4
   WATERSHED: Herring Run
   SUBSEWERSHED: 51
   CENSUS TRACT: 4912.01
   WATER DESIGNATION: W-1 (Existing Public Water)
   SANITARY DESIGNATION: S-1 (Existing Public Sanitary)

8. **EXISTING ZONING:** B.L.-CCC (42.20 ac.) B.M. (0.35 ac.)
   M.L.-IM (0.51 ac.) D.R. 10.5 (0.06 ac.)

9. **EXISTING LAND USE:** Retail Shopping Center

10. **EXISTING BUILDING AREA:**
    Gross Building Area 555,600 s.f.
    Common Areas 62,100 s.f.
    Gross Leasable Area 493,500 s.f.

11. **PARKING:**
    Retail Shopping Center
    493,500 s.f. G.L.A. x 5 p.s. per 1000 s.f. = 2468 p.s.
    Existing Parking Variance per Case #77-230-XA = - 368 p.s.
    Existing Required Parking Spaces = 2100 p.s.
    Existing Provided Parking Spaces = 2720 p.s.

12. **ENVIRONMENTAL:**
    The site is fully developed with an existing retail shopping center and parking. To the best of our knowledge, there are no 100-year floodplains, wetlands, streams, seeps or springs, sinkholes of water, significant regulated plant or wildlife communities, woods, wells, septic systems, hazardous materials or underground storage tanks on or within 100 ft. of this site.

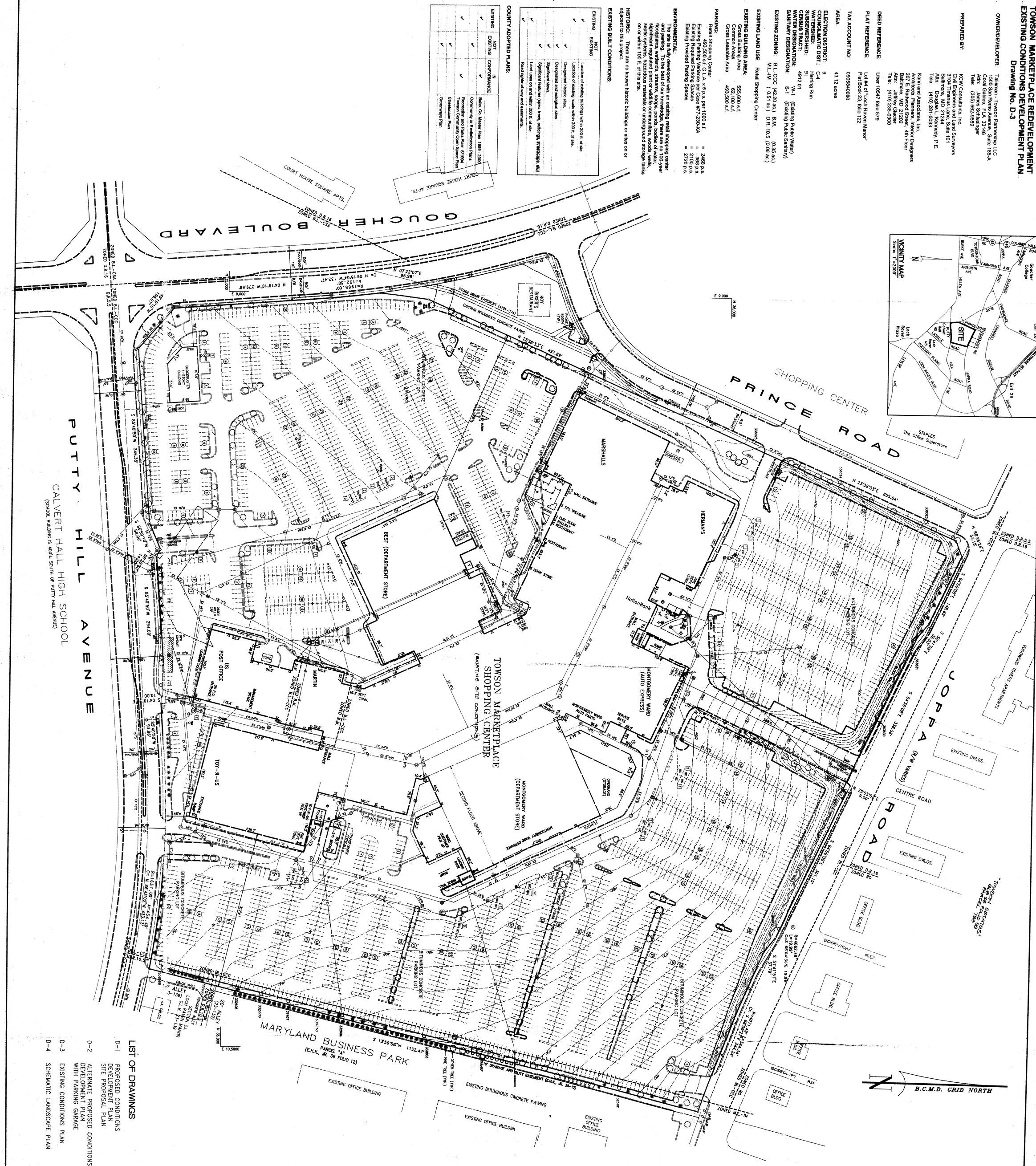
13. **HISTORIC:** There are no known historic buildings or sites on or adjacent to this project.

14. **EXISTING BUILT CONDITIONS:**

EXISTING	NOT EXISTING	
✓		Location of existing buildings within 200 ft. of site.
✓		Location of existing roads within 200 ft. of site.
	✓	Designated historic sites.
	✓	Designated archeological sites.
	✓	Significant views.
✓		Significant features (epoc. trees, buildings, streetscape, etc)
✓		Land uses on and within 200 ft. of site.
✓		Road rights-of-way and easements.

15. **COUNTY ADOPTED PLANS:**

EXISTING	NOT EXISTING	IN CONFORMANCE	
✓		✓	Balto. Co. Master Plan 1989 - 2000
	✓		Community or Revitalization Plans
	✓		Recreation and Parks Plan: 6/1984
✓		✓	Towson Community Open Space Plan
	✓		Streetscape Plan
	✓		Greenways Plan



VICINITY MAP
Scale: 1"=2000'

LIST OF DRAWINGS

D-1 PROPOSED CONDITIONS DEVELOPMENT PLAN SITE PROPOSAL PLAN
D-2 ALTERNATE PROPOSED CONDITIONS DEVELOPMENT PLAN WITH PARKING GARAGE
D-3 EXISTING CONDITIONS PLAN
D-4 SCHEMATIC LANDSCAPE PLAN

PRINT DATE
AUG 16 1996
KCW CONSULTANTS, INC.

TOWSON MARKETPLACE

Kann and Associates Inc.
207 East Redwood Street
Fourth Floor
Baltimore, MD 21202
410 539 0900
410 539 4921 Fax

Architecture
Planning
Preservation
Interior Design
Facilities Management

OWNER/DEVELOPER:

9TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
SCALE: 1"=60" DATE: APRIL 5, 1995

BALTIMORE COUNTY ZADM IX-386

DWG. NO. D-3

EXISTING CONDITIONS DEVELOPMENT PLAN
SITE CONSTRAINTS PLAN

KCW Consultants, Inc.
CIVIL ENGINEERS AND LAND SURVEYORS
3104 TIMANUS LANE
SUITE 101
BALTIMORE, MARYLAND 21244
(410) 281-0030

COMPUTED: LVB • DRAWN: LVB • CHECKED: DLK

ENGINEER'S CERTIFICATION

I HEREBY CERTIFY THAT THIS DEVELOPMENT PLAN IS ACCURATE AND HAS BEEN PREPARED IN ACCORDANCE WITH BALTIMORE COUNTY DEVELOPMENT REGULATIONS.

Douglas L. Kennedy
KCW CONSULTANTS, INC.
DOUGLAS L. KENNEDY, P.E. #10748

APRIL 5, 1995
DATE

TOWSON MARKETPLACE
PROPOSED CONDITIONS DEVELOPMENT PLAN
Drawing No. D-1

1. **OWNER/DEVELOPER:** Talisman - Towson Partnership LLC
1500 San Remo Avenue, Suite 185-A
Coral Gables, FLA 33146
Attn: James Schlesinger
Tele: (305) 662-9559

2. **PREPARED BY:** KCW Consultants, Inc.
Civil Engineers/ Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore, Maryland 21244
Attn: Douglas L. Kennedy, P.E.
Tele: (410) 281-0033

Kann and Associates, Inc.
Architects, Planners
207 E. Redwood Street
Baltimore, MD 21202
Attn: Geoff Glazer, AIA
Tele: (410) 235-0960

3. **DEED REFERENCE:** Liber 10547 folio 579
4. **TAX REFERENCE:** Lot #4 of "Loch Raven Manor", Plat 23 folio122
5. **TAX ACCOUNT NO:** 09035040080
6. **AREA:** 43.12 acres
7. **ELECTION DISTRICT:** 9th
COUNCILMATIC DIST.: C-4
WATERSHED: Herring Run
SUBSEWERSHED: 51
CENSUS TRACT: 4912.01
WATER DESIGNATION: W-1 (Existing Public Water)
SANITARY DESIGNATION: S-1 (Existing Public Sanitary)

8. **PROPSED ZONING:** BL-CCC (42.29 ac.) B.M. (0.25 ac.)
ML-IM (0.51 ac.) D.R. 10.5 (0.36 ac.)
BL-CCC and B.M. and ML-IM and D.R. 10.5
9. **EXISTING LAND USE:** Retail Shopping Center
PROPOSED LAND USE: Retail Shopping Center

10. **PROPOSED BUILDING AREA:**
Gross Building Area 710,000 s.f.
Common Areas 16,000 s.f.
Gross Leasable Area 694,000 s.f.

11. **PARKING:**
Retail Shopping Center:
694,000 s.f. G.L.A. x 5 p.s. per 1000 s.f. = 3470 p.s.
Existing Parking Variance per Case #77-230-XA = - 368 p.s.
Required Parking Spaces = 3102 p.s.
Proposed Parking Spaces = 2972 p.s.
Additional Parking Variance Requested = - 130 p.s.

12. **AVERAGE DAILY TRIPS:**
Retail Shopping Center
694,000 s.f. G.L.A. x 47 trips per 1000 s.f. = 32,618 adt

13. **STORMWATER MANAGEMENT:** The existing shopping center was constructed prior to the enactment of Baltimore County Stormwater Management Policy in 1975. The redevelopment of this site will not cause an increase in impervious area and stormwater runoff. A waiver of the County's SWM policy is requested from DEPRM.

14. **GRADING:** The redevelopment of this site will not result in any significant changes to existing topography.

15. **ZONING VARIANCES:** A zoning variance per Case #77-230-XA was granted for a reduction of 368 parking spaces, and the continuation of limited outdoor sales. A variance is requested as a part of this redevelopment proposal. An additional variance is requested to reduce the number of required parking spaces to allow 2972 p.s. in lieu of 3102 p.s. per BCZR Section 409.6.

16. **WAIVERS:** No waivers of standards or development regulations are anticipated for this Development Plan.

17. **LANDSCAPE PLAN:** A Landscape Plan to be approved by Baltimore County is a part of this redevelopment proposal.

FOREST CONSERVATION ACT: This proposed redevelopment project is exempt from the requirements of the Forest Conservation Regulations.

18. This Development Plan is consistent with:
- Comprehensive Manual of Development Policies
- Baltimore County Zoning Regulations, 1987, as amended
- Baltimore County Development Regulations

19. **COUNTY ADOPTED PLANS:**

	EXISTING	NOT EXISTING	IN CONFORMANCE	NOT IN CONFORMANCE	
	✔		✔		Baltimore County Master Plan 1989 - 2000
	✔		✔		Community or Revitalization Plans Towson Community Plan, Feb. 3, 1985
	✔		✔		Recreation and Parks Plan: 6/1994 Towson Community Open Space Plan (Adopted Oct. 20, 1994)

20. **COVENANTS:** The redevelopment of this property is subject to an agreement recorded in the Land Records of Baltimore County in Liber 8244 folio 050 between Towson Associates, LC, Loch Raven Village, Knottshall, Fellowship Forest, Campus Hills, and Cromwell Valley.

21. **LIGHTING:** All parking lot lighting shall be pole or building mounted and shall be directed away from public rights-of-way and adjacent residential areas.

22. **SIGNAGE:** All signs shall comply with BCZR Section 413 and all zoning sign regulations for B.L. zone.

23. **BUILDING SETBACKS:** Per B.L. zone

	Required	Proposed (Mall Bldg.)	Proposed (Pad Sites)
Front:	10 ft.	388 ft.	55 ft.
Side:	0 ft.	52 ft.	55 ft.
Rear:	0 ft.	46 ft.	500 ft.

24. **FLOOR AREA RATIO:** 710,000 sf / 43.12 ac = 0.38

25. **ENVIRONMENTAL:** The site is fully developed with an existing retail shopping center and parking. To the best of our knowledge, there are no woods, 100-year floodplain, wetlands, streams, seeps, ponds, or bodies of water on this site. In addition, to the best of our knowledge, there are no communities, springs, historical sites, hazardous materials or underground storage tanks on this site. There are no steep slopes. The entire site is not located within the Chesapeake Bay Critical Area.

26. **AMENITY OPEN SPACE:**
Required 0.2 x 710,000 sf = 142,000 sf = 3.26 ac
Provided = 145,000 sf = 3.33 ac

27. **HISTORIC:** There are no known historic buildings or sites on or adjacent to this property; there are no areas of critical State concern.

28. **SOILS:** This site does not include any prime or productive soils. Per Baltimore County Soil Survey on-site soils are: GIB and GuB.

29. **PREVIOUS ZONING CASES: (See Note #32)**

CASE NO.	DATE	DESCRIPTION
5900		Variance for Identification Sign
66-85-R		Reclassification from R-6 to B.L.
74-143-R	Approved Jan 7, 1974	Reclassification of 0.33 ac. from B.L. to B.M. for Materials Catering.
77-230-XA	Approved	Variance to permit 3047 off-street parking spaces in lieu of the required 3415 spaces (-368 spaces); Limited outdoor sales; Use of theaters was denied.
78-125-X	Approved Feb. 5, 1979	Special Exception for automobile service garage in Montgomery Wards.
1984 Comprehensive Zoning Maps	1984	B.L.-CCC and D.R. 5.5 (13.8 ac)
85-136-SPH	Denied Jan. 29, 1985	SPH for a use permit to store new automobiles in D.R. 5.5 zone (denied).
1988 Comprehensive Zoning Maps	1988	Zoning Change: D.R. 5.5 to B.L.-CCC
Permit 104135 C-1004-88	Approved March 1989	Site Plan updated to include "Blockbuster Video" pad site building.
93-390-SPHA	Approved June 24, 1993	Variance for setback for existing parking; SPH to amend Site Plan for Hemphill's Outdoor Garden Center.

30. **PUBLIC SAFETY:** Public Safety will be addressed as part of the renovation project by implementation of a security audit and monitoring equipment.

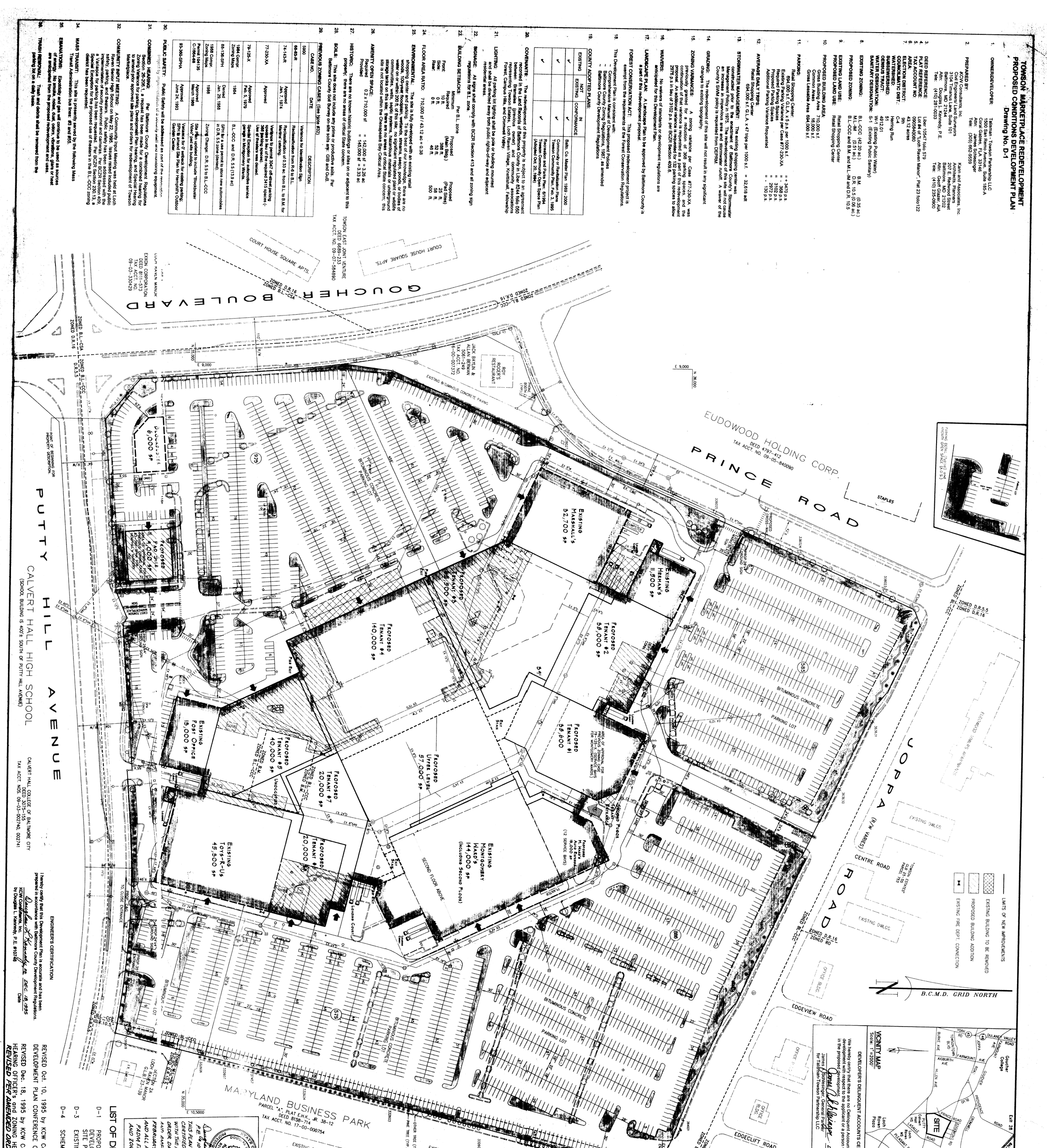
31. **COMBINED HEARING:** Per Baltimore County Development Regulations Section 26-206.1, a request has been made for a combined hearing for zoning Variance for parking, Development Plan hearing, and Special Hearing to amend approved site plans and orders for redevelopment of Towson Marketplace.

32. **COMMUNITY INPUT MEETING:** A Community Input Meeting was held at Loch Raven Senior High School on May 22, 1995. Issues raised included public safety, parking, and theaters. Public safety has been addressed with the installation of police substations and cameras. Per BCZR Section 409, a Variance for parking has been requested. Per BCZR Section 403, Special Exception for the proposed use of theaters in the B.L.-CCC zoning district has been requested.

34. **MASS TRANSIT:** This site is presently served by the following Mass Transit Administration bus lines: #3 and #55.

35. **EMANATIONS:** Electricity and gas will continue to be used as sources of energy. No smoke, noise, dust, odors, vibration or heat are anticipated from the proposed redevelopment and uses.

36. **TRASH REMOVAL:** Trash and debris shall be removed from the parking lot on a daily basis.



ENGINEER'S CERTIFICATION
I hereby certify that this Development Plan is accurate and has been prepared in accordance with Baltimore County Development Regulations.
Douglas L. Kennedy, P.E. DEC. 18, 1995
KCW Consultants, Inc.
by Douglas L. Kennedy, P.E. #10748
Date

REVISED Oct. 10, 1995 by KCW Consultants, Inc. per DEVELOPMENT PLAN CONFERENCE COMMENTS of Sept. 27, 1995.
REVISED Dec. 18, 1995 by KCW Consultants, Inc. per HEARING OFFICER's and ZONING HEARING of Oct. 1995
REVISED PER AMENDED ORDER FEB. 22, 1996

DEVELOPMENT PLAN PER FEB. 22, 1996 AMENDED ORDER

LIST OF DRAWINGS

D-1	PROPOSED CONDITIONS DEVELOPMENT PLAN
	SITE PROPOSAL PLAN
D-3	EXISTING CONDITIONS PLAN
D-4	SCHEMATIC LANDSCAPE PLAN

DEVELOPER'S DELINQUENT ACCOUNTS CERTIFICATION
We hereby certify that there are no Delinquent Accounts for any other development with respect to the applicant or a person with financial interest in the proposed development.
James J. Schlesinger, General Partner for Talisman-Towson Partnership LLC
DEC. 22, 1995
Date

BUILDING SECTION 24 LOCH RAVEN MANOR G.L.B. 23-139

THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING OFFICER'S ORDER DATED NOV. 9, 1995 AND AMENDED ORDER DATED FEBRUARY 22, 1996 AND ALL AGENCY COMMENTS.
PADM FILE NO. IX-386
AND ZONING 96-35-XA.
Douglas L. Kennedy P.E. #10748

PETITIONER'S EXHIBIT NO. 2
Previously Approved Plan

TOWSON MARKETPLACE

TOWSON MARKETPALCE LIMITED PARTNERSHIP
DEED REFERENCE: 10959-472
TAX ACCOUNT NO. 09-05-840080

KCW CONSULTANTS, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
3104 TIMANUS LANE, SUITE 101
BALTIMORE, MARYLAND 21244
TELE. (410) 281-0033
FAX (410) 298-0604

HUMAN and ROHDE, Inc.
LANDSCAPE ARCHITECTS
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(410) 825-3885

Kann and Associates Inc.
207 East Redwood Street Fourth Floor
Baltimore, MD 21202
410 234 0900
410 539 4921 Fax
Architecture Planning Preservation Interior Design Facilities Management

TALISMAN COMPANIES
COMMERCIAL DEVELOPMENT, LEASING & MANAGEMENT
1500 SAN REMO DRIVE, SUITE 185-A
CORAL GABLES, FLORIDA 33146
(305) 662-9559
(305) 662-9616 (Fax)

MICROFILMED

COMPUTED: LVB • DRAWN: LVB • CHECKED: DLK

9TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
SCALE: 1"=60' DATE: AUGUST 22, 1995
BALTIMORE COUNTY PADM FILE NO. IX-386

PROPOSED CONDITIONS
DEVELOPMENT PLAN
DWG. NO. D-1

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

November 9, 1995

(410) 887-4386

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: DEVELOPMENT PLAN HEARING AND
PETITIONS FOR SPECIAL EXCEPTION & VARIANCE FOR TOWSON MARKETPLACE
S/S Joppa Road, E of Goucher Boulevard
9th Election District - 4th Councilmanic District
Talisman-Towson Partnership, LLC - Owner/Developer
Case Nos. IX-386 and 96-95-XA

Dear Mr. Gontrum:

Please be advised that a decision has been rendered in the above-captioned matter. The Development Plan submitted as Developer's Exhibit 6A has been approved, and the Petitions for Special Exception and Variance, as modified, have been granted in accordance with the Order. Due to the length of the decision in this matter and the cost to duplicate same, we are unable to send copies to all of the Protestants CC'd below. Therefore, please feel free to review the case files which have been forwarded back to Permits and Development Management (PDM), or contact either John Murphy or Mike Sarkin. Thank you for your cooperation in this matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 9th day of November, 1995 that the development plan for Towson Marketplace, identified as Developer's Exhibit 6A, be and is hereby APPROVED, consistent with the comments contained herein and the conditions and restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that Developer's Exhibit 6B, the alternative development plan which proposed a parking garage on the southeast corner of the subject site, be and is hereby DENIED. Should the Developer wish to pursue the construction of a parking garage in the future, a new Community Input Meeting (CIM) must be held in order to entertain community concerns as to said parking garage; and,

IT IS FURTHER ORDERED that a six-screen movie theater complex, with a total seating capacity of 1500, is hereby approved, subject to the restrictions set forth hereinafter, and as such, the Petition for Special Exception, as modified, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the relocation of the Montgomery Wards automotive service center to the location highlighted in pink on Developer's Exhibit 6A, be and is hereby GRANTED, and pursuant to this relocation, the old special exception area previously granted in Case No. 79-125-X, shall be abandoned and thus, terminated; and,

IT IS FURTHER ORDERED that the previously approved variance of 368 parking spaces, pursuant to Case No. 77-230-XA, shall continue forward and may be utilized by the Developer at this time; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.6.A.2 to permit 3,000 parking spaces in lieu of the required 3,357 spaces for a retail center and movie theaters, in accordance with Developer's Exhibit 1, be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the area of the Towson Marketplace that is zoned B.M. and which currently encompasses the Martin's Eudowood operation, shall in no way be utilized for the purpose of locating movie theaters therein. Movie theaters are permitted as of right in the B.M. zone, however, there is no proposal to locate movies in the B.M. zone at this time, and thus, it is not permissible for the Developer to locate them within the B.M. zone at any time in the future, without another public hearing being held on the appropriateness of same; and,

IT IS FURTHER ORDERED that the Martin's Eudowood catering operation shall be permitted to continue to operate in the B.M. zone; however, in the event that operation should relocate to elsewhere within the Towson Marketplace, it must operate in a zone that permits such a use. This in effect would necessitate a request for zoning reclassification; and,

IT IS FURTHER ORDERED that all of the relief granted herein, that being approval of the development plan marked as Developer's Exhibit 6A, the granting of the special exception for six movie theaters with a seating capacity of 1500, and the relocation of the Montgomery Wards automotive service center, shall be expressly conditioned upon the Developer's compliance with the following restrictions:

(SEE AMENDED ORDER DATED FEBRUARY 22, 1996)

1) One of the major issues raised by the citizens concerned security measures for the redevelopment of Towson Marketplace. The Developer has prepared an elaborate security plan for this property pursuant to Developer's Exhibit 16. The Developer will be required to install the surveillance cameras designated on that plan, and all six (6) surveillance cameras shall be operable every day of the year. Furthermore, the Developer shall provide a roving patrol to cover the perimeter of the shopping center to provide security 24 hours a day, 7 days a week. Inasmuch as the theater operation has been drastically reduced, the Developer shall only be required, pursuant to this Order, to provide one security guard in the interior of the shopping center and one guard to monitor the surveillance cameras in the command center. The Developer is certainly permitted to add any additional security measures he deems necessary, however, these restrictions shall be the minimum amount of security to be provided pursuant to this Order. In the event the minimum security measures set forth in this restriction are not adhered to by the Developer, then the special exception granted for the six-movie theater operation shall be rescinded and become null and void.

3) The lighting for the Towson Marketplace shall be in accordance with Developer's Exhibit 12, which was the lighting proposal discussed at the hearing before me. All lighting of the property shall be operational and replaced as necessary.

4) The facade of the Towson Marketplace shall be consistent with the elevation drawings entered into evidence as Developer's Exhibits 11A and 11B. Mr. Glazer, the Architect who designed the facade, did an excellent job in providing a residential look to this shopping center. Therefore, the redevelopment of Towson Marketplace shall be consistent with those elevation drawings.

5) The Developer shall be required to ensure that the parking lot areas as well as all buffer areas remain free and clear of trash and debris. This trash removal shall be performed on a daily basis.

6) The Developer proposes to relocate the entrance from Putty Hill Avenue on the southeastern portion of the Towson Marketplace. This relocation requires that the median strip in Putty Hill Avenue be eliminated at that location. This will cause the landscaping that was planted by the community association to be destroyed and lost. Therefore, the Developer shall be obligated to replace the lost or destroyed landscaping with an equal amount of planting elsewhere in the community. The Office of Planning and Zoning (OPZ) shall oversee and ensure that the landscaping that is lost is offset by additional landscaping planted elsewhere within the community.

7) Submitted into evidence as Developer's Exhibit 13 was a proposed landscaping plan for Towson Marketplace. The Developer shall be required to install all landscaping in accordance with that plan. The Developer shall work in conjunction with the Office of Planning and Zoning in furtherance of this landscaping requirement.

(SEE AMENDED ORDER DATED FEBRUARY 22, 1996)

8) The Developer has been granted a special exception to operate a six screen, 1500-seat movie theater operation. The granting of this special exception is conditioned upon the following specific restrictions:

a) All movies shown at Towson Marketplace shall be first-run movies with the only exception being Holiday movies or re-releases of children's movies.

b) There shall be no showing of midnight movies whatsoever. All movies shall conclude by 11:30 PM Sunday through Thursday, and conclude by 12:30 AM on Fridays, Saturdays and Legal Holidays. This restriction is essential to the preservation of the quality of life the surrounding communities of the Towson Marketplace currently enjoy.

VIOLATION OF RESTRICTIONS 8A and 8B SHALL CAUSE THE SPECIAL EXCEPTION GRANTED HEREIN FOR THIS THEATER USE TO IMMEDIATELY CEASE AND TERMINATE AND THEREBY CAUSE THIS DEVELOPER, OR ITS TENANTS, TO BE PROHIBITED FROM SHOWING ANY MOVIES WHATSOEVER AT TOWSON MARKETPLACE.

9) The Developer shall post the parking lot with "No Loitering" signs and shall strictly enforce this regulation. Furthermore, the Developer, through the use of his security force, shall dissuade and prevent, to the extent possible, individuals from gathering and congregating within the interior of the Towson Marketplace complex where said individuals are not patronizing the retail establishments located therein.

10) There shall be no Arcades, game rooms, virtual reality-type uses or other similar establishments located within the theater or entertainment area of the Towson Marketplace, without a public hearing being held to determine the appropriateness of same.

IT IS FURTHER ORDERED, that each and every restriction and condition imposed by this Order is essential to the relief granted herein. They all stand in conjunction with one another. No person shall be permitted to single out certain restrictions and appeal only that aspect of this decision. Any appeal filed hereinafter shall be an appeal of this entire decision and shall cause all issues to be re-litigated before the Board of Appeals.

Any appeal of this decision must be taken within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 22, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: MOTION FOR RECONSIDERATION - DEVELOPMENT PLAN HEARING AND PETITIONS FOR SPECIAL EXCEPTION & VARIANCE FOR TOWSON MARKETPLACE
Talisman-Towson Partnership, LLC - Owner/Developer
Case Nos. IX-386 and 96-95-XA

Dear Mr. Gontrum:

Enclosed please find a copy of the Amended Order in the above-captioned matter. The relief requested within the Motion for Reconsideration has been approved, in accordance with the Order attached hereto.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of February, 1996 that the Order issued November 9, 1995 be and the same is hereby AMENDED as follows:

1) Restriction No. 1 which relates to the level of security that the Developer is to provide at Towson Marketplace shall be eliminated in its entirety. It shall be within the discretion of the Developer and the Manager of the Towson Marketplace to provide the level of security that they feel is necessary to provide a safe shopping environment for their patrons.

2) Restriction No. 10 which addresses arcades, game-rooms, virtual reality type uses, or other similar establishments, shall be eliminated. The Developer shall be bound by the applicable provisions of the B.C.Z.R. as to whether arcades, game-rooms, virtual reality type uses, or other similar businesses, shall be permitted to be located within Towson Marketplace. This may involve a future public hearing should the Developer wish to locate an arcade on the subject site; however, as of this date, no arcade is proposed to be located within Towson Marketplace.

IT IS FURTHER ORDERED that the special exception previously granted to allow a six-screen movie theater operation with a 1500-seat capacity, shall cease, terminate and be rescinded thirty-five (35) days from the date of this Order. In the event that this decision is appealed, then the issue of whether movie theaters shall be permitted at Towson Marketplace shall be decided by the Board of Appeals. If no appeal is filed within thirty (30) days from the date of this Order, then the six-screen movie operation granted by my Order shall be rescinded on the thirty-fifth (35th) day and there shall be no movie theaters whatsoever at Towson Marketplace.

IT IS FURTHER ORDERED that all other conditions and restrictions of the Order issued November 9, 1995 shall remain in full force and effect.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

NOTE:
THE HEARING OFFICER'S ORDER WAS ISSUED NOV. 9, 1995 WITH THE ATTACHED CONDITIONS AND RESTRICTIONS SET FORTH. UPON RECEIPT OF THIS ORDER THE DEVELOPER REQUESTED TO ELIMINATE THEATRES AND HAVE RETAIL AS THE PROPOSED USE FOR THE TOTAL SITE REDEVELOPMENT. REVISED DEVELOPMENT PLANS DATED DEC. 18, 1995 WERE SUBMITTED TO THE HEARING OFFICER'S AMENDED ORDER DATED FEBRUARY 22, 1996.

STATE OF MARYLAND
DOUGLAS LANE KENNEDY
No. 10748
REGISTERED
PROFESSIONAL ENGINEER

Douglas L. Kennedy
PE # 10748

THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING OFFICER'S ORDER DATED NOV. 9, 1995 AND AMENDED ORDER DATED FEBRUARY 22, 1996 AND ALL AGENCY COMMENTS. PADM FILE NO. IX-386 AND ZONING 96-95-XA.

TOWSON MARKETPLACE

TOWSON MARKETPLACE LIMITED PARTNERSHIP
DEED REFERENCE: 10959-472
TAX ACCOUNT NO. 09-05-840080

KCW Consultants, Inc.
CIVIL ENGINEERS AND LAND SURVEYORS
3104 TIMANUS LANE, SUITE 101
BALTIMORE, MARYLAND 21244
TELE: (410) 281-0033
FAX: (410) 298-0604

COMPUTED: LVB * DRAWN: LVB * CHECKED: DLK

HUMAN and ROHDE, Inc.
LANDSCAPE ARCHITECTS
110 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(410) 825-3885

PROPOSED CONDITIONS
DEVELOPMENT PLAN
DWG. NO. D-1A

9TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

SCALE: 1"=60'

BALTIMORE COUNTY PADM FILE NO. IX-386

Kann and Associates Inc.
207 East Redwood Street Fourth Floor
Baltimore, MD 21202
410 234 0900
410 539 4921 Fax
Architecture
Planning
Preservation
Interior Design
Facilities Management

TALISMAN COMPANIES
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1500 SAN REMO DRIVE, SUITE 185-A
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(305) 662-9616 (Fax)

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

November 9, 1995

(410) 887-4386

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: DEVELOPMENT PLAN HEARING AND
PETITIONS FOR SPECIAL EXCEPTION & VARIANCE FOR TOWSON MARKETPLACE
S/S Joppa Road, E of Goucher Boulevard
9th Election District - 4th Councilmanic District
Talisman-Towson Partnership, LLC - Owner/Developer
Case Nos. IX-386 and 96-95-XA

Dear Mr. Gontrum:

Please be advised that a decision has been rendered in the above-captioned matter. The Development Plan submitted as Developer's Exhibit 6A has been approved, and the Petitions for Special Exception and Variance, as modified, have been granted in accordance with the Order. Due to the length of the decision in this matter and the cost to duplicate same, we are unable to send copies to all of the Protestants CC'd below. Therefore, please feel free to review the case files which have been forwarded back to Permits and Development Management (PDM), or contact either John Murphy or Mike Sarkin. Thank you for your cooperation in this matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 9th day of November, 1995 that the development plan for Towson Marketplace, identified as Developer's Exhibit 6A, be and is hereby APPROVED, consistent with the comments contained herein and the conditions and restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that Developer's Exhibit 6B, the alternative development plan which proposed a parking garage on the southeast corner of the subject site, be and is hereby DENIED. Should the Developer wish to pursue the construction of a parking garage in the future, a new Community Input Meeting (CIM) must be held in order to entertain community concerns as to said parking garage; and,

IT IS FURTHER ORDERED that a six-screen movie theater complex, with a total seating capacity of 1500, is hereby approved, subject to the restrictions set forth hereinafter, and as such, the Petition for Special Exception, as modified, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the relocation of the Montgomery Wards automotive service center to the location highlighted in pink on Developer's Exhibit 6A, be and is hereby GRANTED, and pursuant to this relocation, the old special exception area previously granted in Case No. 79-125-X, shall be abandoned and thus, terminated; and,

IT IS FURTHER ORDERED that the previously approved variance of 368 parking spaces, pursuant to Case No. 77-230-XA, shall continue forward and may be utilized by the Developer at this time; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.6.A.2 to permit 3,000 parking spaces in lieu of the required 3,357 spaces for a retail center and movie theaters, in accordance with Developer's Exhibit 1, be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the area of the Towson Marketplace that is zoned B.M. and which currently encompasses the Martin's Eudowood operation, shall in no way be utilized for the purpose of locating movie theaters therein. Movie theaters are permitted as of right in the B.M. zone, however, there is no proposal to locate movies in the B.M. zone at this time, and thus, it is not permissible for the Developer to locate them within the B.M. zone at any time in the future, without another public hearing being held on the appropriateness of same; and,

IT IS FURTHER ORDERED that the Martin's Eudowood catering operation shall be permitted to continue to operate in the B.M. zone; however, in the event that operation should relocate to elsewhere within the Towson Marketplace, it must operate in a zone that permits such a use. This in effect would necessitate a request for zoning reclassification; and,

IT IS FURTHER ORDERED that all of the relief granted herein, that being approval of the development plan marked as Developer's Exhibit 6A, the granting of the special exception for six movie theaters with a seating capacity of 1500, and the relocation of the Montgomery Wards automotive service center, shall be expressly conditioned upon the Developer's compliance with the following restrictions:

SEE AMENDED ORDER DATED FEBRUARY 22, 1996

1) One of the major issues raised by the citizens concerned security measures for the redevelopment of Towson Marketplace. The Developer has prepared an elaborate security plan for this property, pursuant to Developer's Exhibit 16. The Developer will be required to install the surveillance cameras designated on that plan, and all six (6) surveillance cameras shall be operable every day of the year. Furthermore, the Developer shall provide a roving patrol to cover the perimeter of the shopping center to provide security 24 hours a day, 7 days a week. Inasmuch as the theater operation has been drastically reduced, the Developer shall only be required, pursuant to this Order, to provide one security guard in the interior of the shopping center and one guard to monitor the surveillance cameras in the command center. The Developer is certainly permitted to add any additional security measures he deems necessary, however, these restrictions shall be the minimum amount of security to be provided pursuant to this Order. In the event the minimum security measures set forth in this restriction are not adhered to by the Developer, then the special exception granted for the six-movie theater operation shall be rescinded and become null and void.

3) The lighting for the Towson Marketplace shall be in accordance with Developer's Exhibit 12, which was the lighting proposal discussed at the hearing before me. All lighting of the property shall be operational and replaced as necessary.

4) The facade of the Towson Marketplace shall be consistent with the elevation drawings entered into evidence as Developer's Exhibits 11A and 11B. Mr. Glazer, the Architect who designed the facade, did an excellent job in providing a residential look to this shopping center. Therefore, the redevelopment of Towson Marketplace shall be consistent with those elevation drawings.

5) The Developer shall be required to ensure that the parking lot areas as well as all buffer areas remain free and clear of trash and debris. This trash removal shall be performed on a daily basis.

6) The Developer proposes to relocate the entrance from Putty Hill Avenue on the southeastern portion of the Towson Marketplace. This relocation requires that the median strip in Putty Hill Avenue be eliminated at that location. This will cause the landscaping that was planted by the community association to be destroyed and lost. Therefore, the Developer shall be obligated to replace the lost or destroyed landscaping with an equal amount of planting elsewhere in the community. The Office of Planning and Zoning (OPZ) shall oversee and ensure that the landscaping that is lost is offset by additional landscaping planted elsewhere within the community.

7) Submitted into evidence as Developer's Exhibit 13 was a proposed landscaping plan for Towson Marketplace. The Developer shall be required to install all landscaping in accordance with that plan. The Developer shall work in conjunction with the Office of Planning and Zoning in furtherance of this landscaping requirement.

SEE AMENDED ORDER DATED FEBRUARY 22, 1996

8) The Developer has been granted a special exception to operate a six screen, 1500-seat movie theater operation. The granting of this special exception is conditioned upon the following specific restrictions:

a) All movies shown at Towson Marketplace shall be first-run movies with the only exception being Holiday movies or re-releases of children's movies.

b) There shall be no showing of midnight movies whatsoever. All movies shall conclude by 11:30 PM Sunday through Thursday, and conclude by 12:30 AM on Friday, Saturdays and Legal Holidays. This restriction is essential to the preservation of the quality of life the surrounding communities of the Towson Marketplace currently enjoy.

VIOLATION OF RESTRICTIONS 8A and 8B SHALL CAUSE THE SPECIAL EXCEPTION GRANTED HEREIN FOR THIS THEATER USE TO IMMEDIATELY CEASE AND TERMINATE AND THEREBY CAUSE THIS DEVELOPER, OR ITS TENANTS, TO BE PROHIBITED FROM SHOWING ANY MOVIES WHATSOEVER AT TOWSON MARKETPLACE.

9) The Developer shall post the parking lot with "No Loitering" signs and shall strictly enforce this regulation. Furthermore, the Developer, through the use of his security force, shall dissuade and prevent, to the extent possible, individuals from gathering and congregating within the interior of the Towson Marketplace complex where said individuals are not patronizing the retail establishments located therein.

10) There shall be no Arcades, game rooms, virtual reality-type uses or other similar establishments located within the theater or entertainment area of the Towson Marketplace, without a public hearing being held to determine the appropriateness of same.

IT IS FURTHER ORDERED, that each and every restriction and condition imposed by this Order is essential to the relief granted herein. They all stand in conjunction with one another. No person shall be permitted to single out certain restrictions and appeal only that aspect of this decision. Any appeal filed hereinafter shall be an appeal of this entire decision and shall cause all issues to be re-litigated before the Board of Appeals.

Any appeal of this decision must be taken within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 22, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: MOTION FOR RECONSIDERATION - DEVELOPMENT PLAN HEARING AND PETITIONS FOR SPECIAL EXCEPTION & VARIANCE FOR TOWSON MARKETPLACE
Talisman-Towson Partnership, LLC - Owner/Developer
Case Nos. IX-386 and 96-95-XA

Dear Mr. Gontrum:

Enclosed please find a copy of the Amended Order in the above-captioned matter. The relief requested within the Motion for Reconsideration has been approved, in accordance with the Order attached hereto.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of February, 1996 that the Order issued November 9, 1995 be and the same is hereby AMENDED as follows:

1) Restriction No. 1 which relates to the level of security that the Developer is to provide at Towson Marketplace shall be eliminated in its entirety. It shall be within the discretion of the Developer and the Manager of the Towson Marketplace to provide the level of security that they feel is necessary to provide a safe shopping environment for their patrons.

2) Restriction No. 10 which addresses arcades, game-rooms, virtual reality type uses, or other similar establishments, shall be eliminated. The Developer shall be bound by the applicable provisions of the B.C.Z.R. as to whether arcades, game-rooms, virtual reality type uses, or other similar businesses, shall be permitted to be located within Towson Marketplace. This may involve a future public hearing should the Developer wish to locate an arcade on the subject site; however, as of this date, no arcade is proposed to be located within Towson Marketplace.

IT IS FURTHER ORDERED that the special exception previously granted to allow a six-screen movie theater operation with a 1500-seat capacity, shall cease, terminate and be rescinded thirty-five (35) days from the date of this Order. In the event that this decision is appealed, then the issue of whether movie theaters shall be permitted at Towson Marketplace shall be decided by the Board of Appeals. If no appeal is filed within thirty (30) days from the date of this Order, then the six-screen movie operation granted by my Order shall be rescinded on the thirty-fifth (35th) day and there shall be no movie theaters whatsoever at Towson Marketplace.

IT IS FURTHER ORDERED that all other conditions and restrictions of the Order issued November 9, 1995 shall remain in full force and effect.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

NOTE:
THE HEARING OFFICER'S ORDER WAS ISSUED NOV. 9, 1995 WITH THE ATTACHED CONDITIONS AND RESTRICTIONS SET FORTH. UPON RECEIPT OF THIS ORDER THE DEVELOPER REQUESTED TO ELIMINATE THEATRES AND HAVE RETAIL AS THE PROPOSED USE FOR THE TOTAL SITE REDEVELOPMENT. REVISED DEVELOPMENT PLANS DATED DEC. 18, 1995 WERE SUBMITTED TO THE HEARING OFFICER'S AMENDED ORDER DATED FEBRUARY 22, 1996.

STATE OF MARYLAND
DOUGLAS LANE KENNEDY
No. 10748
REGISTERED
PROFESSIONAL ENGINEER

Douglas L. Kennedy
P.E. # 10748

THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING OFFICER'S ORDER DATED NOV. 9, 1995 AND AMENDED ORDER DATED FEBRUARY 22, 1996 AND ALL AGENCY COMMENTS. PADM FILE NO. IX-386 AND ZONING 96-95-XA.

PRINT DATE
SEP 16 1996
KCW CONSULTANTS, INC.

MICROFILMED

TOWSON MARKETPLACE

TOWSON MARKETPLACE LIMITED PARTNERSHIP
DEED REFERENCE: 10959-472
TAX ACCOUNT NO. 09-05-840080

KCW Consultants, Inc.
CIVIL ENGINEERS AND LAND SURVEYORS
3104 TIMANUS LANE, SUITE 101
BALTIMORE, MARYLAND 21244
TELE: (410) 281-0033
FAX: (410) 298-0604

COMPUTED: LVB * DRAWN: LVB * CHECKED: DLK

HUMAN and ROHDE, Inc.
LANDSCAPE ARCHITECTS
110 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(410) 825-3885

PROPOSED CONDITIONS
DEVELOPMENT PLAN
DWG. NO. D-1A

9TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
SCALE: 1"=60'
BALTIMORE COUNTY PADM FILE NO. IX-386

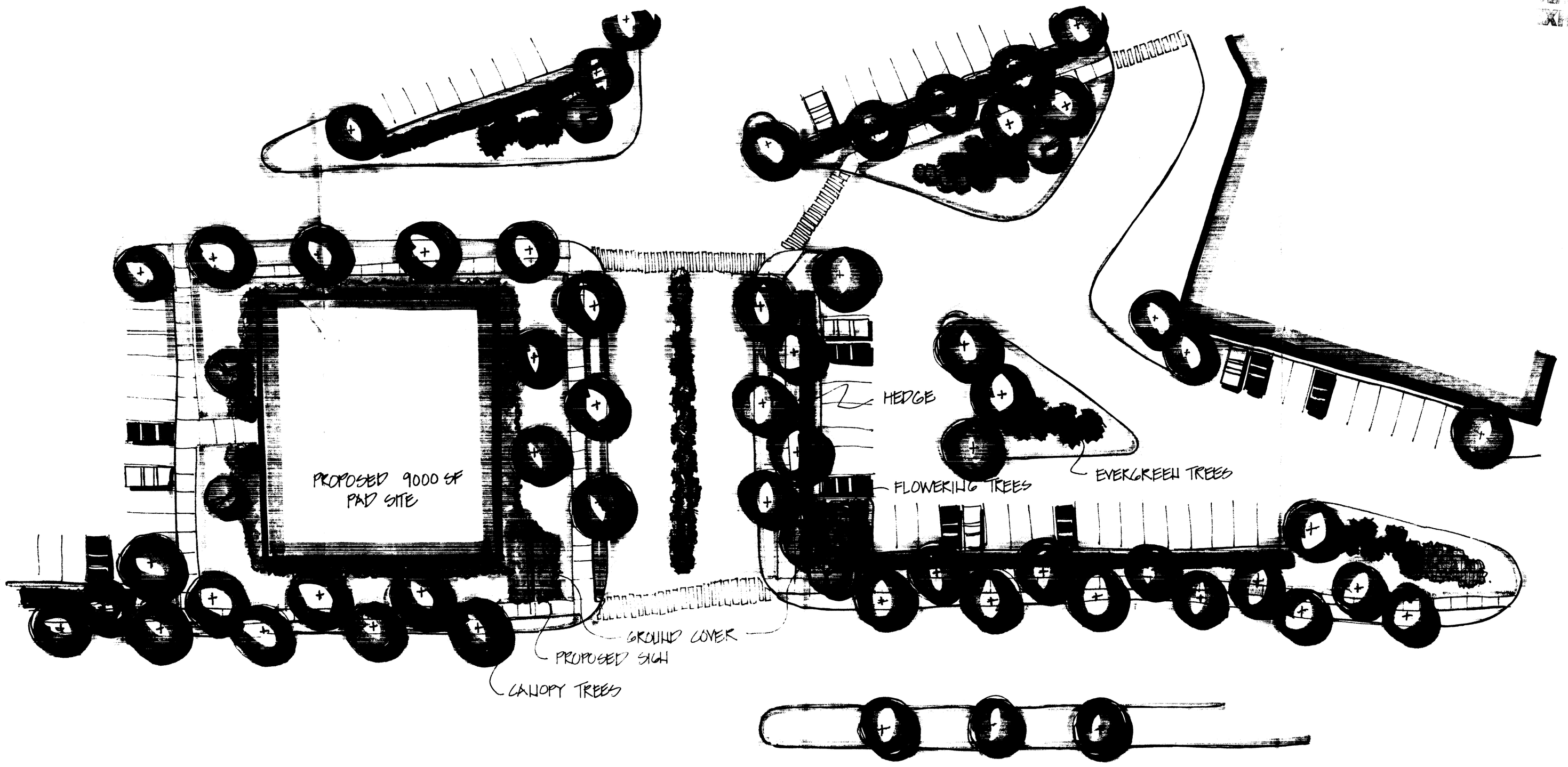
Kann and Associates Inc.
207 East Redwood Street Fourth Floor
Baltimore, MD 21202
410 234 0900
410 539 4921 Fax
Architecture
Planning
Preservation
Interior Design
Facilities Management

TALISMAN COMPANIES
COMMERCIAL DEVELOPMENT, LEASING & MANAGEMENT
1500 SAN REMO DRIVE, SUITE 185-A
CORAL GABLES, FLORIDA 33148
(305) 662-9559
(305) 662-9616 (Fax)

DEVELOPER'S
EXHIBIT NO. 14 A

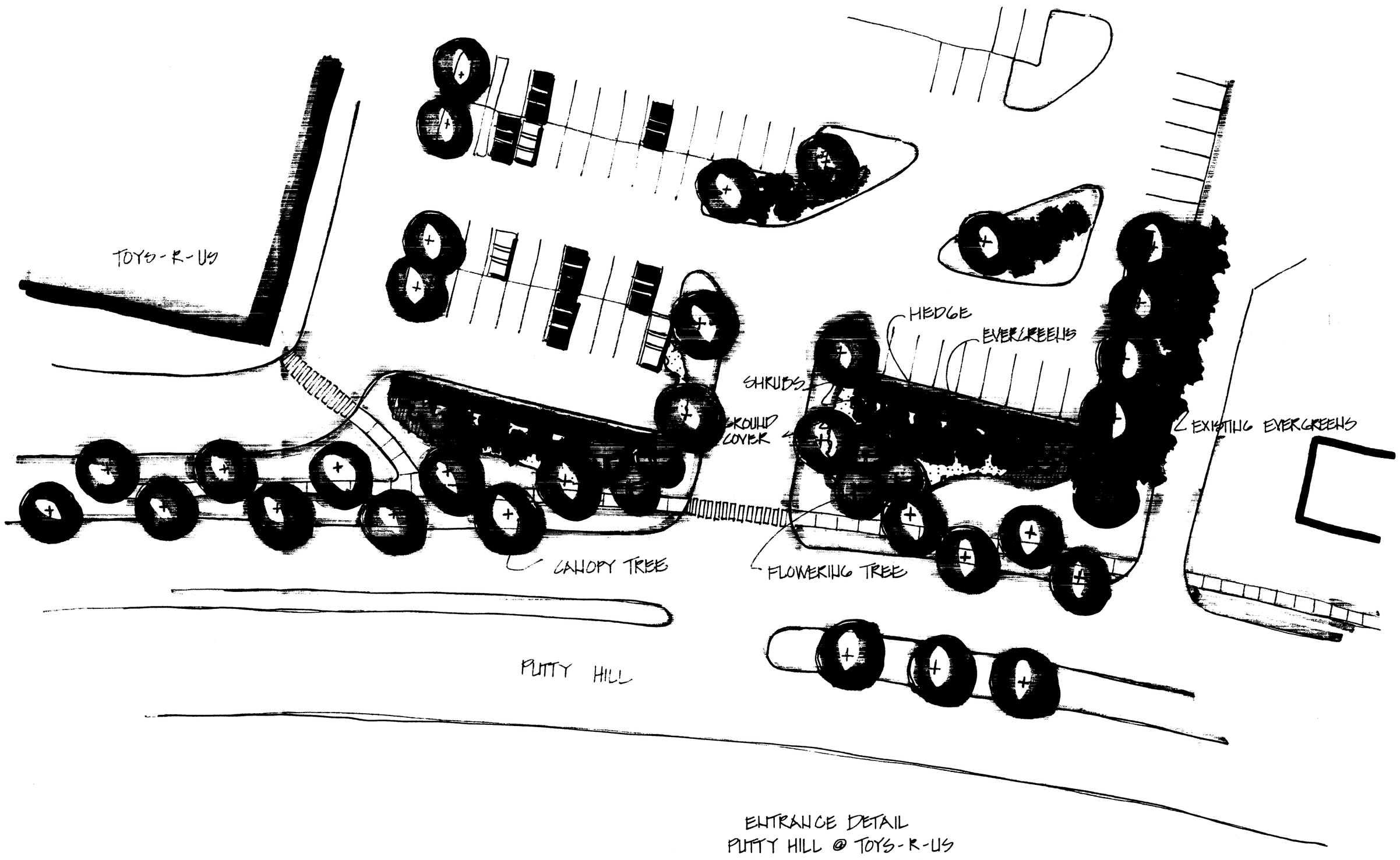
DEVELOPER'S
EXHIBIT NO. 14 B

DEVELOPER'S
EXHIBIT NO. 14 C



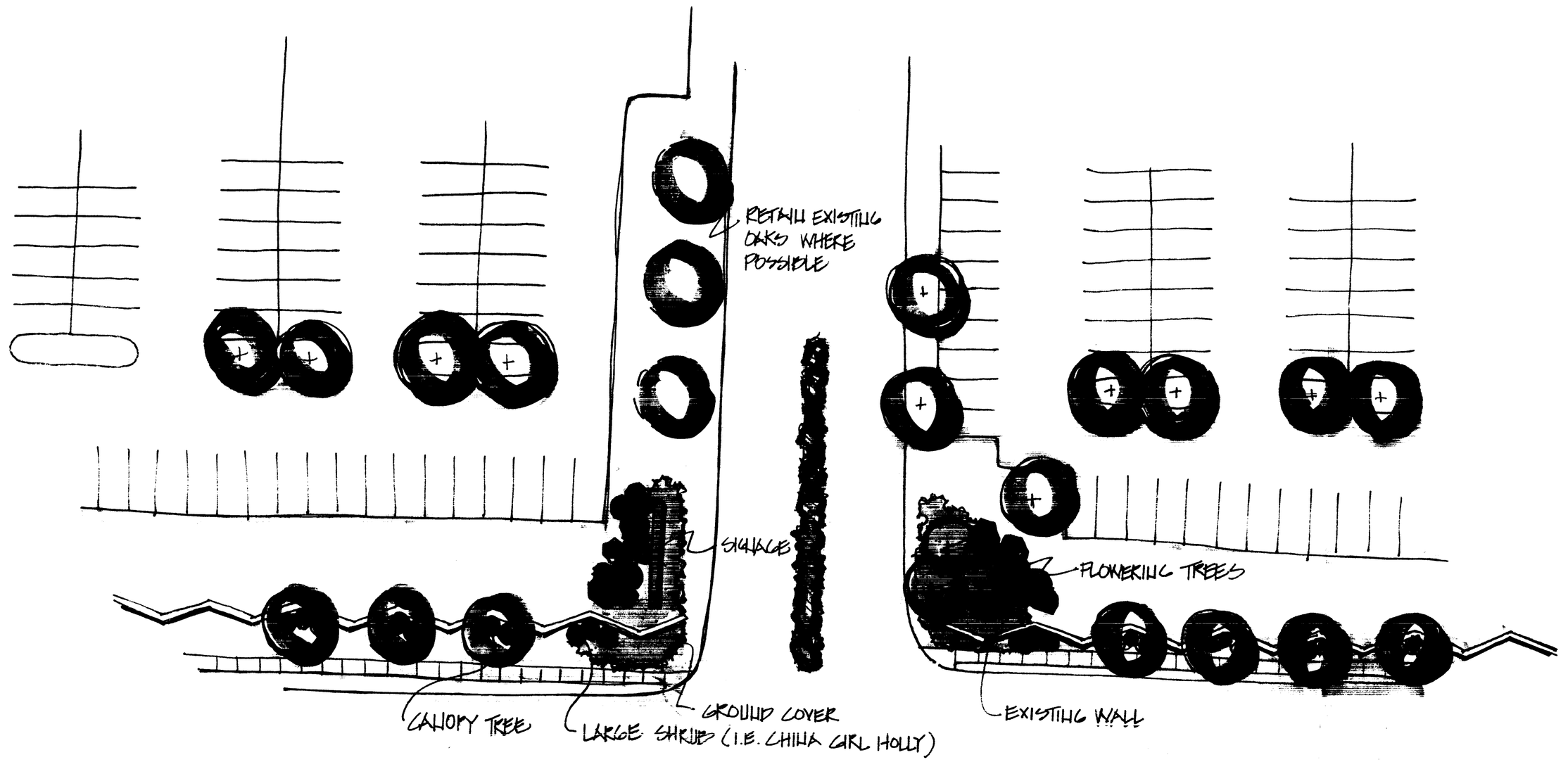
ENTRANCE DETAIL
PUTTY HILL
TOWSON MARKETPLACE
SCALE: 1" = 20'

DEVELOPER'S
EXHIBIT NO. 14B



ENTRANCE DETAIL
PUTTY HILL @ TOYS-R-US
TOWSON MARKETPLACE
SCALE: 1"= 20'

DEVELOPER'S
EXHIBIT NO. 14C



ENTRANCE DETAIL
JOPPA ROAD
TOWSON MARKETPLACE
SCALE: 1" = 20'

TOWSON MARKETPLACE

TOWSON MARKETPLACE LIMITED PARTNERSHIP
DEED REFERENCE: 10959-472
TAX ACCOUNT NO. 09-05-840080

9TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
SCALE: 1"=60' DATE: JUNE 6, 1996
BALTIMORE COUNTY PADM FILE NO. IX-386

PETITIONER'S EXHIBIT NO. 3

LANDSCAPE PLAN
DWG. NO. D-4B
SEPTEMBER 2, 1996

KCW Consultants, Inc.
CIVIL ENGINEERS AND LAND SURVEYORS
3104 TIMANUS LANE, SUITE 101
BALTIMORE, MARYLAND 21244
TELE: (410) 281-0033
FAX: (410) 298-0604
COMPUTED: LVB * DRAWN: LVB * CHECKED DLK

HUMAN AND ROHDE, INC.
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COMMERCIAL DEVELOPMENT, LEASING & MANAGEMENT
1500 SAN REMO DRIVE, SUITE 185-A (305) 662-9500
CORAL GABLES, FLORIDA 33146 (305) 662-9618 (Fax)

ENGINEER'S CERTIFICATION

I hereby certify that this Development Plan is accurate and has been prepared in accordance with Baltimore County Development Regulations.

KCW Consultants, Inc.
by Douglas L. Kennedy, P.E. #10748 Date

MICROFILMED

KEY
- EXISTING TREES TO REMAIN
- PROPOSED MAJOR TREES
- PROPOSED FLOWERING TREES
- PROPOSED EVERGREENS
- PROPOSED SHRUBS & GROUND COVER

LIMITS OF NEW IMPROVEMENT
EXISTING FIRE DEPT. CONNECTION
EXISTING BUILDING TO BE REMOVED
BUILDING ADDITION ADDED PER AMENDED PLAN (JUNE 6, 1996)

B.C.M.D. GRID NORTH

VICINITY MAP
Scale 1"=2000'

IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL HEARING and SPECIAL EXCEPTION - S/S Joppa Road, E of Goucher Blvd. 9th Election District 4th Councilmanic District

Talisman-Towson Partnership, LLC Owner/Developer

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case Nos. IX-386 and 97-89-SPHX

* * * * * * * * * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer for consideration of a modified development plan prepared by KCW Consultants, Inc., for the proposed redevelopment of the subject property, known as Towson Marketplace, by the Talisman-Towson Partnership LLC, Owner/Developer, in accordance with the red-lined plan submitted and marked as Exhibit 1A. In addition to development plan approval, the Owner/Developer requests a special hearing to approve an amendment to the previously approved site plan in prior Case No. 96-95-XA, and a special exception to permit the relocation of the existing service garage operation of Montgomery Ward, as approved in prior Case Nos. 79-125-X and 96-95-XA. The Petitions were filed by the Owner of the property, Talisman-Towson Partnership, LLC, through James Schlesinger, its President, and John B. Gontrum, Esquire, its attorney. The subject property consists of 43.1 acres, split zoned B.L.-C.C.C., B.M., M.L.-I.M., and D.R. 10.5, and is located on the northeast corner of Putty Hill Avenue and Goucher Boulevard in Towson.

This matter previously came before me for development plan approval and special exception and variance relief in prior Case Nos. IX-386 and 96-95-XA. By Order dated November 9, 1995, and as amended on February 22, 1996, the development plan was approved and the Petitions for Special Exception and Variance granted in part and denied in part, subject to

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Date 10/3/96
By

certain terms and restrictions. Subsequent to the issuance of said opinion, the Owner/Developer made changes or alterations to the plan, and following a Development Plan Conference, the Development Review Committee (DRC) determined that an additional public hearing on those modifications was necessary. Therefore, the matter was scheduled for a second Hearing Officer's Hearing on September 27, 1996 for consideration of those modifications and for the purpose of eliciting public opinion of those changes.

Appearing at that hearing on behalf of the Owner/Developer were James Schlesinger, President of Talisman-Towson Partnership, LLC, Douglas Kennedy, Professional Engineer who prepared the development plan/site plans for the subject property, and John B. Gontrum, Esquire, attorney for the Owner/Developer. As in the previous hearings held on this matter, many residents from the surrounding communities attended the hearing, all of whom signed the Citizen's/Protestant's Sign-In-Sheets. In addition, Mike Sarkin, a representative of C.A.M.M. (Citizens Against Movies at the Marketplace), attended the hearing and appeared with his attorney, John Murphy, Esquire. Numerous representatives of the various Baltimore County reviewing agencies also attended the hearing.

As noted above, this property has been the subject of numerous public hearings as it has progressed through the development process. On behalf of the Owner/Developer, Mr. Douglas Kennedy, appeared and testified. Mr. Kennedy was responsible for preparing the site plans and development plans for the redevelopment of Towson Marketplace. Mr. Kennedy testified concerning the proposed changes to the previously approved development plan. Specificaily, the Developer has altered the entranceway into this site from Joppa Road. Instead of a straight road entrance into this site, the Developer now proposes a curved entranceway approach to the shopping

center, as shown on Exhibit 1A. Secondly, in lieu of having loading docks along the outside perimeter of several of the proposed tenants on the south side of the site along Putty Hill Avenue, the Developer proposes an interior truck loading court. This truck loading court will serve most, if not all, of the tenants on the southern portion of the subject site. The Developer proposes this interior loading court in order to lessen the impact of trucks delivering goods to the various tenants in this center. This truck loading court is surrounded almost entirely by stores with a small area open for ingress and egress to and from the loading court. The Developer hopes that this will lessen the noise associated with trucks making deliveries to the various tenants. Mr. Kennedy also testified that the loading dock associated with the Toys R Us operation has been moved from its previously approved location. In addition, the Developer has relocated the service garage operation of Montgomery Wards from the north side of the store to the south side of the store at the request of that tenant. Testimony indicated that the size of the service garage operation will remain as it presently exists, but will merely be relocated to the south side of the store; however, a special exception is necessary in order to proceed with the proposed relocation. Additionally, the Developer proposes to relocate the pad site originally proposed to be located on the east side ot the Blockbuster Video Store to a location north of that store. As stated previously, all of these modifications are more clearly depicted on Exhibit 1A.

Mr. Kennedy also testified that in certain areas of the project, the Developer has straightened building facades and eliminated offsets which existed on the previously approved plan. This is another design

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Date 10/3/96
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feature which Mr. Kennedy believes will improve the overall appearance of the subject site, once it is finally renovated.

Also testifying on behalf of the Developer was Ms. Sally Malena, a Landscape Architect with Human and Rohde, Inc. Ms. Malena gave a brief presentation of the landscaping that is proposed for the redevelopment of Towson Marketplace and answered specific questions regarding the types of vegetation proposed for this site. A copy of the landscape plan was submitted into evidence as Petitioner's Exhibit 3, and shows extensive landscaping in and around the subject site.

Mr. Henry Monday, an architect, also testified briefly regarding the architectural theme of Towson Marketplace. Mr. Monday testified that the architectural theme of Towson Marketplace has remained consistent with that which was previously testified to and approved at the prior hearings on the redevelopment of the subject property.

Finally, Mr. Schlesinger testified concerning the proposed changes to the previously approved development plan. Mr. Schlesinger testified that the service garage operation of Montgomery Wards will continue to operate as it has in the past, however, it will merely be relocated to the south side of the store. He testified that the use will not be enlarged and no additional service bays will be added. He stated that Wards simply requested that the automotive service center be relocated to the south side of the existing store. Mr. Schlesinger was also kind enough to divulge to the residents of the surrounding communities, most, if not all, of the tenants which have either signed a lease with him or shown an intention to locate at Towson Marketplace. Furthermore, Mr. Schlesinger identified several agreements that he has either signed or agreed to abide by regarding the redevelopment of the subject site. Marked and accepted

into evidence as Protestant's Exhibit 1 was a copy of a letter agreement dated September 26, 1996 on Talisman-Towson Partnership, LLC letterhead, which had been signed by Mr. Schlesinger. This agreement lists several items which Mr. Schlesinger has agreed to perform. In addition, two other items were written in by hand at the hearing before me on the bottom of the letter. Mr. Schlesinger agreed to abide by those conditions as well. The citizens who attended the hearing and Mr. Schesinger agreed that this letter agreement shall be incorporated into my decision as a part of my Order so as to bind Mr. Schlesinger to perform those items that are specified thereon. Therefore, the letter agreement dated September 26, 1996 shall be attached to this decision and enforceable as if part of my Order.

Secondly, submitted into evidence as Protestant's Exhibit 2, was an unsigned Statement to Hearing Officer, which had been prepared by the Towson Marketplace Liaison Committee. Contained in Paragraph 3 of that statement are certain concerns and suggestions marked as Items A through H which the Towson Marketplace Liaison Committee would like to have imposed as part of my approval of the special exception and development plan in this case. Items A through F have been agreed to by Mr. Schlesinger and he is willing to abide by those; however, there has been no agreement on Items G and H. It was clearly stated to this Hearing Officer that those two items have not been agreed to by Mr. Schlesinger. Those items deal with the hours of operation of the shopping center as well as some additional uses which the communities wish to prohibit from locating within the shopping center.

As stated previously, many residents from the surrounding communities appeared and testified concerning this matter. Mike Sarkin offered testimony, both as an individual and as President of C.A.M.M. Also appear-

ing and testifying were Don Vovakes, Kim McGavin, Auburn Bell, Robert Cook, Leon Rozankowski, and Margaret Davis. The consensus of the testimony offered by these citizens demonstrated that there is a great deal of concern over the noise that will be generated by trucks making deliveries to Towson Marketplace. These residents, many of whom live in close proximity to the center, feel that the tractor trailers coming and going to the site will infringe upon their quiet enjoyment of their residential properties. They fear deliveries being made 24 hours a day and particularly deliveries made after midnight and in the early hours of the morning. Mr. Vovakes testified concerning the problems he is currently having with the adjacent commercial uses, particularly the Metro Food Store, wherein refrigerated trucks park outside the Metro along Joppa road and create a tremendous amount of noise which he clearly hears from his house. He and others fear that this situation will worsen once the Towson Marketplace is operating at full capacity. Furthermore, the residents believe that truck traffic should be eliminated entirely along Putty Hill Avenue, east of the Towson Marketplace site. Putty Hill Avenue east of Lasalle Road is, in fact, very residential in character. It becomes two lanes with houses on both sides of the street. In addition, there is a school located on the south side of Putty Hill Avenue. The residents are very much concerned over additional truck traffic on their residential streets. Testimony further revealed that the County already restricts truck traffic on Putty Hill Avenue from 7:00 PM to 7:00 AM; however, the residents would like this restriction expanded to a 24-hour restriction so that they do not have trucks travelling through their neighborhood at any time.

The issues that remained unresolved at the hearing before me concerned the hours of operation of the shopping center as well as the

loading and unloading of delivery trucks. Furthermore, contained within the written Statement from the Towson Marketplace Liaison Committee to this Hearing Officer are certain uses that the Committee does not wish to see located within this shopping center. Specifically, within Paragraph 3(h) of that written statement there are 14 uses listed as not acceptable to the Liaison Committee. I do not believe it is appropriate to prohibit the Developer from utilizing the site in a manner consistent with that which is permitted by the B.C.Z.R. It appears that all of the uses listed as Items 1 through 14 in Paragraph 3(h) are either permitted as of right, or by special exception on this particular piece of property, although many of these uses would require a public hearing if the Developer intended to locate such a use within this center. I do not believe it is appropriate to impose a restriction that these uses be prohibited, with the exception of the movie theater use, which was previously limited in scope by my prior decision. Therefore, I will not impose any restrictions to that effect.

As to the issue concerning the hours of operation for this retail center and the times at which trucks may make deliveries to the various tenants within Towson Marketplace, I do not believe it is appropriate to restrict either the hours of operation of the tenants or the times at which deliveries can be made thereto. I believe the Developer has minimized the effects of delivery trucks by eliminating exterior loading docks and providing an interior loading court. Furthermore, the Developer has agreed to provide $10,000 for the purpose of studying noise abatement techniques. He has also agreed to construct a 10-foot high screening wall at the entrance to the interior losding dock, again designed to screen both the sound and the view of trucks coming and going to the loading dock.

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I believe the Developer has done the best job possible in trying to soften the impact of truck deliveries to the Towson Marketplace.

Truck deliveries to retail establishments are a necessary evil. It is true that tractor trailers are probably the loudest commercial vehicles which travel our roadways. However, in order for the tenants of Towson Marketplace to operate, it is essential to have truck deliveries. I believe it would not be prudent to dictate the manner in which these tenants receive their deliveries. Most of these tenants are national and international retailers who have developed policies and practices for deliveries to and from their stores. I do not believe it is appropriate for this Hearing Officer to dictate to these national retailers how and when deliveries should be made to their businesses. Any attempt to do so, I believe, would be overstepping my authority as Hearing Officer for Baltimore County. I will , however, instruct the Developer of this site, specifically Mr. Schlesinger, to issue an advisory request to all tenants within this center, to make an effort to limit deliveries to and from the site to no later than 12 midnight on any given day. The advisory letter should make the existing tenants, as well as any prospective tenants, aware of the surrounding residential character of this area, and the fact that late night deliveries would infringe upon the residential quietness of the surrounding communities. Hopefully, the individual tenants, as good neighbors, will work with the communities regarding deliveries. Furthermore, the representatives of the various communities existing in this area, be it C.A.M.M., Fellowship Forest, Loch Raven Village, Towson Estates, or other community groups, can meet on an individual basis with each tenant as they locate within Towson Marketplace to develop a mutually agreeable delivery schedule for each store. Hopefully, the management of

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

November 9, 1995

(410) 887-4386

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: DEVELOPMENT PLAN HEARING AND
PETITIONS FOR SPECIAL EXCEPTION & VARIANCE FOR TOWSON MARKETPLACE
S/S Joppa Road, E of Goucher Boulevard
9th Election District - 4th Councilmanic District
Talisman-Towson Partnership, LLC - Owner/Developer
Case Nos. IX-386 and 96-95-XA

Dear Mr. Gontrum:

Please be advised that a decision has been rendered in the above-captioned matter. The Development Plan submitted as Developer's Exhibit 6A has been approved, and the Petitions for Special Exception and Variance, as modified, have been granted in accordance with the Order. Due to the length of the decision in this matter and the cost to duplicate same, we are unable to send copies to all of the Protestants CC'd below. Therefore, please feel free to review the case files which have been forwarded back to Permits and Development Management (PDM), or contact either John Murphy or Mike Sarkin. Thank you for your cooperation in this matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 9th day of November, 1995 that the development plan for Towson Marketplace, identified as Developer's Exhibit 6A, be and is hereby APPROVED, consistent with the comments contained herein and the conditions and restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that Developer's Exhibit 6B, the alternative development plan which proposed a parking garage on the southeast corner of the subject site, be and is hereby DENIED. Should the Developer wish to pursue the construction of a parking garage in the future, a new Community Input Meeting (CIM) must be held in order to entertain community concerns as to said parking garage; and,

IT IS FURTHER ORDERED that a six-screen movie theater complex, with a total seating capacity of 1500, is hereby approved, subject to the restrictions set forth hereinafter, and as such, the Petition for Special Exception, as modified, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the relocation of the Montgomery Wards automotive service center to the location highlighted in pink on Developer's Exhibit 6A, be and is hereby GRANTED, and pursuant to this relocation, the old special exception area previously granted in Case No. 79-125-X, shall be abandoned and thus, terminated; and,

IT IS FURTHER ORDERED that the previously approved variance of 368 parking spaces, pursuant to Case No. 77-230-XA, shall continue forward and may be utilized by the Developer at this time; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.6.A.2 to permit 3,000 parking spaces in lieu of the required 3,357 spaces for a retail center and movie theaters, in accordance with Developer's Exhibit 1, be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the area of the Towson Marketplace that is zoned B.M. and which currently encompasses the Martin's Eudowood operation, shall in no way be utilized for the purpose of locating movie theaters therein. Movie theaters are permitted as of right in the B.M. zone, however, there is no proposal to locate movies in the B.M. zone at this time, and thus, it is not permissible for the Developer to locate them within the B.M. zone at any time in the future, without another public hearing being held on the appropriateness of same; and,

IT IS FURTHER ORDERED that the Martin's Eudowood catering operation shall be permitted to continue to operate in the B.M. zone; however, in the event that operation should relocate to elsewhere within the Towson Marketplace, it must operate in a zone that permits such a use. This in effect would necessitate a request for zoning reclassification; and,

IT IS FURTHER ORDERED that all of the relief granted herein, that being approval of the development plan marked as Developer's Exhibit 6A, the granting of the special exception for six movie theaters with a seating capacity of 1500, and the relocation of the Montgomery Wards automotive service center, shall be expresly conditioned upon the Developer's compliance with the following restrictions:

SEE AMENDED ORDER DATED FEBRUARY 22, 1996

1) One of the major issues raised by the citizens concerned security measures for the redevelopment of Towson Marketplace. The Developer has prepared an elaborate security plan for this property, pursuant to Developer's Exhibit 16. The Developer will be required to install the surveillance cameras designated on that plan, and all six (6) surveillance cameras shall be operable every day of the year. Furthermore, the Developer shall provide a roving patrol to cover the perimeter of the shopping center to provide security 24 hours a day, 7 days a week. Inasmuch as the theater operation has been drastically reduced, the Developer shall only be required, pursuant to this Order, to provide one security guard in the interior of the shopping center and one guard to monitor the surveillance cameras in the command center. The Developer is certainly permitted to add any additional security measures he deems necessary, however, these restrictions shall be the minimum amount of security to be provided pursuant to this Order. In the event the minimum security measures set forth in this restriction are not adhered to by the Developer, then the special exception granted for the six movie theater operation shall be rescinded and become null and void.

3) The lighting for the Towson Marketplace shall be in accordance with Developer's Exhibit 12, which was the lighting proposal discussed at the hearing before me. All lighting of the property shall be operational and replaced as necessary.

4) The facade of the Towson Marketplace shall be consistent with the elevation drawings entered into evidence as Developer's Exhibits 11A and 11B. Mr. Glazer, the Architect who designed the facade, did an excellent job in providing a residential look to this shopping center. Therefore, the redevelopment of Towson Marketplace shall be consistent with those elevation drawings.

5) The Developer shall be required to ensure that the parking lot areas as well as all buffer areas remain free and clear of trash and debris. This trash removal shall be performed on a daily basis.

6) The Developer proposes to relocate the entrance from Putty Hill Avenue on the southeastern portion of the Towson Marketplace. This relocation requires that the median strip in Putty Hill Avenue be eliminated at that location. This will cause the landscaping that was planted by the community association to be destroyed and lost. Therefore, the Developer shall be obligated to replace the lost or destroyed landscaping with an equal amount of planting elsewhere in the community. The Office of Planning and Zoning (OPZ) shall oversee and ensure that the landscaping that is lost is offset by additional landscaping planted elsewhere within the community.

7) Submitted into evidence as Developer's Exhibit 13 was a proposed landscaping plan for Towson Marketplace. The Developer shall be required to install all landscaping in accordance with that plan. The Developer shall work in conjunction with the Office of Planning and Zoning in furtherance of this landscaping requirement.

SEE AMENDED ORDER DATED FEBRUARY 22, 1996

8) The Developer has been granted a special exception to operate a six screen, 1500-seat movie theater operation. The granting of this special exception is conditioned upon the following specific restrictions:

a) All movies shown at Towson Marketplace shall be first-run movies with the only exception being Holiday movies or re-releases of children's movies.

b) There shall be no showing of midnight movies whatsoever. All movies shall conclude by 11:30 PM Sunday through Thursday, and conclude by 12:30 AM on Friday, Saturdays and Legal Holidays. This restriction is essential to the preservation of the quality of life the surrounding communities of the Towson Marketplace currently enjoy.

VIOLATION OF RESTRICTIONS 8A and 8B SHALL CAUSE THE SPECIAL EXCEPTION GRANTED HEREIN FOR THIS THEATER USE TO IMMEDIATELY CEASE AND TERMINATE, AND THEREBY CAUSE THIS DEVELOPER, OR ITS TENANTS, TO BE PROHIBITED FROM SHOWING ANY MOVIES WHATSOEVER AT TOWSON MARKETPLACE.

9) The Developer shall post the parking lot with "No Loitering" signs and shall strictly enforce this regulation. Furthermore, the Developer, through the use of his security force, shall dissuade and prevent, to the extent possible, individuals from gathering and congregating within the interior of the Towson Marketplace complex where said individuals are not patronizing the retail establishments located therein.

10) There shall be no Arcades, game rooms, virtual reality-type uses or other similar establishments located within the theater or entertainment area of the Towson Marketplace, without a public hearing being held to determine the appropriateness of same.

IT IS FURTHER ORDERED, that each and every restriction and condition imposed by this Order is essential to the relief granted herein. They all stand in conjunction with one another. No person shall be permitted to single out certain restrictions and appeal only that aspect of this decision. Any appeal filed hereinafter shall be an appeal of this entire decision and shall cause all issues to be re-litigated before the Board of Appeals.

Any appeal of this decision must be taken within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 22, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: MOTION FOR RECONSIDERATION - DEVELOPMENT PLAN HEARING AND PETITIONS FOR SPECIAL EXCEPTION & VARIANCE FOR TOWSON MARKETPLACE
Talisman-Towson Partnership, LLC - Owner/Developer
Case Nos. IX-386 and 96-95-XA

Dear Mr. Gontrum:

Enclosed please find a copy of the Amended Order in the above-captioned matter. The relief requested within the Motion for Reconsideration has been approved, in accordance with the Order attached hereto.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of February, 1996 that the Order issued November 9, 1995 be and the same is hereby AMENDED as follows:

1) Restriction No. 1 which relates to the level of security that the Developer is to provide at Towson Marketplace shall be eliminated in its entirety. It shall be within the discretion of the Developer and the Manager of the Towson Marketplace to provide the level of security that they feel is necessary to provide a safe shopping environment for their patrons.

2) Restriction No. 10 which addresses arcades, game-rooms, virtual reality type uses, or other similar establishments, shall be eliminated. The Developer shall be bound by the applicable provisions of the B.C.Z.R. as to whether arcades, game-rooms, virtual reality type uses, or other similar businesses, shall be permitted to be located within Towson Marketplace. This may involve a future public hearing should the Developer wish to locate an arcade on the subject site; however, as of this date, no arcade is proposed to be located within Towson Marketplace.

IT IS FURTHER ORDERED that the special exception previously granted to allow a six-screen movie theater operation with a 1500-seat capacity, shall cease, terminate and be rescinded thirty-five (35) days from the date of this Order. In the event that this decision is appealed, then the issue of whether movie theaters shall be permitted at Towson Marketplace shall be decided by the Board of Appeals. If no appeal is filed within thirty (30) days from the date of this Order, then the six-screen movie operation granted by my Order shall be rescinded on the thirty-fifth (35th) day and there shall be no movie theaters whatsoever at Towson Marketplace.

IT IS FURTHER ORDERED that all other conditions and restrictions of the Order issued November 9, 1995 shall remain in full force and effect.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

NOTE:
THE HEARING OFFICER'S ORDER WAS ISSUED NOV. 9, 1995 WITH THE ATTACHED CONDITIONS AND RESTRICTIONS SET FORTH. UPON RECEIPT OF THIS ORDER THE DEVELOPER REQUESTED TO ELIMINATE THEATRES AND HAVE RETAIL AS THE PROPOSED USE FOR THE TOTAL SITE REDEVELOPMENT. REVISED DEVELOPMENT PLANS DATED DEC. 18, 1995 WERE SUBMITTED TO THE HEARING OFFICER'S AMENDED ORDER DATED FEBRUARY 22, 1996.

DOUGLAS LEE KELLY
No. 10748
REGISTERED
PROFESSIONAL ENGINEER
STATE OF MARYLAND

Douglas Lee Kelly
PE # 10748

THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING OFFICER'S ORDER DATED NOV 9, 1995 AND AMENDED ORDER DATED FEBRUARY 22, 1996 AND ALL AGENCY COMMENTS. PADM FILE NO IX-386 AND ZONING 96-95-XA.

PRINT DATE
SEP 16 1996
KCW CONSULTANTS, INC.

TOWSON MARKETPLACE

TOWSON MARKETPLACE LIMITED PARTNERSHIP
DEED REFERENCE: 10959-472
TAX ACCOUNT NO. 09-05-840080

KCW Consultants, Inc.
CIVIL ENGINEERS AND LAND SURVEYORS
3104 TIMANUS LANE, SUITE 101
BALTIMORE, MARYLAND 21244
TELE: (410) 281-0033
FAX: (410) 298-0604

COMPUTED: LVB • DRAWN: LVB • CHECKED: DLK

HUMAN and ROHDE, Inc.
LANDSCAPE ARCHITECTS
110 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(410) 825-3885

Kane and Associates Inc.
207 East Redwood Street, Fourth Floor
Baltimore, MD 21202
410 234 0800
410 539 4921 Fax
Architecture
Planning
Preservation
Interior Design
Facilities Management

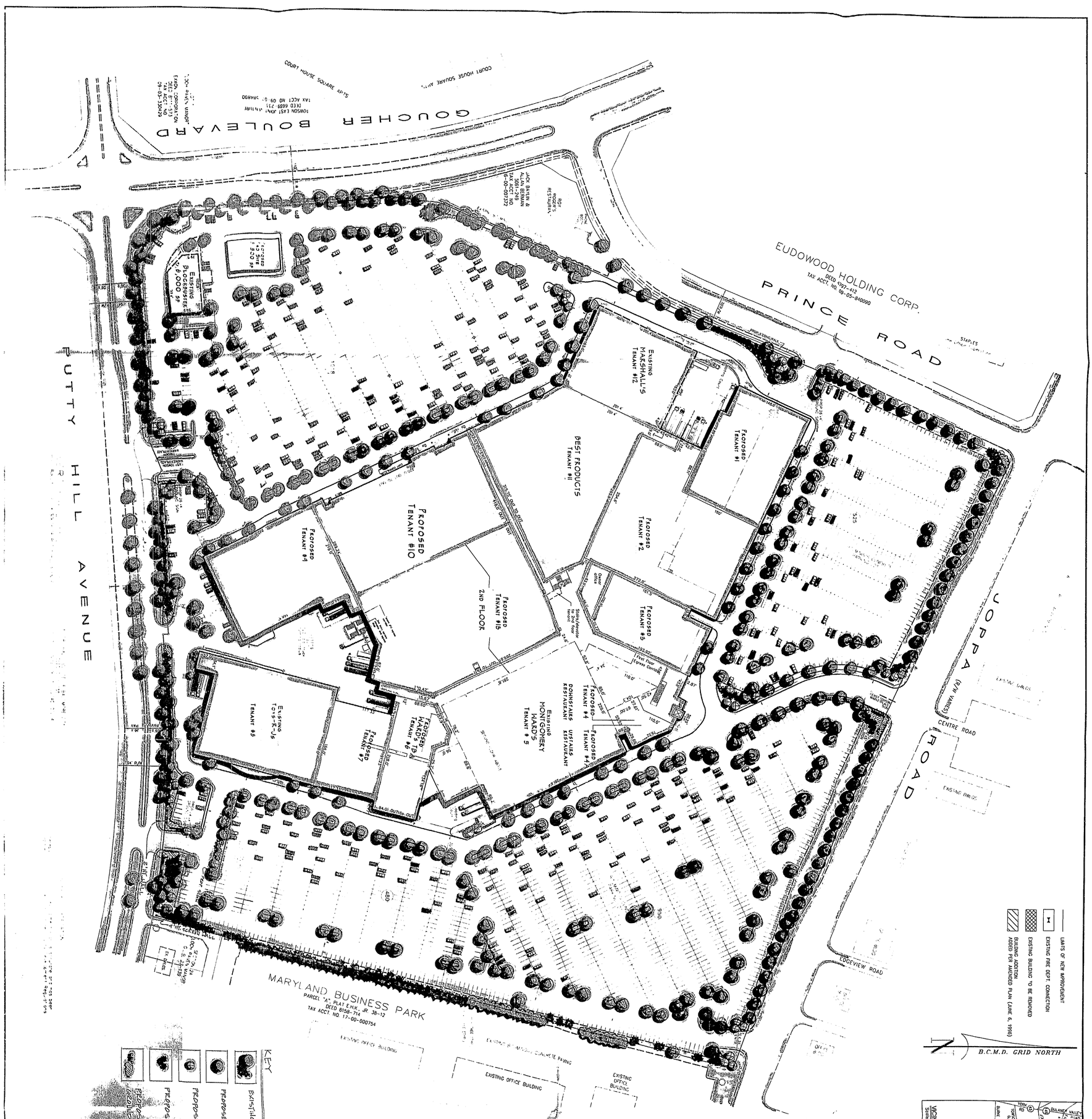
TALISMAN COMPANIES
COMMERCIAL DEVELOPMENT, LEASING & MANAGEMENT
1500 SAN REMO DRIVE, SUITE 185-A
CORAL GABLES, FLORIDA 33146
(305) 662-9559
(305) 662-9618 (Fax)

PROPOSED CONDITIONS
DEVELOPMENT PLAN
DWG. NO. D-1A

9TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

SCALE: 1"=60'

BALTIMORE COUNTY PADM FILE NO. IX-386


GOUCHER BOULEVARD
COURT HOUSE SQUARE APTS.
JOHNSON EAST JOHN A. NUNNER
DEED 6689-733
TAX ACCT NO 09-0-344980
JOHNSON, DAVID L. ET UX
DEED 5000-326
TAX ACCT NO 09-0-344970
J.C. BACON & ASSOCIATES
SUBDIVISION
SUBD. LOT 2
TAX ACCT. NO.
1-09-010172
80' RESTAURANT
EUDOWOOD HOLDING CORP.
DEED 1997-412
TAX ACCT. NO. 09-05-840090
PRINCE ROAD
STAPLES
PUTTY HILL AVENUE
EXISTING 6,000 SF
EXISTING MARSHALL'S TENANT #12
PROPOSED TENANT #1
BEST PRODUCTS TENANT #11
PROPOSED TENANT #2
PROPOSED TENANT #3
PROPOSED TENANT #4
PROPOSED TENANT #10
PROPOSED TENANT #9
PROPOSED TENANT #15 2ND FLOOR
PROPOSED TENANT #8
PROPOSED TENANT #7
EXISTING TOYS-R-US TENANT #13
EXISTING MONTGOMERY WARD'S TENANT # 5
DOWNSTAIRS RESTAURANT
UPSTAIRS RESTAURANT
Outlet office
Stairs/elevator tower
Roof Overhang
Roof Overhang
Roof Overhang

each store will accede to the wishes of the community as to what are appropriate times for deliveries to their stores. However, not knowing the particular delivery patterns of the many national retailers that will be locating at this center, I am reluctant, and therefore, will not impose restrictions on the times of deliveries of goods to and from these tenants.

In addition, I am also reluctant, and therefore, will not restrict the hours of operation of the particular tenants who propose to locate within this retail center. There may be some occasions, such as Christmas, where for example the Toys R Us might operate 24 hours a day the last few shopping days prior to Christmas. These 24-hour operations might help those of us who procrastinate in doing their Christmas shopping. Again, I do not believe it is the purpose of this Hearing Officer to restrict the manner in which these national retailers operate their businesses. These businesses are retail operations which, for the most part, will operate during usual and customary retail hours of operation. Therefore, I shall not impose any restrictions on the hours of operation of the Towson Marketplace tenants.

As to the issue of truck traffic on Putty Hill Avenue, testimony from Mr. Schlesinger was that he entirely supports the community in their request to have no truck traffic on Putty Hill Avenue east of the subject site; however, that issue is strictly under the jurisdiction of the Baltimore County Bureau of Traffic Engineering and the Developer has no authority to post Putty Hill Avenue accordingly. Furthermore, I do not have the authority to order that truck traffic be entirely restricted on Putty Hill Avenue. I do recommend that 18-wheel truck traffic be restricted on a 24-hour basis on Putty Hill Avenue east of Lasalle Road. That area is purely residential and I do not believe that tractor trailer traffic

ORDER RECEIVED FOR FILING
Date 10/8/96
By Kotroco

should travel that roadway. However, this is just a recommendation and I have no authority to order Traffic Engineering to post the road to prohibit tractor trailer traffic. Hopefully, the community will continue to work with Traffic Engineering on this issue and arrange to have the road posted with no tractor trailer traffic.

After considering all of the testimony and evidence offered by the Developer as well as the many citizens who attended the hearing, I find that the modifications to the previously approved development should be approved. I believe that the changes proposed by the Developer serve to improve the overall development of the Towson Marketplace property and take into consideration some of the concerns of surrounding residents. Testimony indicated that these modifications will also provide a better redevelopment of the subject property.

In addition to approval of the modified development plan, I am also persuaded to grant the special hearing and special exception relief. The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. and would be conducted without any detriment or adverse impact upon the surrounding communities. The facts and circumstances do not show that the proposed relocation of the Montgomery Wards automotive service center to the south side of the existing store, as set forth on Exhibit 1, would adversely affect the surrounding locale, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R. Furthermore, the proposed modifications to the site plan/development plan as set forth herein will not be detrimental to the public health, safety, and general welfare.

Pursuant to the zoning and development plan 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, the development plan shall be approved consistent with the comments contained herein and the Petitions for Special Hearing and Special Exception shall be granted, subject to the restrictions set forth below.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 9th day of October, 1996 that the development plan for Towson Marketplace, marked herein as Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve an amendment to the previously approved site plan in prior Case No. 96-95-XA, in accordance with Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the relocation of the existing service garage operation of Montgomery Ward, as approved in prior Case Nos. 79-125-X and 96-95-XA, in accordance with Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the letter agreement signed by James Schlesinger for the Towson-Talisman Partnership, LLC, dated September 30, 1996, shall be incorporated into this Order and enforceable as if part of my Order, and Mr. Schlesinger shall be required to perform all of the actions contained within that letter. Failure to comply with any of the terms and conditions of that agreement shall be a violation of this Order and shall be enforceable by the Zoning Enforcement Division of the Department of Permits and Development Management; and,

IT IS FURTHER ORDERED that the Statement to Hearing Officer prepared by the Towson Marketplace Design Committee, dated [illegible]

ORDER RECEIVED FOR FILING
Date 10/8/96
By Kotroco

porated into and made a part of this Order. Mr. Schlesinger shall be required to perform Items 3(a) through 3(f) as contained within that Statement. The Developer shall not be bound by Items 3(g) and 3(h); however, Items 3(a) through 3(f) shall be enforceable as if a part of my Order.

IT IS FURTHER ORDERED that all prior conditions and restrictions imposed by my previous decisions dated November 9, 1995 and February 22, 1996 which have not been modified by this Order, shall remain in full force and effect.

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

TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

TMK:bjs

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 8, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: DEVELOPMENT PLAN HEARING AND PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION - S/S Joppa Road, E of Goucher Boulevard
9th Election District - 4th Councilmanic District
Talisman-Towson Partnership, LLC - Owner/Developer
Case Nos. IX-386 and 97-89-SPHX

Dear Mr. Gontrum:

Enclosed please find a copy of the Order issued in the above-captioned matter. The development plan has been approved and the Petitions for Special Hearing and Special Exception granted, in accordance with the Order attached hereto.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. James Schlesinger, Talisman-Towson Partnership, LLC
1500 San Remo Avenue, Suite 185-A, Coral Gables, Fla. 33146

John V. Murphy, Esquire, 14 N. Rolling Road, Baltimore, Md. 21228

Mr. Douglas L. Kennedy, KCW Consultants, Inc.
3104 Timanus Lane, Baltimore, Md. 21244

Ms. Sally Malena, Human & Rohde, 110 E. Pennsyl. Ave., Towson, 21286

Mr. Michael Sarkin, 1308 Putty Hill Ave., Baltimore, Md. 21286
Mr. Wayne Skinner, 1813 Edgewood Road, Baltimore, Md. 21234
David Flowers, Proj. Mgr., PDM; People's Counsel; DEPRM; DPW; File

Petition for Special Hearing
97-89-SPHX
to the Zoning Commissioner of Baltimore County

for the property located at Towson Marketplace
which is presently zoned B.L. C.C.C. M.L. I.M. D.R. 10.5

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an amended site plan to that approved in case no. 96-95-XA.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:
John B. Gontrum
(Type or Print Name)

Signature

814 Eastern Blvd. (410) 686-8274
Address Phone No.

Baltimore, Maryland 21221
City State Zipcode

Legal Owner(s): Talisman-Towson Partnership, L.L.C.
By: James Schlesinger, President
(Type or Print Name)

Signature

(Type or Print Name)

Signature

1500 San Remo Ave. Suite 185A
Address Phone No.

Coral Gables, Florida 33146
City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing
the following dates Next Two Months
ALL OTHER
REVIEWED BY: DATE

ORDER RECEIVED FOR FILING
Date 10/8/96
By Kotroco

DROP OFF
NO REVIEW
8/19/96
WCR

Petition for Special Exception
97-89-SPHX
to the Zoning Commissioner of Baltimore County

for the property located at Towson Marketplace
which is presently zoned B.L. C.C.C. B.M. M.L. I.M. D.R. 10.5

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 Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a relocation of the existing service garage operation of Montgomery Ward approved in case no. 79-125-X and in 96-95-XA.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:
John B. Contrum
(Type or Print Name)

Signature

814 Eastern Blvd. (410) 686-8274
Address Phone No.

Baltimore, Maryland 21221
City State Zipcode

Legal Owner(s): Talisman-Towson Partnership, L.L.C.
By: James Schlesinger, President
(Type or Print Name)

Signature

(Type or Print Name)

Signature

1500 San Remo Avenue, Suite 185A
Address Phone No.

Coral Gables, Florida 33146
City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing
the following dates Next Two Months
ALL OTHER
REVIEWED BY: DATE

DROP OFF
NO REVIEW
8/19/96
WCR

84

KCW Consultants, Inc.

97-89-SPHX

August 23, 1996

ZONING DESCRIPTION
"TOWSON MARKETPLACE"
9th Election District, Baltimore County, Maryland

BEGINNING at a point on the north side of Putty Hill Avenue, 94 feet wide at the distance 130 feet east of the centerline of Putty Hill Avenue and Goucher Boulevard, 110 feet wide. Thence the following courses and distances:

1. North 49 degrees 19 minutes 10 seconds West 106.07 feet;
2. North 04 degrees 19 minutes 10 seconds West 279.68 feet;
3. curve to the left having a radius of 1965.00 feet, an arc length of 132.50 feet and a chord bearing North 06 degrees 15 minutes 04 seconds West 132.47 feet;
4. North 07 degrees 22 minutes 07 seconds East 95.98 feet;
5. North 23 degrees 38 minutes 33 seconds East 497.69 feet;
6. North 23 degrees 38 minutes 33 seconds East 655.64 feet;
7. North 68 degrees 36 minutes 24 seconds East 33.18 feet;
8. South 61 degrees 56 minutes 08 seconds East 148.69 feet;
9. South 50 degrees 11 minutes 08 seconds East 36.53 feet;
10. South 64 degrees 56 minutes 08 seconds East 338.58 feet;
11. North 25 degrees 03 minutes 52 seconds East 9.00 feet;
12. South 64 degrees 56 minutes 08 seconds East 301.19 feet;
13. curve to the left having a radius of 4062.49 feet, an arc length of 19.99 feet and a chord bearing South 65 degrees 04 minutes 36 seconds East 19.99 feet;
14. South 51 degrees 11 minutes 51 seconds East 37.79 feet;
15. curve to the left having a radius of 4071.49 feet, an arc length of 344.34 feet and a chord bearing South 68 degrees 09 minutes 27 seconds East 344.24 feet;
16. South 13 degrees 56 minutes 50 seconds West 1132.47 feet;
17. curve to the left having a radius of 1637.00 feet, an arc length of 434.40 feet and a chord bearing North 86 degrees 43 minutes 02 seconds West 433.13 feet;
18. South 85 degrees 40 minutes 50 seconds West 93.96 feet;
19. South 04 degrees 19 minutes 10 seconds East 10.00 feet;
20. South 85 degrees 40 minutes 50 seconds West 294.00 feet;
21. North 56 degrees 28 minutes 50 seconds West 14.00 feet;
22. South 66 degrees 59 minutes 50 seconds West 58.00 feet;
23. South 85 degrees 40 minutes 50 seconds West 346.35 feet to the place of beginning as recorded in deed Liber S.M. 10547, Folio 579.

CONTAINING 43.120 acres of land, more or less. Also known as "Towson Marketplace" and located in the 9th Election District.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

97-89-SPHX

District 8TH — Date of Posting 8/29/96

Posted for: DEVELOPMENT PLAN HEARING — 17-84

Petitioner: TALISMAN-TOWSON PARTNERSHIP, LLC

Location of property: TOWSON MARKET PLACE
JOPPA RD @ GOUCHER BLVD. AND PUTTY HILL RD

Location of Sign: JOPPA RD. ENTRANCE AND
PUTTY HILL ENTRANCE

Remarks:

Posted by: KCW CONSULTANTS, INC — Date of return: SEPT. 30, 1996 (MON)
Signature

Number of Signs: 2

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

No. 023374

NOT PREVISIONS - NO REVIEW
TTPH #84

DATE 9/25/96 ACCOUNT 001-6150

AMOUNT $100.00 (WPR/LIS)

RECEIVED FROM: KCW Consultants, Inc.

FOR: FILING FEE(S)
Town Market Place

$100.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept 6, 1996

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 Sept 5, 1996.

THE JEFFERSONIAN,

A. Hennikson

LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-89-SPHX
(Item 84)
Towson Marketplace
NEC Putty Hill Avenue and Goucher Boulevard, also SEC Joppa and Prince Roads
9th Election District
4th Councilmanic

Special Hearing
Special Exception

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 30, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

DEVELOPMENT PLAN HEARING
PROJECT NAME: TOWSON MARKETPLACE
PROJECT NUMBER: IX-385
LOCATION: S/S Joppa Road, E of Goucher Boulevard
ACRES: 43.12
DEVELOPER: Talisman-Towson Partnership, LLC
PROPOSAL: Commercial - 562,763 sq. ft.

and

CASE NUMBER: 97-89-SPHX (Item 84)
Towson Marketplace
NEC Putty Hill Avenue and Goucher Boulevard, also SEC Joppa and Prince Roads
9th Election District - 4th Councilmanic
Legal Owner(s): Talisman-Towson Partnership, L.L.C.

Special Hearing to approve an amended site plan to that approve in case number 96-95-XA.
Special Exception for a relocation of the existing service garage operation of Montgomery Ward approved in case number 79-125-X and 96-95-XA.

HEARING: FRIDAY, SEPTEMBER 27, 1996 at 2:00 p.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Talisman-Towson Partnership, LLC
John B. Gontrum, Esq.

NOTES: (1) THIS SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink on Recycled Paper

The JEFFERSONIAN PUBLISHING COMPANY
September 5, 1996 Issue - Jeffersonian

Please forward billing to:

John B. Gontrum, Esq.
814 Eastern Boulevard
Baltimore, Maryland 21221
887-3391

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-89-SPHX (Item 84)
Towson Marketplace
NEC Putty Hill Avenue and Goucher Boulevard, also SEC Joppa and Prince Roads
9th Election District - 4th Councilmanic
Legal Owner(s): Talisman-Towson Partnership, L.L.C.

Special Hearing to approve an amended site plan to that approve in case number 96-95-XA.
Special Exception for a relocation of the existing service garage operation of Montgomery Ward approved in case number 79-125-X and 96-95-XA.

HEARING: FRIDAY, SEPTEMBER 27, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 20, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Item No.: 84
Case No.: 97-89-SPHX
Petitioner: James Schlesinger

Dear Mr. Gontrum:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 19, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: September 13, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for September 9, 1996
Item No. 084

The Development Plans Review Division has reviewed the subject zoning item. Subject to previously approved Schematic Landscape Plan. Please see development plan comments.

RWB:HJO:jrb

cc: File

ZONE25B

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 09/05/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: TALISMAN - TOWSON PARTNERSHIP, L.L.C.

Location: NEC PUTTY HILL AVE. AND GOUCHER BLVD., ALSO SEC JOPPA AND PRINCE RDS. (TOWSON MARKETPLACE)

Item No.: 084 Zoning Agenda: SPECIAL HEARING

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.

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

5. The buildings and structures existing or proposed on the site [illegible] with all applicable requirements of the National Fire [illegible] Association Standard No. 101 "Life Safety Code", 1991 [illegible] to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM — DATE: Sep 6, 96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Sept 3/9/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 81, 82, 83, (84), 87, 88, 90, 454, 475

RBS:sf

BRUCE2/DEPRM/TXTSBP

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

8-30-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 084 (WCR)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR VARIANCE
NEC Putty Hill Avenue and Goucher Blvd., * ZONING COMMISSIONER
also SEC Joppa and Prince Roads
(Towson Marketplace), 9th Election Dist., * OF BALTIMORE COUNTY
4th Councilmanic
* CASE NO. 97-89-SPHX
Talisman-Towson Partnership, L.L.C.
Petitioners *

* * * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of September, 1996, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 6, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Drop-Off Petition Review (Item #84)
Towson Marketplace
9th Election District

Dear Mr. Gontrum:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the $100.00 revision fee.

1. Need telephone number on petition forms for legal owner.
2. Add dimension, setbacks, and use of the "5,500 square foot pad site".
3. Label tenant locations and use, i.e., retail, restaurant, service garage, etc. (specifically note if Martins is to remain a tenant).
4. Enlarge the "Parking Detail (typicals) and Amenity Open Space (AOS)" at the top of sheet #D-1B.

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John B. Gontrum, Esquire
September 6, 1996
Page 2

5. Add note that parking spaces comply with Section 409.8.A.4. of the Baltimore County Zoning Regulations (BCZR); 8 feet if existed prior to 5/26/88.
6. Add new zoning hearing information (case number, date of approval, what was granted or denied, plus any restrictions to the site plan).
7. Development Conference Plan must be identical to the submitted forthcoming special exception, special hearing plans (i.e., some building square footages differ).

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:scj

Enclosure (receipt)

c: Zoning Commissioner

KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane Suite 101
BALTIMORE, MARYLAND 21244

(410) 281-0030 281-0033

LETTER OF TRANSMITTAL

DATE 9-30-96 JOB NO. 94150
ATTENTION
RE: "TOWSON MARKETPLACE"

#84
DROP-OFF
NO REVIEW

TO BALTO. Co. ZONING OFFICE

WE ARE SENDING YOU ☑ Attached ☐ Under separate cover via _____ following items:
☐ Shop drawings ☑ Prints ☐ Plans ☐ _____ ☐ _____
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
6	9-18-96	D-1B	PLAT TO ACCOMPANY PETITIONS FOR SPECIAL (ZONING) HEARING & SPECIAL EXCEPTION

9/25/96

THESE ARE TRANSMITTED as checked below:
☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☑ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☑ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ _____ 9/25
☐ FOR BIDS DUE _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS

Soph: Petition, Towson Market Place, Plans OK. JJS

COPY TO 94150 SIGNED: LVB

If enclosures are not as noted, kindly notify us at once.

KCW CONSULTANTS, INC.
Civil Engineers and Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore, Maryland 21244
Tele: (410) 281-0030 Fax: (410) 298-0604

LETTER OF TRANSMITTAL

TO: BALTO. COUNTY
ZONING OFFICE
ROOM 111
ATTN: GWYNN

DATE: 8/29/96
J.O.#: 94150
RE: TOWSON MARKET PLACE
(CERT. OF POSTING)

WE ARE SENDING YOU ☑ Attached ☐ Under separate cover via _____ the following
☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
1	8/29/96	1	CERT. OF POSTING

THESE ARE TRANSMITTED as checked below:
☐ For approval ☐ Approved as submitted ☐ Resubmit_____copies for approval
☐ For your use ☐ Approved as noted ☐ Submit_____copies for distribution
☑ As requested ☐ Returned for corrections ☐ Return_____corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE_____19_____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS

COPY TO _____ SIGNED: Charles A. Crommer Jr.

96-0135

KCW Consultants, Inc.

Item 84
Revised plans
To: JJS
PSAP - Review
+ Ret. to Soph

September 16, 1996

Baltimore County P A D M
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention: John J. Sullivan, Jr.

Reference: Towson Marketplace
9th Election District
Drop-off Petition Review (Item #84)

Dear Mr. Sullivan:

In response to your review comments for the above referenced petition as noted in your letter dated September 6, 1996 to John B. Gontrum, Esq., and your Development Plan review comments received at the Development Plan Conference on September 11, 1996, we are submitting herewith six (6) revised prints of the "Amended Proposed Conditions Development Plan and Plats to Accompany Petitions for Special Hearing and Special Exception", Drawing No. D-1B, dated May 14, 1996 with revision date September 16, 1996. The revisions to this plan are in response to your Zoning Office comments as outlined below.

1. The telephone number for the legal owner is (305)662-9559 at their Coral Gables, FLA office, and (410)337-0505 at the Towson Marketplace Management Office.
2. The dimensions, setbacks and use of the 5,500 s.f. Pad Site are now noted on the revised plans. The exact use of this proposed pad site is unknown at this time, and therefore has been noted as "Retail, Restaurant, Bank or other permitted B.L. zone use."
3. Within each tenant space is a note as to Tenant #, gross leasable area, and identification of existing tenants to remain. Proposed tenant spaces do not reflect a specific user. A specific note has been placed on the plan stating that Martin's will not be a tenant after redevelopment and that all proposed uses shall be retail, restaurant, bank or other permitted B.L. zone use.
4. The typical detail for parking and amenity open space has been enlarged for clarity.

CHECK FOR #100.-

Baltimore County P A D M
September 16, 1996
Page 2

5. A note has been added to the plan stating "All parking spaces comply with BCZR Section 409.8.A.4."
6. The information for zoning hearing per case #96-95-XA has been noted on these plans under note number 29 and the Order has been placed on Drawing No. D-1A.
7. The "Amended Proposed Conditions Development Plan" for the Hearing Officer's Hearing and the "Plats to Accompany Petitions for Special Hearing and Special Exception" are now identical.

Please contact me at 281-0033 if you have any additional questions concerning this Development Plan or Zoning Special Hearing plan.

Very truly yours,
KCW Consultants, Inc.

Douglas L. Kennedy

Douglas L. Kennedy, P.E.

cc: John Gontrum
J.O. 94150

TALISMAN COMPANIES, L.L.C.

September 26, 1996

RE: *Proposed Redevelopment Plan of Towson Marketplace*

To Whom It May Concern

This letter shall serve to confirm that Talisman Towson, L.P. and Talisman Towson, L.L.C., the owners and developers of Towson Marketplace, agree to take the following actions in regard to the proposed redevelopment plan of Towson Marketplace.

- We will resurface the Joppa Rd. screening wall in a manner acceptable to the Towson Estates Community Association and the Towson Marketplace Liaison Committee.
- We will support in writing any and all attempts by any of the community organizations surrounding Towson Marketplace to have Baltimore County prohibit all truck traffic over ¼ ton on Putty Hill Ave. east of the Towson Marketplace site.
- We will designate and post the existing exit to Putty Hill Ave. adjacent to the Post Office and immediately opposite the proposed loading court as a "Truck Exit Only" and "Right Turn Only".
- We will spend up to the sum of Ten Thousand Dollars ($10,000.00) on noise abatement construction techniques and materials on the exterior surfaces which will form the perimeter of the proposed loading court on the Putty Hill Ave. side of the property.
- We will construct and appropriately landscape a red brick screening wall at least 5' in height along the entire length of the alley bordering Loch Raven Village. A photograph of a prototype for this wall will be provided by the Associates of Loch Raven Village, Inc. The wall should be terminated at the north edge of the alley behind the residences in the 1300 block of Putty Hill Ave. in such a way as to prohibit pedestrian traffic from Towson Marketplace into the alley.
- We will construct a decorative brick wall along the entire frontage of Putty Hill Ave. to a height sufficient to preclude pedestrian traffic in order to preserve the landscape of the surrounding area. Mix of landscaping + small wall at entranceways
- we will construct a 10'-screening wall at entrance to loading dock.

Respectfully yours,

TALISMAN TOWSON, L.P.
TALISMAN TOWSON, L.L.C.

By: _____
James A. Schlesinger, Pres.

PROTESTANT'S EXHIBIT

PROTESTANT'S EXHIBIT

TOWSON MARKETPLACE LIAISON COMMITTEE
STATEMENT TO HEARING OFFICER
TOWSON MARKETPLACE DEVELOPMENT PLAN IX-386
SPECIAL HEARING AND EXCEPTION 97-89
FRIDAY, SEPTEMBER 27, 1996, 2:00 P.M.
ROOM 106, COUNTY OFFICE BUILDING
TOWSON, MARYLAND

The Towson Marketplace Liaison Committee (TMLC) is composed of duly appointed representatives from the following community associations:

Campus Hills Community Association
Cromwell Valley Community Association
Fellowship Forest Community Association
Knettishall Community Association
The Associates of Loch Raven Village, Inc.
Towson Estates Association, Inc.

TMLC was created in 1989 as a result of a Declaration and Agreement entered into between the six community associations and Bramalea, Ltd., the former owners of the Towson Marketplace property. The covenants so entered into run with the land and, therefore, Talisman Properties, the current owner of the property, is burdened by them.

TMLC and Mr. James Schlesinger, the developer, have been meeting for over two years to review and discuss the redevelopment effort. We recently met with Mr. Schlesinger to review the development plans under consideration today, i.e. Amended Proposed Conditions and Development Plan DWG No. D-1B. TMLC has the following comments:

1) TMLC believes that the redevelopment of Towson Marketplace is crucial to the stabilization of the surrounding communities.

2) The Committee believes the redevelopment efforts must be compatible with the residential character of the area. We also believe that the current development plan showing a retail center are generally compatible with the surrounding residential communities.

3) TMLC has discussed several points of concern with Mr. Schlesinger. Today, we ask the County to consider the following concerns and suggestions, which we believe should be integrated into the development plan and incorporated into the Hearing Officer's Order:

a) Tru
on
pro

PROTESTANT'S EXHIBIT

Mr. Schlesinger is in agreement with and supports this request as evidenced by his letter to Mr. Stephen Weber dated September 20, 1996 and his letter to concerned parties dated September 26, 1996.

b) We request that a median cut be made on Putty Hill Avenue opposite the proposed truck loading dock/roundabout and that there be signs posted restricting traffic at that entrance to truck deliveries. This will increase safety to pedestrians by permitting trucks to directly enter the loading dock area rather than having to drive through parking lot areas where customers will be entering and exiting stores.

Passenger cars should be prohibited from using this proposed "truck only" entrance for further reasons of safety.

Moreover, appropriate traffic signs should be posted prohibiting trucks from turning left onto Putty Hill Avenue after exiting the loading dock area.

Mr. Schlesinger further agrees with and supports this request as evidenced by his letters dated September 20, 1996 and September 26, 1996.

c) We request construction of an 8' screening wall of appropriate and compatible building materials in front of the Toys R Us loading dock. The Associates of Loch Raven Village, Inc. should have approval rights for the building materials used. Appropriate landscaping should also be provided for the area in front of the screening wall and between the proposed "truck only" entrance on Putty Hill Avenue and the easternmost entrance to the center located on Putty Hill Avenue.

d) TMLC asks that a red brick screening wall be erected along the easternmost Marketplace property line which borders the alley adjacent to Loch Raven Village. This wall should be erected of a height and design acceptable to The Associates of Loch Raven Village, Inc.

Mr. Schlesinger has agreed in his letter dated September 26, 1996 to construct, and appropriately

e) TMLC requests that northbound passenger traffic on Goucher Boulevard be allowed ingress and egress to and from the Marketplace property via a curb cut on Goucher Boulevard.

Mr. Schlesinger concurs with this request per his letter dated September 20, 1996.

f) We request that the existing Joppa Road screening wall be resurfaced with materials compatible with the stone residences in the Towson Estates community. The materials used should be acceptable to and approved by the Towson Estates community association.

Mr. Schlesinger has agreed to resurface the Joppa Road screening wall in a manner acceptable to the Towson Estates community association and TMLC per his letter dated September 26, 1996.

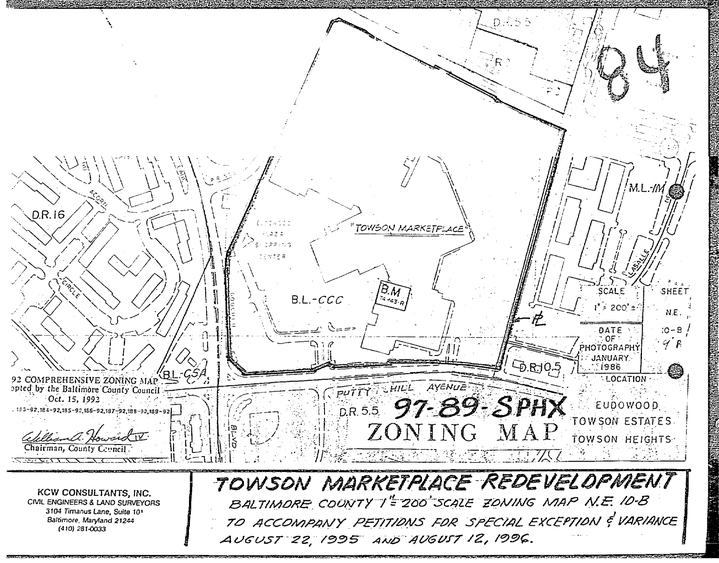
not agreed to by Schlesinger

g) We further ask that the hours of operation of the center be restricted from 6:00 a.m. to 12 midnight inasmuch as the operation of the center should be congruous with the residential character of the area.

h) Finally, we respectfully request that the following otherwise permissible uses under the BL-CCC zoning, either as of right or by way of special exception, be prohibited uses on the property and/or retail center:

1) Animal boarding
2) Arcade
3) Billiard and pool room or hall
4) Car wash
5) Community building
6) Drive-in restaurant
7) Funeral establishment
8) Helicopter port
9) Medical clinic
10) Pawn shop
11) Tavern
12) Theatre and/or movie theatre
13) Wireless transmitting or receiving station
14) Any other use otherwise permitted in a BL-CCC zone which are not compatible with the residential character of the areas surrounding the Towson Marketplace property.

Mr. Schlesinger representing Talisman Properties has



TOWSON MARKETPLACE REDEVELOPMENT
PROPOSED CONDITIONS DEVELOPMENT PLAN
Drawing No. D-1

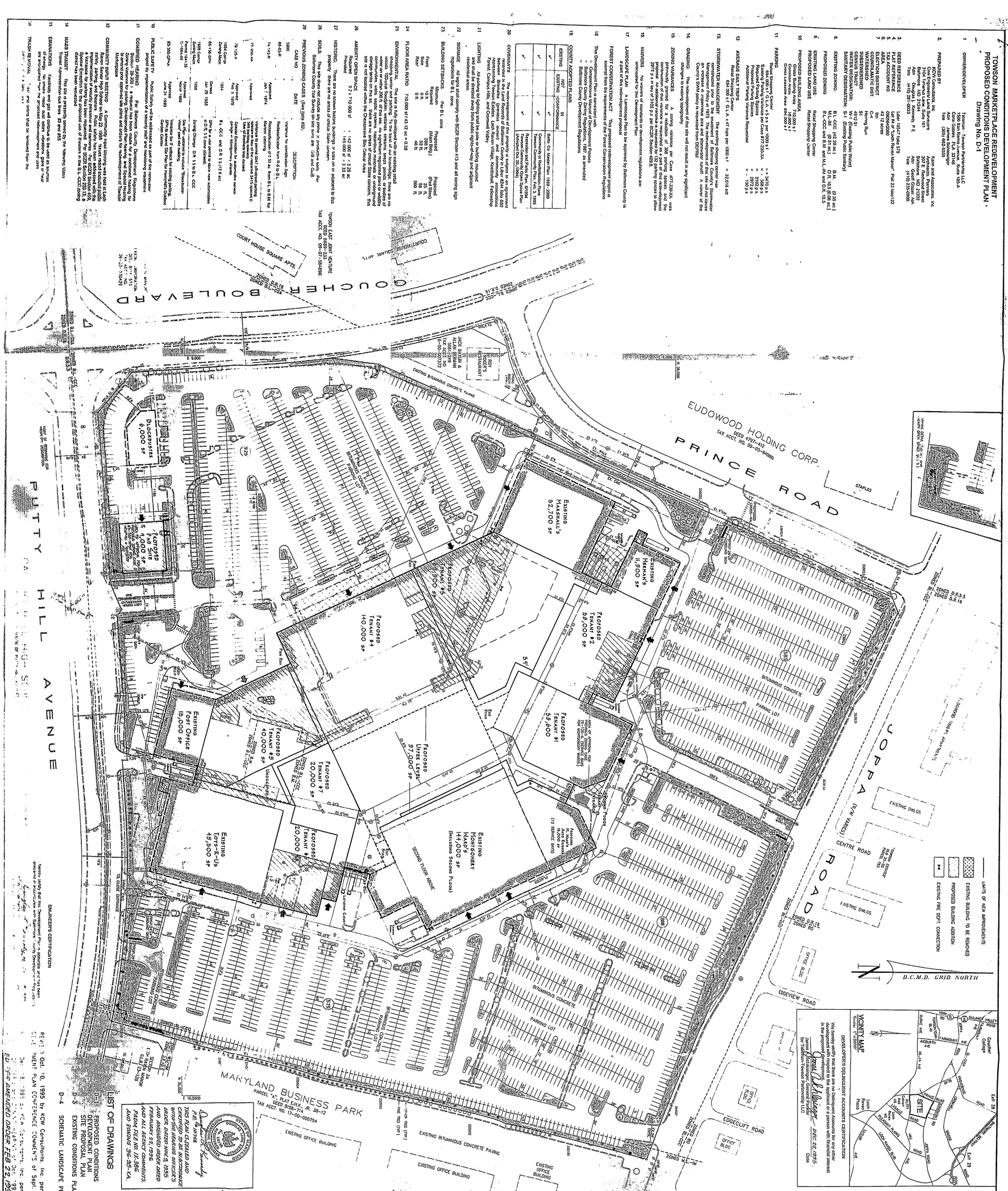
1. OWNER/DEVELOPER — Talisman - Towson Partnership LLC, 1500 San Remo Avenue, Suite 185-A, Coral Gables, FL 33146, Attn: James Scriasciani, Tele (305) 662-9559
2. PREPARED BY — KCW Consultants, Inc, Civil Engineers and Land Surveyors, 3104 Timanus Lane, Suite 101, Baltimore, MD 21244, Attn: Kenneth W. Crawford, P.E., Tele (410) 281-0023
3. DEED REFERENCE — Liber 11547 folio 579
4. PLAT REFERENCE — Lot #4 of "Loch Raven Manor", Plat 23 folio 122
5. TAX ACCOUNT NO — 4312 420090
6. AREA — 43.12 acres
7. ELECTION DISTRICT — 9th
8. EXISTING LAND USE — Retail Shopping Center
   PROPOSED LAND USE — Retail Shopping Center
9. EXISTING BUILDING AREA — 710,000 s.f. Gross Leasable Area
   PROPOSED BUILDING AREA — 1,000 s.f. Common Area, 710,000 s.f. Gross Leasable Area
10. WATERSHED — Herring Run
    SUBDISTRICT — 2
    ELECTION DISTRICT — 9th
    SUBSERVIENCED — Yes
    CLASSIFICATION — W-1 (Existing Public Water)
    WATER DESIGNATION — W-1 (Existing Public Water)
    SANITARY DESIGNATION — S-1 (Existing Public Sanitary)
11. EXISTING ZONING — B.L.-CCC (42.39 ac.), B.M.-M.L.-IM (0.51 ac.), B.L.-CCC and B.M. and M.L.-IM and D.R. 10.5 (0.26 ac.), D.R. 10.5 (0.06 ac.)
    PROPOSED ZONING — B.L.-CCC and B.M. and M.L.-IM and D.R. 10.5
12. AVERAGE DAILY TRIPS — Retail Shopping Center — 694 005 s.f. G.L.A. x 47 trips per 1000 s.f. = 32,618 adt
13. STORMWATER MANAGEMENT — The existing shopping center was constructed prior to 1972. The Department of Baltimore County's Stormwater Management Policy in 1972 required that stormwater management be provided for an increase in impervious area and stormwater runoff. A waiver of the County's SWM policy is requested from DERM.
14. GRADING — The redevelopment of this site will not result in any significant changes to existing topography.
15. ZONING VARIANCES — A zoning variance per Case #77-230-XA, was granted to allow 710,000 s.f. of retail space. The proposed redevelopment in conjunction with this variance is requested as a part of this redevelopment. 2975 p.s. + Hwy. of 3162 p.s. per 5/1/221 Section 409.8.
16. WAIVERS — No waivers of Landscape Manual requirements are anticipated for this Development Plan.
17. LANDSCAPE PLAN — A Landscape Plan to be approved by Baltimore County is a part of this redevelopment proposal.
    FOREST CONSERVATION ACT — This proposed redevelopment project is exempt from the requirements of the Forest Conservation Regulations.
18. This Development Plan is consistent with:
    - Comprehensive Manual of Development Policies
    - Baltimore County Development Regulations, 1987, as amended
19. COUNTY ADOPTED PLANS

	EXISTING	CONFORMANCE
Balto. Co. Master Plan 1989 - 2000	✓	✓
Community or Revitalization Plans		
Towson Community Plan, Feb. 3, 1995		✓
Recreation and Parks Plan, 6/1994		
Open Space Master Plan (Adopted Oct. 20, 1993)		
Landscape Manual	✓	✓
Forest Conservation Regulations	✓	✓
Water and Sewer Master Plan	✓	✓

20. COVENANTS — The redevelopment of this property is subject to an agreement recorded in the Land Records of Baltimore County in Liber 6244 folio 600 representing Towson Estates, Loch Raven Village, Woodmoor, Fellowship Forest, Campus Hills, and Cromwell Valley associations.
21. LIGHTING — All parking lot lighting shall be pole or building mounted and shall be directed away from public rights-of-way and adjacent residential areas.
22. SIGNAGE — Applications for all signs will comply with BCZR Section 413 and all zoning regulations for a B.L. zone.
23. BUILDING SETBACKS — Minimum Per B.L. zone; Proposed (Main Bldg.): Front 10 ft., Side 25 ft., Rear 40 ft.; Proposed (Pad Sites): 25 ft., 25 ft., 300 ft.
24. FLOOR AREA RATIO — 710,000 s.f./43.12 ac. = 0.38
25. ENVIRONMENTAL — The site is fully developed with an existing retail shopping center and parking. To the best of our knowledge, there are no wetlands on the site, 100 year flood plain, streams, seeps, ponds, or bodies of water on the site. There are no rare, threatened or endangered species of plants or animals, wetlands, forests, wildlife habitats, historic sites, communities, wells, septic systems, hazardous materials or underground storage tanks on the site. There are no areas of critical State concern. This site is not located within the Chesapeake Bay Critical Area.
26. AMENITY OPEN SPACE — Required: 0.7 x 710,000 s.f. = 143,000 s.f. = 3.28 ac.; Provided: = 143,000 s.f. = 3.33 ac.
27. HISTORIC — There are no known historic buildings or sites on or adjacent to this property. There are no areas of critical State concern.
28. SOILS — This site does not include any prime or productive soils. Per Baltimore County Soil Survey on site soils are GaB and GuB.
29. PREVIOUS ZONING CASES (Sheet Index #2):

CASE NO.	DATE	DESCRIPTION
5900		Variance for identification Sign
65-53-A	Approved	Reclassification from R-6 to B.L.
74-143-A	Jan. 1974	Reclassification of 53 sq. ft. from B.L. to B.M. for Marina catering
77-232-XA	Approved	Variance to permit 5047 off-street parking spaces in lieu of the required 5415 spaces (368 parking spaces required 3415 spaces existing)
79-125-A	Approved Feb 5, 1979	Variance to permit a free standing sign
1984-Corrective Zoning Maps	1984	B.L.-CCC and D.R. 5.5 (13.5 ac)
85-136-SPH	Approved Jan. 29, 1985	SPH for a use permit to store new automobiles
1988-Corrective Zoning Maps	1988	D.R. 5.5 to B.L.-CCC; Zoning Change: D.R. 5.5 to B.L.-CCC
Permit 104135	Approved March 1993	Sign Permit - proposed to include "Bookstar"
93-366-SPHA	Approved June 24, 1993	SPH to amend Site Plan for existing parking, Variance to permit a free standing sign to be located within the Baltimore County Garden Center

30. PUBLIC SAFETY — Public Safety will be addressed as part of the redevelopment project by implementation of a security staff and monitoring equipment.
31. COMBINED HEARING — Per Baltimore County Development Regulations Section IV.A.2.a., a combined hearing for the Development Plan and Zoning Variances is requested in order to avoid duplication of testimony and to expedite per approved site plans and orders for redevelopment of Towson Marketplace.
32. COMMUNITY INPUT MEETING — A Community Input Meeting was held at Loch Raven Village Elementary School on Thursday, September 14, 1995 at 7:00 p.m. to discuss traffic, parking, and circulation. Public notice has been advertised and posted. A Variance for number of security personnel and cameras. Per BCZR Section 409, Special Exception for the proposed use of a theatre in the B.L.-CCC zoning district has been requested.
33. MASS TRANSIT — This site is presently served by the following bus: Transit Administration bus lines #8 and #53
34. EMANATIONS — Excretion and gas will continue to be used as sources are presently known. Dust, dust odors, vibrations, glare or heat are not expected from the proposed redevelopment and uses.
35. TRASH REMOVAL — Trash and debris shall be removed from the [illegible]


COURT HOUSE SQUARE APTS.
COURT HOUSE SQUARE APTS.
GOUCHER BOULEVARD
ZONED B.L.-CCC
ZONED D.R.16
JACK BYRON & ALLAN BERMAN
DEED 5179/370
TAX ACCT. NO. 09-00-000372
RUBY TUESDAY RESTAURANT
EXISTING BITUMINOUS CONCRETE PAVING
EUDOWOOD HOLDING CORP.
DEED 4797-412
TAX ACCT. NO. 09-05-840080
PRINCE ROAD
STAPLES
ZONED D.R.5.5
ZONED D.R.16
EXISTING DWLGS
EXISTING BUILDING TO BE REMOVED
PROPOSED BUILDING ADDITION
EXISTING FIRE DEPT. CONNECTION
LIMITS OF NEW IMPROVEMENTS
B.C.M.D. GRID NORTH
COPPA ROAD (S/W VARIES)
CENTRE ROAD
EDGEVIEW ROAD
EDGECLIFF ROAD
OFFICE BLDG.
EXISTING DWLGS
EXISTING OFFICE BUILDING
EXISTING BITUMINOUS CONCRETE PAVING
EXISTING OFFICE BUILDING
EXISTING OFFICE BUILDING
MARYLAND BUSINESS PARK
PARCEL "A" AT E.H.K.
DEED 8135-774
TAX ACCT. NO. 17-00-000754
ZONED M.L.-IM
ZONED B.L.-CCC
ZONED D.R.16
ZONED D.R.5.5
ZONED B.L.-CCC

TOWSON MARKETPLACE

KCW Consultants, Inc.
CIVIL ENGINEERS AND LAND SURVEYORS
310A TIMMONS LANE, SUITE 101
BALTIMORE, MARYLAND 21244
TELE: (410) 281-0023
FAX: (410) 298-0604

HUMAN AND ROHDE, INC.
LANDSCAPE ARCHITECTS
110 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(410) 825-3885

9TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

SCALE: 1"=60'

DATE: MAY 14, 1996

BALTIMORE COUNTY PADM FILE NO. IX-386

PLATS TO ACCOMPANY PETITIONS and SPECIAL HEARING and SPECIAL EXCEPTION for

SPECIAL HEARING TO APPROVE AN AMENDED SITE PLAN TO THAT APPROVED IN CASE NO. 96-95-XA.
SPECIAL EXCEPTION FOR RELOCATION OF THE EXISTING SERVICE GARAGE OPERATION OF MONTGOMERY WARD APPROVED IN CASE NO. 79-126-X AND 86-85-XA.

TALISMAN COMPANIES
COMMERCIAL DEVELOPMENT, LEASING & MANAGEMENT
1500 SAN REMO DRIVE, SUITE 180-A (305) 862-8029
CORAL GABLES, FLORIDA 33146 (305) 862-8818 (Fax)

KA
Kann and Associates, Inc.
Architects, Planners
237 E. Redwood Street
Baltimore, MD 21202
Attn: Geoff Glazer, AIA
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Kann and Associates Inc. 237 East Redwood Street Baltimore MD 21202 Attn Geoff Glazer AIA Tele (410) 234-0900
Planning Programming Architecture Interiors
Graphics Signage

AMENDED 8th PROPOSED CONDITIONS DEVELOPMENT PLAN
DWG. NO. D-1B

CAMPUS LAD • DRAWN LAD • CHECKED DLK

REVISED Oct. 10, 1995 by KCW Consultants, Inc. per DEVELOPMENT PLAN CONFERENCE COMMENTS of Sept. 27, 1995.
REVISED Dec. 18, 1995 by KCW Consultants, Inc. per [illegible] HEARING of Oct. 1995
REVISED [illegible] per [illegible]

Douglas D. Kennedy DEC 18, 1995

PRINT DATE
JUNE 6, 1996
KCW CONSULTANTS, INC.

Douglas D. Kennedy
LANDSCAPE ARCHITECT
No. 1201
STATE OF MARYLAND
THIS DEVELOPMENT PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE LANDSCAPE PLAN DATED NOVEMBER 4, 1996 AND REVISED AND APPROVED FEBRUARY 22, 1996 AND ALSO DATED FEBRUARY 22, 1996 AND APPROVED UNDER PADM FILE NO. IX-386 and ZONING #95-95-XA

LIST OF DRAWINGS
PROPOSED CONDITIONS DEVELOPMENT PLAN

D-1 and D-1A — SITE PROPOSAL PLAN (AS AMENDED PER CONDITIONS DEVELOPMENT PLAN (DATED NOV. 5, 1995 AND AMENDED DATED MAY 14, 1996)
D-2 — SUPERSEDED PROPOSED CONDITIONS DEVELOPMENT PLAN (DATED JUNE 6, 1996 PER CHANGES TO LAYOUT OF TENANT SPACES AND PARKING)
D-3 — EXISTING CONDITIONS
D-4 — SCHEMATIC LANDSCAPE PLAN (PER HEARING OFFICER'S ORDER DATED FEB. 22, 1996)
D-4A — SCHEMATIC LANDSCAPE PLAN (DATED JUNE 6, 1996 PER CHANGES TO LAYOUT OF TENANT SPACES AND PARKING)

DEVELOPER'S DELINQUENT ACCOUNTS CERTIFICATION
We hereby certify that there are no Delinquent Accounts for any other development with respect to the property which is the subject of this petition in this proposed development.
James D. Schlesinger, General Partner for Millenium Towson Partnership LLC
Dec. 22, 1995 Date

VICINITY MAP
SCALE: 1"=2000'

TOWSON MARKETPLACE LIMITED PARTNERSHIP
DEED REFERENCE: 10955/172
TAX ACCOUNT NO. 09-05-8400B0

LIMITS OF NEW IMPROVEMENT
EXISTING BUILDING TO BE REMOVED
PROPOSED BUILDING ADDITION
EXISTING FIRE DEPT. CONNECTION
B.C.M.P. GRID NORTH

JOPPA ROAD (R/W VARIES)
CENTRE ROAD
PRINCE ROAD
GOUCHER BOULEVARD
PUTTY HILL AVENUE
MARYLAND BUSINESS PARK
EUDOWOOD HOLDING CORP.
DEED 1797/412
TAX ACCT. NO. 09-05-8400B0
JACK BETTS N.K.A. ROBERT BERMAN 2061/249 TAX ACCT. NO. 09-00-007372
ROY ROGERS RESTAURANT
COURT HOUSE SQUARE APTS.
COURT HOUSE SQUARE NORTH
EXISTING OFFICE BUILDING
EXISTING BUILDING CONCRETE PAVING
EXISTING OFFICE BLDG.
OFFICE BLDG.
EXISTING MONTGOMERY WARD'S TENANT #3 144,000 SF
SECOND FLOOR ABOVE
Stairs/elev. to 2nd Floor Tenant
PROPOSED TENANT #4 8,400 SF
PROPOSED TENANT #5 22,400 SF
PROPOSED TENANT #6 15,300 S.F. 2ND FLOOR
PROPOSED TENANT #1 85,000 S.F.
PROPOSED TENANT #2 54,100 S.F.
PROPOSED TENANT #3 23,000 SF
EXISTING TOYS-R-US 45,000 SF
PROPOSED TENANT #6 45,100 SF
PROPOSED TENANT #5 42,000 SF
PROPOSED TENANT #10 184,200 SF
BEST PRODUCTS TENANT #11 50,000 S.F.
EXISTING MARSHALLS TENANT #12 32,700 S.F.
Loading Dock
Trash Enclosure
Trash Compactor
Recycling Area
Tire Service
Auto Service
Garage Entrance
Garage Exit
Entrance
Exit
Sidewalk
Curb
Gutter
Retaining Wall
Fence
Light Pole
Sign
Fire Hydrant
Water Meter
Gas Meter
Electric Transformer
Telephone Pedestal
Manhole
Inlet
Storm Drain
Sanitary Sewer
Water Line
Gas Line
Overhead Wires
Underground Wires
Existing Contour
Proposed Contour
Spot Elevation
Top of Wall
Bottom of Wall
Top of Curb
Bottom of Curb
Top of Slope
Bottom of Slope
Top of Ramp
Bottom of Ramp
Top of Steps
Bottom of Steps
Top of Grate
Bottom of Grate
Top of Manhole
Bottom of Manhole
Top of Inlet
Bottom of Inlet
Top of Pipe
Bottom of Pipe
Top of Culvert
Bottom of Culvert
Top of Bridge
Bottom of Bridge
Top of Deck
Bottom of Deck
Top of Pier
Bottom of Pier
Top of Abutment
Bottom of Abutment
Top of Footing
Bottom of Footing
Top of Pile
Bottom of Pile
Top of Cap
Bottom of Cap
Top of Beam
Bottom of Beam
Top of Column
Bottom of Column
Top of Slab
Bottom of Slab
Top of Foundation
Bottom of Foundation
Top of Basement
Bottom of Basement
Top of Crawl Space
Bottom of Crawl Space
Top of Attic
Bottom of Attic
Top of Roof
Bottom of Roof
Top of Chimney
Bottom of Chimney
Top of Flue
Bottom of Flue
Top of Vent
Bottom of Vent
Top of Antenna
Bottom of Antenna
Top of Tower
Bottom of Tower
Top of Mast
Bottom of Mast
Top of Pole
Bottom of Pole
Top of Sign
Bottom of Sign
Top of Light
Bottom of Light
Top of Flag
Bottom of Flag
Top of Tree
Bottom of Tree
Top of Shrub
Bottom of Shrub
Top of Hedge
Bottom of Hedge
Top of Fence
Bottom of Fence
Top of Wall
Bottom of Wall
Top of Curb
Bottom of Curb
Top of Slope
Bottom of Slope
Top of Ramp
Bottom of Ramp
Top of Steps
Bottom of Steps
Top of Grate
Bottom of Grate
Top of Manhole
Bottom of Manhole
Top of Inlet
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Top of Flue
Bottom of Flue
Top of Vent
Bottom of Vent
Top of Antenna
Bottom of Antenna
Top of Tower
Bottom of Tower
Top of Mast
Bottom of Mast
Top of Pole
Bottom of Pole
Top of Sign
Bottom of Sign
Top of Light
Bottom of Light
Top of Flag
Bottom of Flag
Top of Tree
Bottom of Tree
Top of Shrub
Bottom of Shrub
Top of Hedge
Bottom of Hedge
Top of Fence
Bottom of Fence

TOWSON MARKETPLACE
PROPOSED CONDITIONS DEVELOPMENT PLAN

1 OWNER/DEVELOPER — Talisman Towson Partnership LLC, 1500 San Remo Avenue, Suite 180A, Coral Gables, FLA 33146, Attn: Geoff Glazer, Tele (305) 862-8029

2 PREPARED BY — KCW Consultants, Inc.; Civil Engineers/Land Surveyors; 310A Timmons Lane, Suite 101; Baltimore, MD 21244; Attn: Douglas L. Kennedy, P.E.; Tele (410) 281-0023

Kann and Associates, Inc.; Architects, Planners; 237 E. Redwood Street; Baltimore, MD 21202; Attn: Geoff Glazer, AIA; Tele (410) 234-0900

3 DEED REFERENCE — Liber 10547 Folio 679
4 PLAT REFERENCE — Plat entitled "Loch Raven Manor" Plat 21 Folio 22
5 TAX ACCOUNT NO — 0906840080
6 AREA — 43.13 acres
7 ELECTION DISTRICT — 9th
COUNCILMANIC DIST — C-4
WATERSHED — Herring Run
SEWER CATCHMENT — 49/21
WATER PRESSURE ZONE — 941' (Existing Public Water)
CENSUS TRACT — 4041 (Existing Public Water)
MAPS REFERENCE — WSSC 204 NW 6 & 204 NW 7

8 EXISTING ZONING — B.L.-CCC (42.29 ac.) B.M. - (0.35 ac.) B.L.-CCC and B.M. and M.L.-IM and D.R. 10.5 (0.51 ac.)
PROPOSED ZONING — B.L.-CCC and B.M. and M.L.-IM and D.R. 10.5

9 EXISTING LAND USE — Retail Shopping Center
PROPOSED LAND USE — Retail Shopping Center

10 PROPOSED BUILDING AREA — Gross Building Area 710 000 s.f.; Gross Leasable Area 694 000 s.f.

11 PARKING — Retail Shopping Center: 4.5 p.s. per 1000 s.f. = 3420 p.s.; Existing Parking Variance per Case #77-230-XA = 388 p.s.; Proposed Parking Variance = 2972 p.s.; Proposed Parking Spaces = 3972 p.s.; Accessible Parking Spaces Required = 79; Accessible Parking Spaces Provided = 80 (2% of 3972 = 79.44) Δ 6-06-96

12 AVERAGE DAILY TRIPS — Retail Shopping Center: 710 000 G.L.A. x 47 trips per 1000 s.f. = 33,618 adt

13 STORMWATER MANAGEMENT — The existing shopping center was constructed prior to the enactment of Baltimore County's Stormwater Management Policy in 1975. The redevelopment of this site will not cause the peak rate of runoff to exceed the existing condition. A waiver of the County's SWM policy is requested from DEPRM.

14 GRADING — The redevelopment of this site will not result in any significant changes to existing topography

15 ZONING VARIANCES — A zoning variance per Case #77-230-XA and #95-95-XA was granted for a reduction of 388 parking spaces, and the proposed redevelopment will require an additional reduction of 130 parking spaces for a total reduction of 518 parking spaces. For 130 parking spaces to allow 2972 parking spaces instead of the required 3490 spaces. Case #96-95-XA Δ 6-06-96

16 WAIVERS — No waivers of standards or development regulations are anticipated for this Development Plan.

17 LANDSCAPE PLAN — A Landscape Plan to be approved by Baltimore County is a part of this redevelopment proposal

FOREST CONSERVATION ACT — This proposed redevelopment project is exempt from the requirements of the Forest Conservation Regulations.

18 This Development Plan is consistent with:
- Comprehensive Manual of Development Policies
- Baltimore County Zoning Regulations, as amended
- Baltimore County Development Regulations

19 COUNTY ADOPTED PLANS

EXISTING	NOT EXISTING	IN CONFORMANCE	
✓		✓	Balto. Co. Master Plan 1989 -2000
✓		✓	Comprehensive Rezoning Plan: Towson Community Open Space Plan (Adopted Dec. 20, 1994)
✓		✓	Towson Community Open Space Plan (Adopted Dec. 20, 1994)

COVENANTS — The redevelopment of this property is subject to an agreement recorded in the Land Records of Baltimore County in Liber 5246, folio 000 et seq. which includes a Declaration of Restrictions and Grant of Easements representing Towson Estates, Loch Raven Village, Knottishall, Fellowship Road, Timonium Hills, and Stoneleigh Valley

1 LIGHTING — All parking lot lighting shall be pole or building mounted

2 SIGNAGE — All signs shall comply with BCZR Section 413 and all zoning sign regulations for B.L. zone

3 BUILDING SETBACKS — Per B.L. zone

	Required	Proposed (Main Bldg.)	Proposed (Pad Sites)
Front	10 ft.	388 ft.	25 ft.
Side	0 ft.	388 ft.	500 ft.
Rear	0 ft.	45 ft.	500 ft.

4 FLOOR AREA RATIO — 710 000 s.f. / 43.13 ac. = 0.38

5 ENVIRONMENTAL — The site is fully developed with an existing retail shopping center and parking lot. As a result of the redevelopment, there are no woods, 100-year floodplain, wetlands, streams, seeps, ponds, or bodies of water on or within 200 ft. of the site. No significant regulated plant or wildlife habitat is located on this site. There are no areas of critical State concern. This site is not located within the Chesapeake Bay Critical Area

25 AMENITY OPEN SPACE — Required 2 % x 710 000 s.f. = 14 200 s.f. (0.33 ac.); Provided 2 % x 710 000 s.f. = 14 200 s.f. (0.33 ac.)

27 HISTORIC — There are no known historic buildings or sites on or adjacent to this property, nor are there any known archeological sites.

28 SOILS — The site does not contain any of the problematic soils per Baltimore County Soil Survey on file at the Department of Public Works.

29 PREVIOUS ZONING CASES (See Note #32):

CASE NO.	DATE	DESCRIPTION
3900		Variance for identification sign
66-338A	Denied Jan. 29, 1968	Reclassification from R-6 to B.L.
74-143-A	Approved March 7, 1974	Reclassification of 0.13 ac. from B.L. to B.M. for parking lot. Variance to permit 324 offstreet parking spaces in lieu of the required 3415 spaces. Variance to permit 5 loading spaces in lieu of the required 14 spaces. Use of trailers was denied.
77-230-XA	Approved Dec. 29, 1976	Special Exception for automotive service garage & drive-in restaurant
79-126-X	Denied Jan. 29, 1979	B.L.-CCC and D.R.10.5 zone. SPH for a use permit to store new automobiles. D.R.10.5 zone (denied)
80-85-XA	Approved March 1980	Zoning Change D.R.5.5 to B.L.-CCC
Permit 104135 C 166-86	Approved March 1989	Site Plan, pylon sign, monolith, Shoebutler, Motor and site lighting
93-305-SPHA	Approved June 24, 1993	Variance for 0' setback for existing parking, Special Exception Site Plan for Hechinger's Outdoor Garden
95-95-XA	Nov. 9, 1995 Amended Feb 22, 1996	Variance granted for reduction of 388 parking spaces per 77-230-XA and additional 130 parking spaces for a total reduction of 518 parking spaces in lieu of 3490 spaces. Δ 6-06-96

30 PUBLIC SAFETY — Public Safety will be addressed as part of the renovation project by implementing all applicable Baltimore County monitoring departments. CRC Approved 6-06-96 Δ 6-06-96

31 COMBINED HEARING — Per Baltimore County Development Regulations Section 26-206.1, a request has been made for a Plan Hearing and Special Hearing to amend prior approved site plans and orders for redevelopment of Towson Marketplace

32 COMMUNITY INPUT MEETING — A Community Input Meeting was held at Loch Raven Senior High School on May 22, 1995. Issues discussed included public safety, parking and theaters. A second Community Input Meeting was held at [illegible] on [illegible] 1995. Issues discussed included [illegible]

N 35,000
E 9,000

TOWSON MARKETPLACE REDEVELOPMENT
PROPOSED CONDITIONS DEVELOPMENT PLAN

1 OWNER/DEVELOPER — Talisman Towson Partnership LLC
1500 San Remo Avenue, Suite 195-A
Coral Gables, FLA. 33146
Attn: Jaime Gomez
Tele (305) 662-9559

2 PREPARED BY — KCW Consultants, Inc.
Civil Engineers/ Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore, MD 21244
Tele (410) 281-0033
Douglas L. Kennedy, P.E.

3 DEED REFERENCE — Liber 10917 Folio 578
PLAT REFERENCE — Plat 23 Folio 122 "Ridgely's Search Manor"
TAX ACCOUNT NO — 0903540050
LOCATION — 4.12 acres
ELECTION DISTRICT — 9th
COUNCILMANIC DIST — 5th
SUBSERVIENT — C-4
WATERSHED — Jones Falls
CENSUS TRACT — 45.2.01
SANITARY DESIGNATION — S-1 (Existing Public Sanitary)

8 EXISTING ZONING: B.L. (CCC) (0.31 ac.) B.R. (0.35 ac.)
B.L.-CCC and B.M. and M.L.-IM and D.R. 10.5

9 PROPOSED ZONING — Same as Existing

EXISTING LAND USE — Retail Shopping Center
PROPOSED LAND USE — Retail Shopping Center

10 PROPOSED BUILDING AREA — 330,000 s.f. (Existing Retail)
Gross Building Area — 340,281 s.f.
Gross Leasable Area — 325,000 s.f. (Existing Retail)
15,281 s.f. (Proposed Retail)

11 PARKING — Retail Shopping Center: 1 space per 200 s.f. = 1625 p.s.
Existing Parking Provided per Case #77-230-XA = 1625 p.s.
Proposed Parking Spaces = 1625 p.s.
Additional Parking required for Proposed Retail = 76 p.s.
Total Parking Provided = 1701 p.s.

12 AVERAGE DAILY TRIPS — Retail Shopping Center
94,000 s.f. G.L.A. = 47 trips per 1000 s.f. = 2,618 adt
Proposed Tenant #1 (42,000 s.f.) = 1,974 adt
Proposed Tenant #2 (54,100 s.f.) = 2,543 adt
Proposed Tenant #3 (54,200 s.f.) = 2,547 adt
Proposed Tenant #4 (15,000 s.f.) = 705 adt
Proposed Tenant #5 (22,400 s.f.) = 1,053 adt
Proposed 2nd Floor Tenant #5 (12,400 s.f.) = 583 adt
Proposed Tenant #6 (15,000 s.f.) = 705 adt
Proposed 2nd Floor Tenant #6 (5,000 s.f.) = 235 adt
Proposed Tenant #7 (20,000 s.f.) = 940 adt
Proposed Tenant #8 (50,000 s.f.) = 2,350 adt
Total Proposed Trips = 15,654 adt
Existing Trips = 2,618 adt
Net New Trips = 13,036 adt

13 STORMWATER MANAGEMENT — Stormwater management for the site will be provided by existing facilities constructed prior to the enactment of Baltimore County's Stormwater Management Policy in 1975. The redevelopment of this site will not cause an increase in the existing stormwater runoff. A waiver of the County's SWM policy is requested from DEPRM.

14 GRADING — The redevelopment of this site will not result in any significant changes to existing topography.

15 ZONING VARIANCES — A zoning variance per Case #77-230-XA and #96-95-XA was granted for a reduction of 369 parking spaces, and the continuation of that variance granted as a part of this redevelopment. Case #96-95-XA also granted relief from Section 409.6.A.2 to permit a 3,000 s.f. addition to an existing restaurant with 3,000 s.f. of outdoor seating area. Case #96-95-XA also granted relief from Section 409.6.A.4 to permit a 3,000 s.f. addition to an existing restaurant with 3,000 s.f. of outdoor seating area to be located within 75 feet of residentially zoned property