

IN RE: PETITION FOR SPECIAL HEARING
NWC Baltimore National Pike
and Ingleside Avenue
1st Election District
1st Councilmanic District
(5780 Baltimore National Pike)

Westview Investment, LC
Westview Mall – OL L.C.
Westview Mall – BW L.C.
Westview Mall – FLR L.C.

Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-287-SPHA

*

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* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a requested Special Hearing and Variance filed by the legal owners of the subject property, Westview Investment, LC, et al., by and through Robert A. Hoffman, attorney at law. The special hearing request is for property located at 5780 Baltimore National Pike. Specifically, the Petitioners are requesting to amend a previously approved site plan in Case No. 99-238-SPHA. In addition to the special hearing request, a variance is being requested from Section 405.2.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a fuel service station in a planned shopping center to be located on a lot that is within 0 ft. of a residentially zoned property in lieu of the required 100 ft. In addition, a variance from Section 409.6 of the B.C.Z.R., to allow 2,381 parking spaces in lieu of the required 3,587 parking spaces is also being requested. Finally, the Petitioners are requesting a variance from Sections 405.4.A.2.b and 405.4.A.2.c of the B.C.Z.R. to waive the requirement to provide a landscape transition area on the subject property.

Appearing at the hearing on behalf of the special hearing and variance request was Rob Hoffman, attorney at law, representing the Petitioners. There were no protestants in attendance.

RECEIVED FOR FILING
3/14/2000
R. Hoffman

Testimony and evidence indicated that the property, which is the site of this request, is the Westview Mall located on the north side of Baltimore National Pike, just west of Ingleside Avenue in the Catonsville area of Baltimore County. The subject property is improved with large retail uses, such as Lowe's Home Improvement Store, containing 135,000 sq. ft. and the Value City Department Store, containing 188,000 sq. ft. There are other commercial operations on the property. At the present time, the owners of the property propose to locate a Sam's Wholesale Club on the property as shown on Petitioners' Exhibit 1A, the site plan of the property. The Petitioners propose to demolish a portion of the mall and construct a new building consisting of 130,421 sq. ft. wherein the Sam's Club will be located. The proposed Sam's Club will also operate a fuel service station on their parking area, adjacent to the club itself. A small lot of ground has been set aside whereupon the gas pumps will be located. In order to proceed with the construction of this new Sam's Club and the installation of these gas pumps, the special hearing and two of the variance requests are necessary.

The first variance requested by the Petitioners is to allow the fuel service station to be located within 0 ft. of a residentially zoned property line in lieu of the required 100 ft. However, a review of the site plan clearly indicates that the lot set aside whereupon the service station will operate is located in excess of 100 ft. from the nearest residentially zoned property. Therefore, it is not necessary for the Petitioners to request that particular variance and, therefore, the variance shall be dismissed as moot. The remaining variances are necessary and shall be granted to allow the Petitioners to install the fuel service station on the property as shown on Petitioners' Exhibit 1A.

COPIES DESTROYED FOR FILING
Date 3/14/2000
By J. J. Jameson

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted to allow the new Sam's Wholesale Club with a service station use to be added to the Westview Mall. It has been established that the requirements from which the Petitioners seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

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

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

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and for the reasons given above, the Special Hearing Request and Variance Requests No. 2 and No. 3 should be granted. Variance Request No. 1 shall be dismissed as moot.

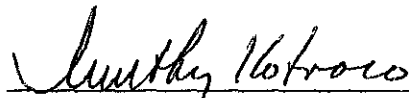
RECEIVED FOR FILING
3/14/2000
[Signature]

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of March, 2000, that the Petitioners' Request for a Special Hearing Request to amend the previously approved site plan in Case No. 99-238-SPHA, to allow the construction of a new Sam's Wholesale Club and a gasoline service station on the subject site, be and is hereby APPROVED.

IT IS FURTHER ORDERED, that Petitioners' request for variances from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow 2,381 parking spaces in lieu of the 3,587 parking spaces and from Section 405.4.A.2.b. and 405.4.A.2.c. to waive the requirement to provide a landscape transition area, be and are hereby GRANTED.

IT IS FURTHER ORDERED, that the variance to allow a fuel service station to be located within 0 ft. of a residentially zoned property line in lieu of the required 100 ft. be and is hereby dismissed, given that the lot set aside for the service station use is located in excess of 100 ft. from the nearest residentially zoned line.

IT IS FURTHER ORDERED that any party has the right to file an appeal within thirty (30) days of the date of this Order.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 3/14/2000
By J.R. Johnson



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 5780 Baltimore National Pike
which is presently zoned BM-CT

This Petition shall be filed with the Department of Permits and 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

A special hearing to amend the previously approved site plan in
Case #99-238-SPHA.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Robert A. Hoffman
Name - Type or Print _____
Signature _____
Venable, Baetjer & Howard, LLP
Company _____
210 Allegheny Avenue (410) 494-6200
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

SEE ATTACHED
Name - Type or Print _____
Signature _____
Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Representative to be Contacted:

Robert A. Hoffman
Name _____
210 Allegheny Avenue (410) 494-6200
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JCM Date 2-3-00

REVISED

Case No. 00-287 SPHA

REV 9/15/98

ORDER RECEIVED FOR FILING

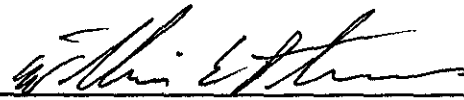
Date 3/14/2000

By R. Johnson

SIGNATURE PAGE

LEGAL OWNERS:

WESTVIEW INVESTMENT L.C.,
a Maryland limited liability company

By: 
Name: William E. Peterson
Its: Manager

WESTVIEW MALL - OL L.C.,
formerly OCEAN LAKES L.C.,
a Virginia limited liability company

By: 
Name: William E. Peterson
Its: Manager

WESTVIEW MALL - BW L.C.
formerly BW ASSOCIATES L.C.,
a Virginia limited liability company

By: 
Name: William E. Peterson
Its: Manager

WESTVIEW MALL - FLR L.C.,
formerly FAIR LAKES RETAIL
DEVELOPMENT L.C.,
a Virginia limited liability company

By: 
Name: William E. Peterson
Its: Manager

287



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5780 Baltimore National Pike

which is presently zoned BM-CT

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

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

TO BE DETERMINED AT THE HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Avenue 410-494-6200

Address Telephone No.

Towson MD 21204

City State Zip Code

Case No. 00-2875PHA

REV 9/15/98

Legal Owner(s):

SEE ATTACHED

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue 410-494-6200

Address Telephone No.

Towson MD 21204

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By Jan Date 2-3-00

REVISED

ORDER RECEIVED FOR FILING

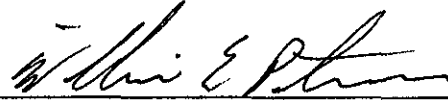
Date 3/14/2000

By

SIGNATURE PAGE

LEGAL OWNERS:

WESTVIEW INVESTMENT L.C.,
a Maryland limited liability company

By: 

Name: William E. Peterson

Its: Manager

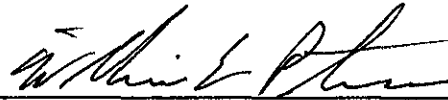
WESTVIEW MALL - OL L.C.,
formerly OCEAN LAKES L.C.,
a Virginia limited liability company

By: 

Name: William E. Peterson

Its: Manager

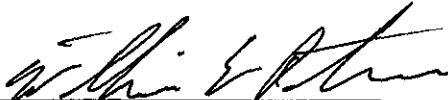
WESTVIEW MALL - BW L.C.
formerly BW ASSOCIATES L.C.,
a Virginia limited liability company

By: 

Name: William E. Peterson

Its: Manager

WESTVIEW MALL - FLR L.C.,
formerly FAIR LAKES RETAIL
DEVELOPMENT L.C.,
a Virginia limited liability company

By: 

Name: William E. Peterson

Its: Manager

287

PETITION FOR VARIANCES

1. Variance from BCZR Section 405.2.A to allow a fuel service station in a planned shopping center to be located on a lot that is within 0 feet of a residentially zoned property in lieu of the required 100 feet.
2. Variance from BCZR Section 409.6 to allow 2381 parking spaces to be provided in lieu of the required 3587 parking spaces.
3. Variance from BCZR Section 405.4.A.2.b and 405.4.A.2.c to waive the requirement to provide a landscape transition area if necessary.

TO1DOCS1/erl01/#94846 v1

287



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

March 14, 2000

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Re: Petitions for Special Hearing & Variances
Case No 00-287-SPHA
Property: 5780 Baltimore National Pike

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing and Variance Requests No. 2 and No. 3 have been granted and Variance Request No. 1 has been dismissed as moot, in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

00-287-SPHA

Description

To Accompany Petition for Variance

and Special Hearing

41.983 Acre Parcel

Westview Mall

Northeast Corner of Interstate 695 and Baltimore National Pike

First Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at a point on the northwest right-of-way line of Baltimore National Pike (Edmondson Avenue), as shown on State Roads Commission of Maryland Plat No. 4366, situate 80.48 feet westerly from the point formed by the intersection of the prolongation of the western right-of-way line of Ingleside Avenue, 103 feet wide, with the northwest right-of-way line of Baltimore National Pike, 150 feet wide, as shown on said plat, said point of beginning also being the beginning of the land which by deed dated August 31, 1989, and recorded among the Land Records of Baltimore County, Maryland, in Liber S.M. 8264, Folio 437, and was granted and conveyed by the Equitable Life Assurance Society of the United States to Westview Mall Associates, thence leaving said point of beginning and running and binding on said northwest right-of-way line of Baltimore National Pike as shown on said plat and also as shown on State Roads Commission of Maryland Plat No. 4365 and binding on the first line of the abovementioned deed, referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District, (1) South 72 degrees 19 minutes 34 seconds

287

00-287-SPHA

West 1209.66 feet to intersect the northeast right-of-way line of Interstate 695 (Baltimore Beltway), variable width, as shown on State Roads Commission of Maryland Plat No. 19556, thence leaving said northwest right-of-way line of Baltimore National Pike and running and binding on said northeast right-of-way line of Interstate 695 as shown on the third hereinmentioned plat and also shown on State Roads Commission of Maryland Plat No. 19555 and binding on the second through the fifteenth lines of the abovementioned deed, the fourteen following courses and distances, viz: (2) South 78 degrees 01 minute 19 seconds West 30.13 feet, thence (3) South 73 degrees 36 minutes 11 seconds West 96.17 feet, thence (4) South 82 degrees 07 minutes 59 seconds West 41.74 feet, thence (5) North 87 degrees 00 minutes 32 seconds West 46.41 feet, thence (6) North 80 degrees 38 minutes 48 seconds West 46.34 feet, thence (7) North 73 degrees 04 minutes 11 seconds West 46.22 feet, thence (8) North 63 degrees 34 minutes 40 seconds West 46.09 feet, thence (9) North 61 degrees 48 minutes 43 seconds West 145.96 feet, thence (10) North 58 degrees 27 minutes 59 seconds West 298.97 feet, thence (11) North 59 degrees 27 minutes 23 seconds West 298.24 feet, thence (12) North 59 degrees 00 minutes 24 seconds West 183.97 feet, thence (13) North 53 degrees 45 minutes 14 seconds West 56.68 feet, thence (14) North 28 degrees 59 minutes 31 seconds West 35.68 feet, and thence (15) North 46 degrees 20 minutes 42 seconds West 56.57 feet, thence running, in part, and binding on said northeast right-of-way line of Interstate 695 and, in part, binding on the southern outline of the plat entitled "Westview Park Section 3A" dated July 1955 and recorded among the aforesaid Land Records in Plat Book G.L.B. 22, Page 22, and also binding on the sixteenth line of the abovementioned deed, (16) North 56 degrees 36 minutes 39 seconds East 158.58 feet to intersect the

southwest side of Moorehead Road, 50 feet wide, as shown on the fifth hereinmentioned plat, thence running and binding on said southwest side of Moorehead Road and also binding on seventeenth line of the abovementioned deed (17) Southeasterly by a line curving to the left with a radius of 181.86 feet for a distance of 22.47 feet (the arc of said curve being subtended by a long chord bearing South 36 degrees 45 minutes 43 seconds East 22.45 feet), thence running and binding on the southern outline of the fifth hereinmentioned plat and binding on the southern outline of the plat entitled "Revised Plat of Block C - Westview Park Section 3A" dated May 21, 1957, and recorded among the aforesaid Land Records in Plat Book G.L.B. 24, Page 40, and also binding on the eighteenth through twenty-first lines of the aforementioned deed, the four following courses and distances, viz: (18) North 49 degrees 15 minutes 19 seconds East 50.11 feet, thence (19) North 56 degrees 36 minutes 39 seconds East 106.93 feet, thence (20) North 72 degrees 19 minutes 15 seconds East 331.62 feet, and thence (21) Northeasterly by a line curving to the left with a radius of 3351.00 feet for a distance of 896.28 feet (the arc of said curve being subtended by a long chord bearing North 64 degrees 39 minutes 30 seconds East 893.61 feet) to intersect the southwest side of Craigmont Road, 60 feet wide, as shown on the plat entitled "Resubdivision of a Portion of Craftswood Road, Westview Park Section 1-A and a Portion of Craftswood Road and Lot 1-8, Block C - Westview Park Section 3A" dated July 17, 1956, and recorded among the aforesaid Land Records in Plat Book G.L.B. 23, Page 47, thence running and binding on said southwest side of Craigmont Road and binding on the twenty-second and twenty-third lines of the abovementioned deed, the two following courses and distances, viz: (22) South 33 degrees 33 minutes 07 seconds East 74.66 feet, and

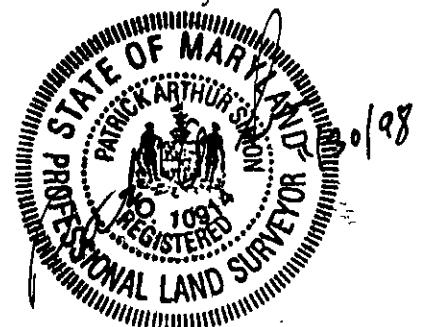
thence (23) Southeasterly by a line curving to the left with a radius of 430.00 feet for a distance of 84.40 feet (the arc of said curve being subtended by a long chord bearing South 39 degrees 10 minutes 30 seconds East 84.26 feet) to the beginning of the second line of the land which by deed dated November 12, 1957, and recorded among the aforesaid Land Records in Liber G.L.B. 3276, Folio 539, and was granted and conveyed by Westview Shopping Center, Inc., and Bankers Trust Company to Baltimore Gas and Electric Company, thence leaving said southwest side of Craigmont Road and running and binding on the second through the seventh lines of said deed and also binding on the twenty-fourth through the twenty-ninth lines of the first hereinmentioned deed, the six following courses and distances, viz: (24) Southwesterly by a line curving to the left with a radius of 19.50 feet for a distance of 6.11 feet (the arc of said curve being subtended by a long chord bearing South 59 degrees 16 minutes 37 seconds West 6.08 feet), thence (25) South 50 degrees 17 minutes 23 seconds West 1.66 feet, thence (26) Southwesterly by a line curving to the right with a radius of 243.00 feet for a distance of 54.53 feet (the arc of said curve being subtended by a long chord bearing South 56 degrees 43 minutes 08 seconds West 54.42 feet), thence (27) Southwesterly by a line curving to the left with a radius of 24.50 feet for a distance of 27.92 feet (the arc of said curve being subtended by a long chord bearing South 30 degrees 30 minutes 36 seconds West 26.43 feet), thence (28) South 48 degrees 29 minutes 11 seconds East 128.82 feet, and thence (29) North 41 degrees 30 minutes 49 seconds East 94.49 feet to a 4-inch by 4-inch concrete monument found on the southwest side of Craigmont Road as shown on the plat entitled "Westview Park Section 1-A" dated September 15, 1954, and recorded among the aforesaid Land Records in Plat Book G.L.B. 20, Page 92, thence running

and binding on said southwest side of Craigmont Road and binding on the thirtieth through the thirty-second lines of the first hereinmentioned deed, the three following courses and distances, viz: (30) Southeasterly by a line curving to the left with a radius of 430.00 feet for a distance of 249.03 feet (the arc of said curve being subtended by a long chord bearing South 77 degrees 08 minutes 08 seconds East 245.57 feet), thence (31) North 86 degrees 16 minutes 23 seconds East 588.62 feet, and thence (32) Southeasterly by a line curving to the right with a radius of 20.00 feet for a distance of 31.42 feet (the arc of said curve being subtended by a chord bearing South 48 degrees 43 minutes 37 seconds East 28.28 feet) to intersect the west side of Ingleside Avenue as shown on Baltimore County Bureau of Land Acquisition Plan HRW 58-029-1, thence running and binding on said west side of Ingleside Avenue as shown on said plat and also as shown on Baltimore County Bureau of Land Acquisition Plan HRW 58-029-2 and also binding on the thirty-third line of the first hereinmentioned deed (33) South 03 degrees 43 minutes 37 seconds East 517.86 feet, thence running and binding on the west side of Baltimore National Pike as shown on the first hereinmentioned plat and also binding on the thirty-fourth line of the first hereinmentioned deed (34) South 33 degrees 54 minutes 53 seconds West 127.90 feet to the point of beginning; containing 41.983 acres of land, more or less, as surveyed by Daft-McCune-Walker, Inc., in August 1989.

Being all of the land which by deed dated August 31, 1989, and recorded among the Land Records of Baltimore County, Maryland, in Liber S.M. 8264, Folio 437, and was granted and conveyed by The Equitable Life Assurance Society of the United States to Westview Mall Associates.

November 30, 1998

Project No. 89106.B (L89106B)



**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

257 No. **078662**

DATE 2-3-00 ACCOUNT FE-1-6150

AMOUNT \$ 100.00

RECEIVED FROM: Evolution T.V. L.C. 5780
Evolutionary

FOR: (110) Revision.

00-287-SPHA

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **077923**

DATE 1/12/00 ACCOUNT R-001-0150

AMOUNT \$ 500.00

RECEIVED FROM: Peterson Companies L.C.

ITEM # 287

Taken by: JRF

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT
PAYEE: EVOLUTION T.V. L.C.
DATE: 1/12/00
AMOUNT: 500.00
RECEIPT # 10779
OF NO. 078662
Report Tot 500.00
500.00 OK
Baltimore County, Maryland

PAID RECEIPT
PAYEE: EVOLUTION T.V. L.C.
DATE: 1/12/00
AMOUNT: 500.00
RECEIPT # 10779
OF NO. 077923
Report Tot 500.00
500.00 OK
Baltimore County, Maryland

00-287-SPHA

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #00-287-SPHA
5780 Baltimore National Pike (Westview Mall)
NW of Baltimore National Pike and Ingleside Avenue
1st Election District -- 1st Councilmanic District
Legal Owner(s): Westview Investment L.C. & Westview
Mall - OL L.C. & Westview Mall - BW L.C. & Westview Mall
- FLR L.C.

Special Hearing: to amend the previously approved site plan in case number 99-238-SPHA. **Variance:** to allow a fuel service station to be located on a lot that is within zero feet of a residentially zoned property in lieu of the required 100 feet; to allow 2,381 parking spaces in lieu of the required 3,587 parking spaces; and to waive the requirement to provide a landscape transition area, if necessary.
Hearing: Friday, March 3, 2000 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
2/21/February 17 C370441

CERTIFICATE OF PUBLICATION

TOWSON, MD, 2/17, 2000

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 2/17, 2000.

S. Williams
THE JEFFERSONIAN,

LEGAL ADVERTISING

CERTIFICATE OF PUBLICATION

TOWSON, MD, 2/3, 2000

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 2/1, 2000.

P. Jeffersonian
THE JEFFERSONIAN,

LEGAL ADVERTISING

RECEIVED FEB 7 2000

NOTICE OF ZONING HEARING
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NWBC Baltimore National Pike and Ingleside Avenue
1st Election District - 1st Councilmanic District
Legal Owner(s): Westview Investment L.C.
& Westview Mall - OL L.C. & Westview Mall - BW L.C.
& Westview Mall - FL L.C.

Special Hearing: to amend the previously approved site plan in case 99-238-SPHA. **Variance:** to permit 2,381 parking spaces in lieu of the 3,573 parking spaces required.
Hearing: Wednesday, February 16, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the file and/or hearing, Contact the Zoning Review Office at (410) 887-3391.
11/2/99K February 1, 2000

C367498

CERTIFICATE OF POSTING

RE Case No 00-287-SPHA

Petitioner/Developer WESTVIEW MALL, ETC.
% R. HOFFMAN, ESQ

Date of Hearing/Closing 3/3/200

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law

were posted conspicuously on the property located at WESTVIEW MALL
RTE. 40-WEST & INGLESIDE AVE. (2)

The sign(s) were posted on

2/15/00

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 3/2/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

LEY, MD. 21030

(Zip Code)

CELL-410-905-8571

(Phone Number)

ZONING NOTICE

Case #: 00-287-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

111 WEST CHESAPEAKE AVE.
PLACE: ROOM 106, COUNTY OFFICE BUILDING
TIME & DATE: FRIDAY, MARCH 3, 2000 AT 11:00 A.M.

SPECIAL HEARING TO AMEND THE PREVIOUSLY
APPROVED SITE PLAN IN CASE NUMBER 99-238-SPHA.
VARIANCE TO ALLOW A FUEL SERVICE STATION TO
BE LOCATED ON A LOT THAT IS WITHIN ZERO FEET OF
A RESIDENTIALLY ZONED PROPERTY IN LIEU OF THE
REQUIRED 100 FEET; TO ALLOW 2, TRI PARKING SPACES
IN LIEU OF THE REQUIRED 3507 PARKING SPACES;
AND TO WAIVE THE REQUIREMENT TO PROVIDE A
LANDSCAPE TRANSITION AREA, IF NECESSARY.
(WESTVIEW MALL)

FOR MORE INFORMATION, CONTACT THE ZONING COMMISSIONER
AT (410) 336-6666. IF YOU HAVE ANY COMMENTS, PLEASE
CALL OR VISIT THE ZONING COMMISSIONER'S OFFICE.
HEARINGS ARE HANDICAPPED ACCESSIBLE

ZONING NOTICE²

Case #: 00-287-SPHA

A PUBLIC HEARING WILL BE HELD BY
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VARIANCE TO ALLOW A FUEL SERVICE STATION TO
BE LOCATED ON A LOT THAT IS WITHIN 200 FEET OF
A RESIDENTIALLY ZONED PROPERTY IN LIEU OF THE
REQUIRED 100 FEET; TO ALLOW 2,381 PARKING SPACES
IN LIEU OF THE REQUIRED 3,507 PARKING SPACES;
AND TO WAIVE THE REQUIREMENT TO PROVIDE A
LANDSCAPE TRANSITION AREA, IF NECESSARY.
(WESTVIEW MALL)

SIGN AND POST WILL BE COLLECTED AFTER HEARING.
RETURN SIGN AND POST TO JIM O'KEEFE 666-3-2222

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING.
CALL 867-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE

FOR THE RECORD THIS SIGN & POST WILL BE AT THE HEARING. PLEASE PRINTED BY THE SIGN
HEARINGS ARE HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

RE Case No 00-287-SPH A

Petitioner/Developer WESTVIEW MALL, ETAL
C/O ROBERT HOFFMAN, ESP

Date of Hearing/Closing 3/3/2000

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at WESTVIEW MALL @
INGLESIDE AVE. CORN. RTE. 40 - WEST
TWO (2) ONSITE LOCATIONS

The sign(s) were posted on 2/15/00
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 2/21/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

LEY, MD. 21030

(Zip Code)

CELL 410-905-8571

(Phone Number)

ZONING NOTICE

Case #: 00-287-SPH A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

111 WEST CHESAPEAKE AVE
PLACE ROOM 106, COUNTY OFFICE BUILDING
TIME & DATE: FRIDAY, MARCH 3, 2000 AT 11:00 A.M.

SPECIAL HEARING TO AMEND THE PREVIOUSLY
APPROVED SITE PLAN IN CASE NUMBER 99-238-SPH A.
VARIANCE TO ALLOW A FUEL SERVICE STATION TO
BE LOCATED ON A LOT THAT IS WITHIN ZERO FEET OF
A RESIDENTIALLY ZONED PROPERTY IN LIEU OF THE
REQUIRED 100 FEET TO ALLOW 2,191 PARKING SPACES
IN LIEU OF THE REQUIRED 3587 PARKING SPACES;
AND TO WAIVE THE REQUIREMENT TO PROVIDE A
LANDSCAPE TRANSITION AREA, IF NECESSARY.
(WESTVIEW MALL)

2
ATTENTION: SIGN AND POST TO 410-905-8571
FOR MORE INFORMATION AND TO OBTAIN THE HEARING CONDITIONS AND REQUIREMENTS
CALL OR VISIT THE DAY BEFORE THE SCHEDULED HEARING DATE
HEARINGS ARE HANDICAPPED ACCESSIBLE

ZONING NOTICE

Case # 00-287-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

111 WEST CHESAPEAKE AVE.
PLACE ROOM 106, COUNTY OFFICE BUILDING

TIME & DATE: FRIDAY, MARCH 3, 2000 AT 11:00 A.M.

SPECIAL HEARING TO AMEND THE PREVIOUSLY
APPROVED SITE PLAN IN CASE NUMBER 99-216-SPHA
VARIANCE TO ALLOW A FUEL SERVICE STATION
BE LOCATED ON A LOT THAT IS WITHIN 200 FEET OF
A RESIDENTIALLY ZONED PROPERTY IN LIEU OF
RELOCATED 100 FEET TO ALLOW 2.5% PARKING SPACES
IN LIEU OF THE REQUIRED 5.6% PARKING SPACES
AND TO WAIVE THE REQUIREMENT TO PROVIDE
LANDSCAPE TRANSITION AREA, IF NECESSARY
(WESTVIEW MALL)

SIGN AND POST WILL BE REMOVED AFTER HEARING
DELETED SIGN AND POST THE TRANSITION AREA
DO NOT REMOVE SIGN TO WEATHER
CHECK DATE TO WEATHER

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
5780 Baltimore National Pike, NWC Baltimore
National Pike and Ingleside Ave
1st Election District, 1st Councilmanic

Legal Owner: Westview Investment L.C., et al.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-287-SPHA

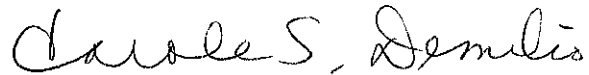
* * * * *

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
People's Counsel for Baltimore County



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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of February, 2000 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.



PETER MAX ZIMMERMAN



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 20, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-287-SPHA

5780 Baltimore National Pike (Westview Mall)

NWC Baltimore National Pike and Ingleside Avenue

1st Election District – 1st Councilmanic District

Legal Owner: Westview Investment L.C. & Westview Mall – OL L.C. & Westview Mall – BW L.C. & Westview Mall – FLR L.C.

Special Hearing to amend the previously approved site plan in case 99-238-SPHA.
Variance to permit 2,381 parking spaces in lieu of the 3,573 parking spaces required.

HEARING: Wednesday, February 16, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

c: Robert A. Hoffman, Esquire, 210 Allegheny Avenue, Towson, MD 21204
Westview Investment L.C. & Westview Mall – OL L.C. & Westview Mall – BW L.C. & Westview Mall – FLR L.C., 12500 Fair Lakes Circle, Suite 400, Fairfax, VA 22033

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FEBRUARY 1, 2000.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Census 2000



For You, For Baltimore County



Census 2000



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on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

February 9, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-287-SPHA

5780 Baltimore National Pike (Westview Mall)

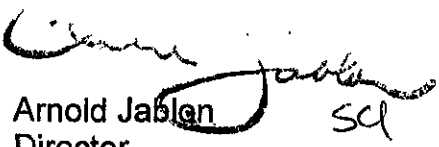
NWC Baltimore National Pike and Ingleside Avenue

1st Election District – 1st Councilmanic District

Legal Owner: Westview Investment L.C. & Westview Mall – OL L.C. & Westview Mall – BW L.C. & Westview Mall – FLR L.C.

Special Hearing to amend the previously approved site plan in case number 99-238-SPHA. Variance to allow a fuel service station to be located on a lot that is within zero feet of a residentially zoned property in lieu of the required 100 feet; to allow 2,381 parking spaces in lieu of the required 3,587 parking spaces; and to waive the requirement to provide a landscape transition area, if necessary.

HEARING: Friday, March 3, 2000 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue


Arnold Jablon
Director

c: Robert Hoffman, Esquire, 210 Allegheny Avenue, Towson 21204
Westview Investment L.C. & Westview Mall – OL L.C. & Westview Mall – BW
L.C. & Westview Mall – FLR L.C., 12500 Fair Lakes Circle, Suite 400, Fairfax, VA
22033

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FEBRUARY 17, 2000.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**



TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 1, 2000 Issue – Jeffersonian

Please forward billing to:

Barb Ormord 410-494-6201
210 Allegheny Avenue
Towson, MD 21204

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-287-SPHA

5780 Baltimore National Pike (Westview Mall)

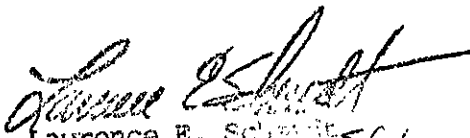
NWC Baltimore National Pike and Ingleside Avenue

1st Election District – 1st Councilmanic District

Legal Owner: Westview Investment L.C. & Westview Mall – OL L.C. & Westview Mall –
BW L.C. & Westview Mall – FLR L.C.

Special Hearing to amend the previously approved site plan in case 99-238-SPHA.
Variance to permit 2,381 parking spaces in lieu of the 3,573 parking spaces required.

HEARING: Wednesday, February 16, 2000 at 9:00 a.m. in Room 407, County Courts
Building, 401 Bosley Avenue



Lawrence E. Schmidt SC/

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL
ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S
OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT
THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-287-SPHA

Petitioner: WILLIAM E. PETERSON

Address or Location: ~~12500 Fair Lakes Circle, Suite 100, Fairfax, VA 22033~~
5780 Baltimore National Pike

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARB ORMORD

Address: 210 ALEGHENY AVE
TOWSON, MD 21204

Telephone Number: (410) 494 6201



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
February 11, 2000 pdmlandacq@co.ba.md.us

Mr. Robert A. Hoffman
Venable, Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Hoffman:

RE: Case Number 00-287-SPHA , 5780 Baltimore National Pike

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 3, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



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 and
 Development Management

DATE: February 3, 2000

RECEIVED FEB 08 2000

FROM: Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for January 31, 2000
 Item No. 287

The Bureau of Development Plans Review has reviewed the subject zoning item. A request to allow parking along driveways shall be added to the requested parking variance.

Landscape and lighting plan should be submitted.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 28, 2000

RECEIVED FEB 04 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JANUARY 24, 2000

Item No.: SEE BELOW

Dear Ms. Stephens:

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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEMS: 287, 293, AND 295

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 22, 2000

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for *February 22, 2000*
Case No. 00-287-SPHA
5780 Baltimore National Pike

The Bureau of Development Plans Review has reviewed the subject zoning items. See previous comments dated February 3, 2000.

RWB:HJO:

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 2, 2000

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 5780 Baltimore National Pike

INFORMATION:

Item Number: 287
Petitioner: Westview Mall
Property Size: 41.983 acres
Zoning: BM-CT
Requested Action: Variances and Special Hearing
Hearing Date: March 3, 2000

The property in question, 5780 Baltimore National Pike, known as Westview Mall is entering a second phase of revitalization which involves demolition of 65,453 square foot (building C) and 32,823 square foot (building J) and construction of 130,421 square foot major retail building in its place. Also included is a gas and go service station as part of a planned shopping center.

A parking variance for 2,381 parking spaces in lieu of the required 3,573 parking spaces and a special hearing to amend the previously approved site plan in Case No. 99-238SPHA is requested. Other variances requested are from Section 402.5A to allow a fuel service station to be located in a planned shopping center on a lot that is 0 feet from a residentially zoned property in lieu of 100 feet, as well as variances from Sections 405.4A.2.b and 405.4A.2c to waive the requirement to provide a landscape transition area if necessary.

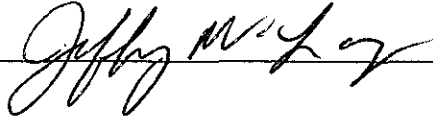
Revitalization of this major shopping center is consistent with the Baltimore County Master Plan 2010 and is supported by the Office of Planning provided the following comments are addressed.

SUMMARY OF RECOMMENDATIONS:

1. The architecture of the new building should be in accordance with the architectural elevation drawings dated February 24, 2000.

2. An updated lighting plan for the building and parking lot lighting and an updated landscape plan should be provided to Avery Harden, County Landscape Architect for review and approval prior to issuance of any building permits. The landscape plan should show a wood fence detail for the condensers located to the rear of the building (Craigmont Road) elevation. It should also show location and type of existing plant materials along Craigmont Road to allow for a determination as to whether that area needs supplemental screening from the public road and residentially zoned area.
3. If TTY facilities for the hearing impaired have not been installed in Westview Mall, they should be added with this next development phase.

Section Chief: _____



AFK:DI:lsn



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 2.14.00

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

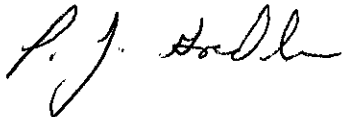
RE: Baltimore County
Item No. 00-287-SPND JM

Dear Ms. Jackson:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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



Baltimore County
Department of Permits and
Development Management

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

March 29, 2001

Patricia A. Malone, Esq.
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21285-5517

RE: Westview Mall, 5780 Baltimore National Pike, 1st Election District

Dear Mrs. Malone:

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Your client's request is to relocate the Sam's Club fuel service station as shown on the submitted CRG 3rd Refinement site plan. This site was the subject of zoning Hearing case #00-287-SPHA, which was granted by the Deputy Zoning Commissioner on March 14, 2000. This hearing amended the parking variance previously granted approved in case #99-238-SPHA. The proposed revision was submitted to the DRC (#022601B, PDM File #I-370) at which time, it was determined by letter dated March 5, 2001 that the project met the requirements of refinement to the CRG plan under Section 26-211. A relocation (as shown) of the fuel service station is proposed slightly north & east of its approved location. The proposed location would not result in any additional parking spaces being lost and the lot would continue to be more than 100 feet away from the nearest residentially zoned property. This matter has been reviewed by staff and the Deputy Zoning Commissioner, and it has been determined that your clients request would be permitted as being within the Spirit and Intent of the above referenced zoning case.

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,

A handwritten signature in cursive script, appearing to read "John J. Sullivan".

John J. Sullivan, Planner II
Zoning Review

JJS:aem

Enclosure

c: Zoning Hearing Case #00-287-SPHA
PDM File #I-370
Letter File



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

February 9, 2000

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number 00-287-SPHA, 5780 Baltimore National Pike

The above matter, previously scheduled for February 16, 2000, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:scj

C: Westview Investment L.C. & Westview Mall – OL L.C. & Westview Mall - B.W. L.C.
& Westview Mall – FLR L.C., 12500 Fair Lakes Circle, Suite 400, Fairfax, VA
22033



VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Robert A. Hoffman
(410) 494-6262

February 8, 2000

HAND-DELIVERED

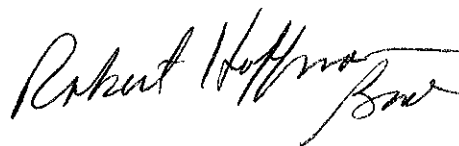
Ms. Sophia Jennings
Department of Permits & Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Case Number: 00-287-SPHA
Property Address: 5780 Baltimore National Pike (Westview Mall)

Dear Sophia:

Pursuant to your request, I am hereby notifying you that revised petitions and site plans were filed in the above-referenced matter with your office on February 3, 2000. Therefore, we respectfully request that the hearing date previously set for February 16, 2000 be postponed and rescheduled as soon as possible.

Very truly yours,



Robert A. Hoffman

RAH/baw

TO1DOCS1/BAW01/#95279 v1

002 # 074

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

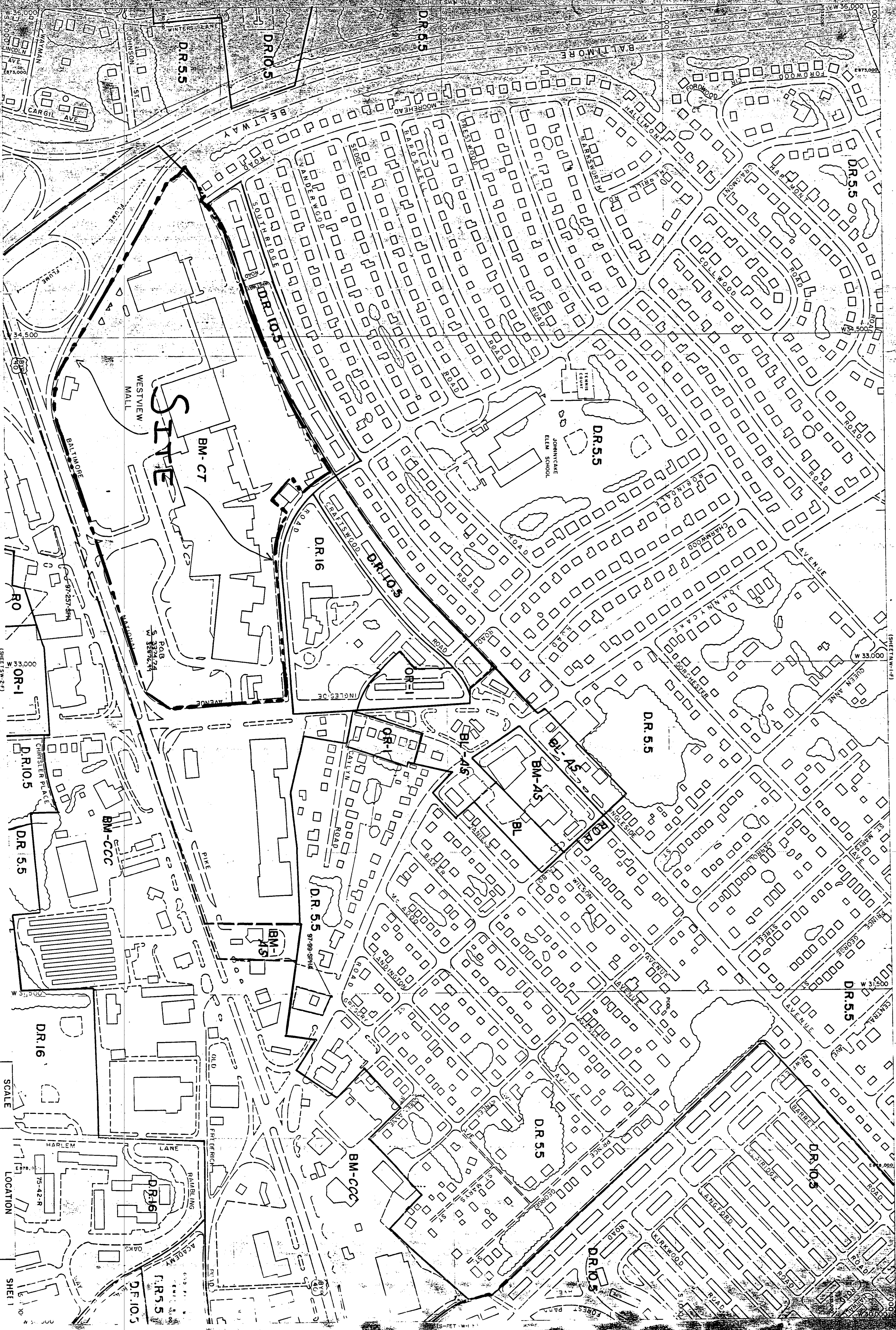
FROM: R. Bruce Seeley *MB*

DATE: February 16, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of February 14, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
314	55 Music Fair Road
315	16 Trojan Horse Drive
316	201 N. Tyrone Road
317	12 Barthel Court
318	24 Sagewood Court
319	9644 Dixon Avenue
320	14 - 28 Melrose Avenue
<i>(287)</i>	5780 Baltimore National Pike



USE K-SW
H-NE G-NW

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 6, 1996
Bill No. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Kenneth Kennedy
Baltimore County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE
1" = 200' ±
DATE OF PHOTOGRAPHY
JANUARY 1986

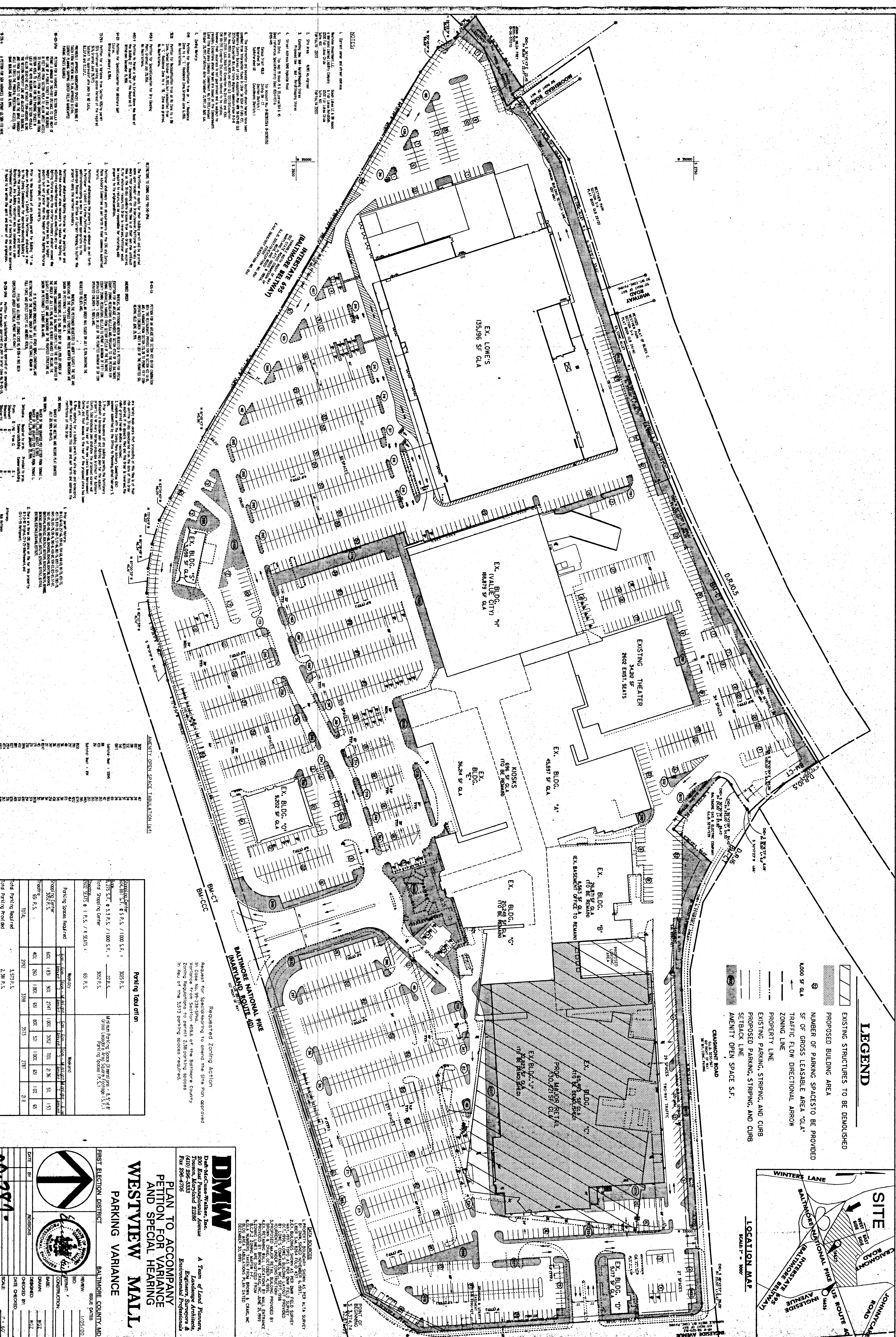
LOCATION
75-42-R

CATONSVILLE

287

SW
I-F

DD-287-SPHA

[illegible]

DMW

Dub-McGee-Waters, Inc.
 200 East Pennsylvania Avenue
 Towson, Maryland 21286
 (410) 286-3383
 Fax: 286-4706

*A Team of Land Planners
 Landscape Architects,
 Engineers, Surveyors &
 Environmental Professionals*

WESTVIEW Mall

PARKING VARIANCE

PLAN TO ACCOMPANY PETITION FOR VARIANCE AND SPECIAL HEARING

FIRST ELECTION DISTRICT:

DATE: **BY:** _____

BALTIMORE COUNTY, MD

REASON(S):

REVIEW: _____

DATE: _____

BASE: _____

CONSTRUCTION: _____

DRAIN: _____

WATER: _____

WEG: _____

CHECKED BY: _____

DATE CHECKED: _____

ISSUE DATES:

1/05/00

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1/2/07

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1/2/29

1/2/30

EXISTING STRUCTURES TO BE DEMOLISHED

PROPOSED BUILDING AREA

NUMBER OF PARKING SPACES TO BE PROVIDED

SF OF GROSS LEASABLE AREA "GLA"

TRAFFIC FLOW DIRECTIONAL ARROW

PROPERTY LINE

EXISTING PARKING, STRIPING, AND CURB

PROPOSED PARKING, STRIPING, AND CURB

SPACE RESERVED FOR

COMPRESSED AIR & WATER SERVICE

DATA SOURCES:

1. PROPERTY BORDERED SHOWN AS PER ALTA SURVEY BY D.M. SIGNED NOVEMBER 6, 1997.

2. EX. BUILDINGS SHOWN AS PER D.M. FIELD SURVEY MAY, 1997. TOPO AS PER D.M. FIELD SURVEY.

3. LOT LINES, CORNER ELEVATIONS PROVIDED BY C.T. LOWERY CONSULTING SERVICE, INC. (CURRENTLY UNDER CONSTRUCTION)

4. PROPOSED MAJOR RETAIL BUILDING PROVIDED BY BROWN & CRAIG, INC.

5. EX. RETAINING WALL LOCATIONS BY WALL ENTRANCE PROVIDED BY BROWN & CRAIG, INC.

6. A. NUMBERS TAKEN FROM BROWN & CRAIG, INC. PLANS DATED 10/19/97.

6. B. A. NUMBERS TAKEN FROM BROWN & CRAIG, INC. PLANS DATED 10/19/97.

DMV

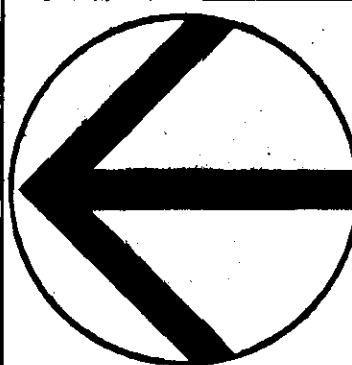
Draft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
(410) 296-4706

**PLAN TO ACCOMPANY
PETITION FOR VARIANCE
AND SPECIAL HEARING**

WESTVIEW MALL

DETAIL PLAN

FIRST ELECTION DISTRICT BALTIMORE COUNTY, MD

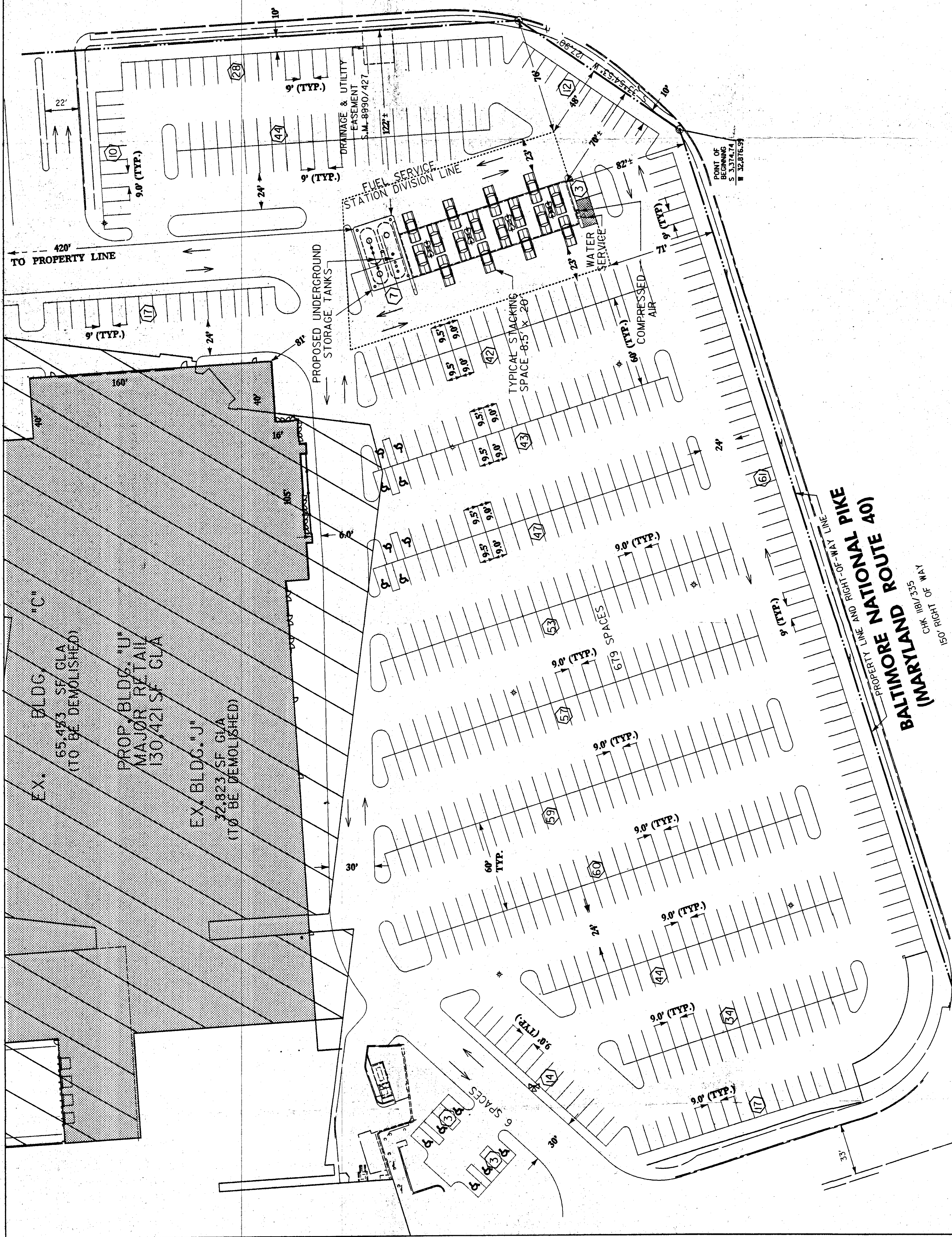
[illegible]

ISSUE DATES	BASE	WGZ
REVIEW: 2/01/00	DRAWN:	WGZ
NO:	DESIGNED:	WGZ
PERMIT:	CHECKED BY:	
CONSTRUCTION:	DATE CHECKED:	

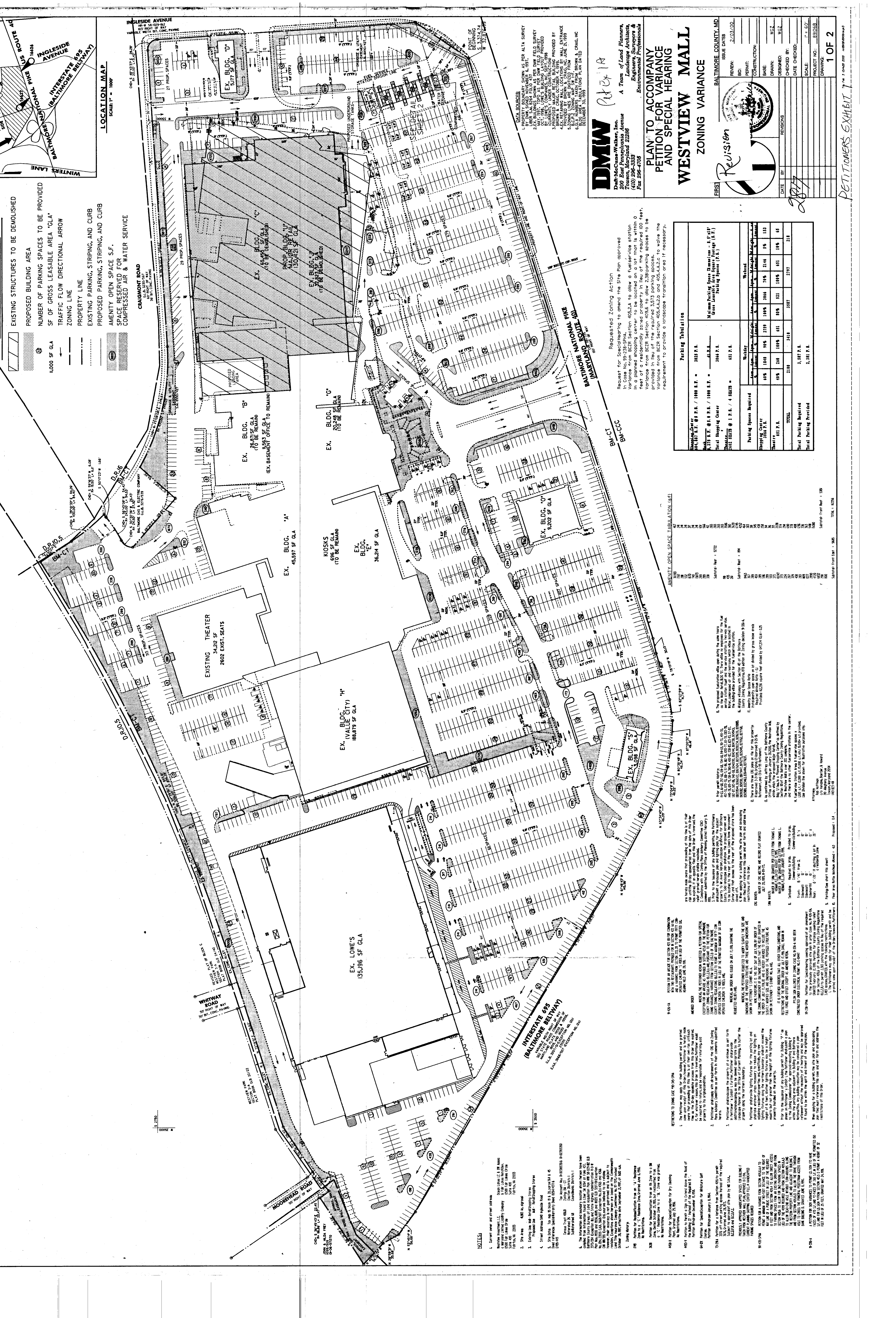
PROJECT NO.:	89106.B
SCALE:	1"=30'
DRAWING:	2 of 2

670 WEST 9TH STREET
LOS ANGELES, CALIF. 48

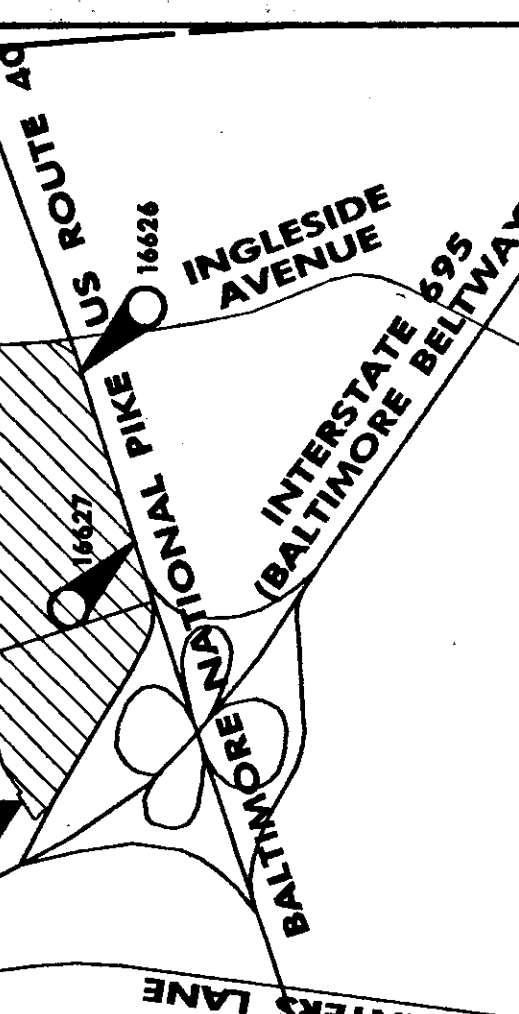
Ref 13



BALTIMORE NATIONAL ROUTE 40)
PROPERTY LINE AND RIGHT-OF-WAY LINE
(MARYLAND CHUK 118/335 PART OF WAY

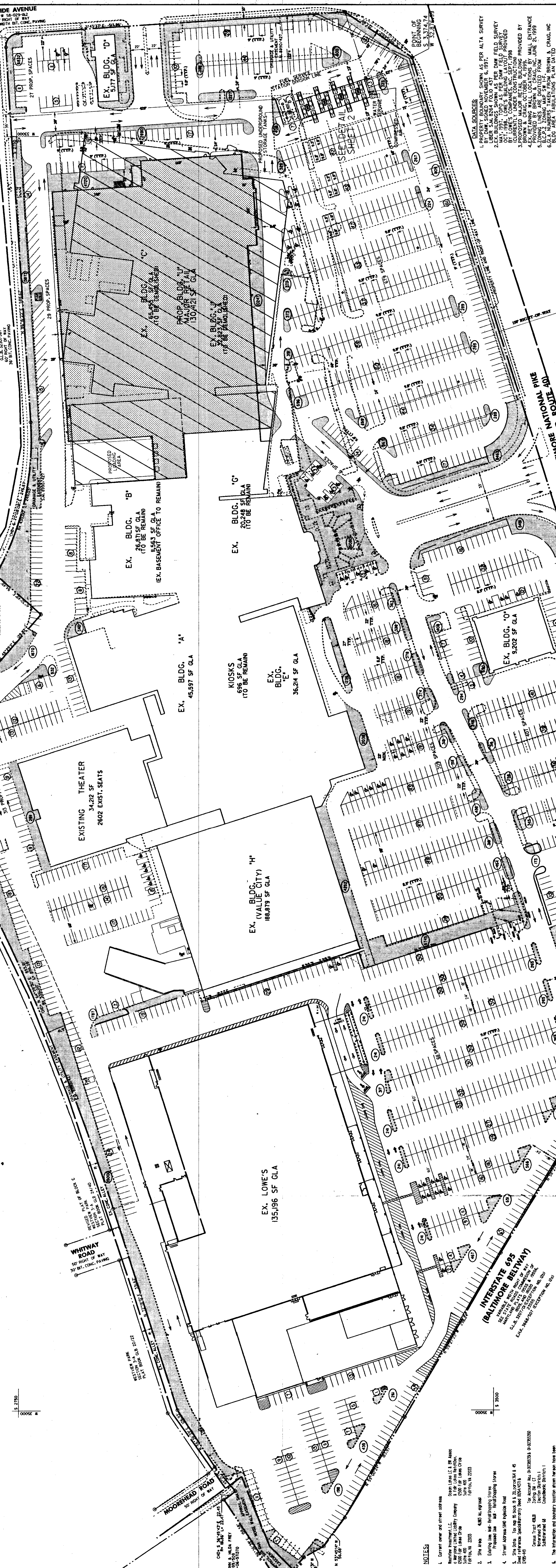


- EXISTING STRUCTURES TO BE DEMOLISHED
- PROPOSED BUILDING AREA
- NUMBER OF PARKING SPACES TO BE PROVIDED
- SF OF GROSS LEASABLE AREA "GLA"
- TRAFFIC FLOW DIRECTIONAL ARROW
- ZONING LINE
- PROPERTY LINE
- EXISTING PARKING, STRIPING, AND CURB
- PROPOSED PARKING, STRIPING, AND CURB
- AMENITY OPEN SPACE S.F.
- SPACE RESERVED FOR COMPRESSED AIR & WATER SERVICE



LOCATION MAP
SCALE 1" = 1000'

CHAGMONT ROAD
BALTIMORE COUNTY, MD
BALTIMORE, MD 21206



DMW
Dah-McCue-Walkers, Inc.
200 East Pennsylvania Avenue
Baltimore, Maryland 21206
(410) 596-3338
Fax 298-4705

**PLAN TO ACCOMPANY
PETITION FOR VARIANCE
AND SPECIAL HEARING**
WESTVIEW MALL
ZONING VARIANCE

REVISION
FIRST
BALTIMORE COUNTY, MD
ISSUE DATES
REVIEW: 2/23/00
BD: 2/23/00
PERMIT: 2/23/00
CONSTRUCTION: 2/23/00
BASE: 2/23/00
DRAWN: 2/23/00
DESIGNED: 2/23/00
CHECKED BY: 2/23/00
DATE: 2/23/00
REASON: 2/23/00
PROJECT NO.: 2/23/00
DRAWING: 2/23/00
1 OF 2

Requested Zoning Action
Request for Special Hearing to amend the Site Plan approved
In Case No. 99-238-SHA.
Variance from Section 405.2.A to allow a full-service station
in a planned shopping center to be located on a lot that is within 0
feet of the intersection of Baltimore National Pike and Chagmont Road.
Variance from Section 409.6 to allow 2,389 parking spaces to be
provided in lieu of the required 3,573 parking spaces.
Variance from Section 405.4.A.2.b and 405.4.A.2.c to waive the
requirement to provide a landscape transition area if necessary.

Parking Tabulation	
Existing	Proposed
4,107 P.S. @ 1 P.S. / 1,000 S.F. = 4,107 P.S.	4,107 P.S. @ 1 P.S. / 1,000 S.F. = 4,107 P.S.
Net Shopping Center	Net Shopping Center
2,389 P.S. @ 1 P.S. / 1,000 S.F. = 2,389 P.S.	2,389 P.S. @ 1 P.S. / 1,000 S.F. = 2,389 P.S.
Net Total	Net Total
6,496 P.S.	6,496 P.S.
Required	Required
3,573 P.S.	3,573 P.S.
Provided	Provided
6,496 P.S.	6,496 P.S.
Net Total	Net Total
2,923 P.S.	2,923 P.S.

Amenity Open Space Tabulation (S.F.)	
Existing	Proposed
1,000 S.F.	1,000 S.F.
Net Total	Net Total
1,000 S.F.	1,000 S.F.

EXISTING THEATER
2602 EXIST. SEATS
34,222 SF

EXIST. BLDG. 'A'
45,597 SF GLA

EXIST. BLDG. 'B'
26,871 SF GLA
(TO BE REMAIN)
EX. BASEMENT OFFICE TO REMAIN

EXIST. BLDG. 'C'
20,248 SF GLA
(TO BE REMAIN)

EXIST. BLDG. 'D'
9,202 SF GLA

EXIST. BLDG. 'E'
36,224 SF GLA

EXIST. BLDG. 'F'
135,196 SF GLA

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