IN RE: PETITION FOR SPECIAL HEARING
N/W side of Dolfield Boulevard, S of
Easter Court
4th Election District
4th Councilmanic District
Run Crossing, LLC
By: Sidney Emmer, President
Petitioner

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 06-095-SPH

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner on a Petition for Special Hearing for the property located in the northern area of Baltimore County. The Petition was filed by the Run Crossing, LLC by Sidney Emmer, President, the Petitioner. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve an amendment to the development plan approved in Case No. IV-615 to show details of residential units above the first floor of Office Buildings A, B and C.

The property was posted with Notice of Hearing on September 25, 2005, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on September 27, 2005, to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

ORDER RECEIVED FOR FILING
Date 10-27-05
By [signature]

Zoning Advisory Committee Comments

The Zoning Advisory Committee Comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated October 12, 2005 in support of the Petitioner's request to amend the final development plan.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing relief were David Thaler, Professional Civil Engineer and Sid Emmer for the Corporate Petitioner. Robert Hoffman, Esquire represented the Petitioners. Jim Thomas, Audrey Coppersmith, Amy Mitchell, Alan McLeod, Sidney Katz, Tom Pilon, T.J. Hartley, and Katherine Thomas attended the hearing as interested citizens. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The subject property is the site of the fourth phase of a multi-phase project for this developing area in the County. The site contains 56 acres of land along the proposed Dolfield Boulevard zoned ML-IM, DR 10.5, DR 1, OT and RC 5. The Developer proposes a mixed-use community of homes, work and shopping in a Commercial Planned Unit Development which was approved in Case no. IV- 615.

In this case the Petitioner requests several changes to the final development plan. First the Petitioner is now ready to specify the number and type of residential units above the office and retail buildings along Dolfield Boulevard, which were previously mentioned in Note 48 of the original development plan. Office Building A will have 36 multifamily units above the first floor office space. In addition 40 parking spaces are added in the garage for this building.

Similarly Retail Building C will have 36 multifamily units above the first floor of retail space. Retail Building D becomes Office Building C and again will have 36 units above the first floor.

In regard to parking, the original plan approved a modification of standards allowing 710 shared parking spaces for the condominiums in lieu of the required 765. These are shared parking spaces allowed because the peak parking demand for the office, retail and residential uses are not the same. Parking for the revised plan is similarly based on shared parking. Petitioner's exhibit 4 shows that with the additional parking provided in this revision, the overall shared parking has a minimum of 55 spaces above the number required. Parking for the individual buildings is further broken down in Petitioner's exhibits 2 and 3.

The second request is to allow the property to be resubdivided into 21 lots to enhance financing of the project. However these internal property lines at times violate the building setback distances. Mr. Hoffman proffered that it would be unreasonable to move the location of the buildings given the engineering costs already expended in this regard. He noted that the Planning Office supports each of the above modifications.

In regard to amending the 2004 final development plan, the Petitioner cites Section 1B01.3.A.1 which, although listed in the DR regulations, applies to all residential subdivisions. Subsection 1.a requires a public hearing to disclose the proposed changes to prospective residents and to those who may have relied on the original development plan. The Petitioner contends that proper notice was given through the posting of the property and publication of the public hearing in the Jeffersonian Newspaper.

Subsection 1.b requires only that the proposed changes comply with the applicable regulations, standards and policies. The Petitioner contends this revised proposal meets these requirements as set forth above.

Citizens Concerns

Mr. Katz, representing the Village of Mill Run Condominium Association, expressed his concern regarding traffic in the area until Dolfield Boulevard is actually constructed. Mr. McLeod expressed similar concerns especially in regard to traffic using Pleasant Hill Road coming from nearby industrial park and condominium developments. Mr. Emmer, speaking for the Petitioner, agreed 100% with the community that getting Dolfield Boulevard is his highest priority. He pointed out that Note 47, approved in the original plan, and still effective in this revised plan, prohibits occupying residential units in his development until Dolfield Boulevard is operable. Mr. Hoffman recalled that after the hearing on the original plan, representatives from the community and Developer jointly visited the Director of Public Works to emphasize the need to get the Dolfield Boulevard project going. Mr. Emmer further explained that to his knowledge there was one property along the Dolfield right of way, which had not yet been acquired by the County, and that this could go to condemnation by the County if not resolved. If this last property could be resolved quickly, Mr. Emmer opined that Dolfield might be under construction in the spring of 2006. In addition the parties were aware that a critical bridge must still be built by the County to connect Dolfield to the County road network. Mr. Emmer indicated that to his knowledge construction of the bridge would begin in the summer of 2006. He pledged to keep the community representatives apprised of the progress of the bridge and road as he learns of same.

Several other citizens expressed concern about construction traffic using the existing roadways, which they indicated, are already overcrowded. They were particularly concerned about construction traffic on Mill Run. Mr. Emmer agreed to investigate having construction traffic for this project come to the site via the Run Crossing rather than Mill Run. Ms. Thomas recounted construction runoff from nearby projects, which she and her neighbors had to clean up. She requested the Developer erect and maintains proper silt fences to prevent such run off from this development.

Ms. Mitchell indicated her concern that people from this development will park on Mill Center Drive. Mr. Emmer noted that this road is across four lane Dolfield Boulevard and once this major road is constructed, there will be little incentive for people to use Mill Center Drive.

Findings of Fact and Conclusions of Law

The request for special hearing arises because the Petitioner proposes to amend the final development plan approved in Case No. IV – 615 known as Mill Run PUD- C. I find that Section 1B01.3.A.1, subsection 1.a , requirement to disclose the proposed changes to prospective residents and to those who may have relied on the original development plan have been complied with by the public hearing held on October 12, 2005. I further find that the proposed changes comply with applicable regulations, standards and policies. I am satisfied that the shared parking calculations indicate that there will be adequate parking given the changes in uses and additional residential units proposed. I am persuaded that the deviation from standards for the setbacks from the internal property lines are within the spirit and intent of the PUD-C regulations and will have no adverse affect on the community.

In regard to the Planning Office comments, I note that the Office of Planning fully supports the Petitioner's requests as shown in the ZAC comment dated October 12, 2005. I find therefore that the Office of Planning comments constitute the certification by the Director of Planning that this plan meets the spirit and intent of the regulations and does not violate the spirit and intent of the original development plan pursuant to Section 1B01.3.A.7.c. (4). I also make such findings and so certify.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's special hearing request should be granted as presented in Exhibits 1A, 1 B and 1 C.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 27 day of October, 2005, that the Petitioners' request for special hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve an amendment to the development plan approved in Case No. IV-615 to show details of residential units above the first floor of Office Buildings A, B and C, be and is hereby GRANTED.

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

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:dlw

Date 10-27-05
By

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

October 27, 2005

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

Re: Petitions for Special Hearing
Case No. 06-095-SPH
Property: Run Crossing, LLC

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above-captioned case.

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,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:dlw
Enclosure

c: Mr. Sidney Emmer, President, Run Crossing, LLC, 1801 Falls Road, Baltimore, MD 21201
D.S. Thaler & Assoc., Inc., P.O. Box 47428, Baltimore, MD 21244-7428
Ms. Jen Lester, 1510 Hollins Street, Baltimore, MD 21223
Mr. Jim Thomas, 11023 Mill Centre Drive, Owings Mills, MD 21117
Ms. Audrey Coppersmith, 9625 Ashlyn Circle, Owings Mills, MD 21117
Ms. Amy Mitchell, 11027 Mill Centre Drive, Owings Mills, MD 21117
Mr. Allan McLeod, 9683 Ashlyn Circle, Owings Mills, MD 21117
Mr. Sidney Katz, Pres., Village of Mill Run Condo. Assoc., 9732 Ashlyn Circle, Owings Mills, MD 21117
Mr. Tom Pilon, 2560 Lord Baltimore Drive, Baltimore, MD 21244
Mr. T.J. Hartley, 11052 Alex Way, Owings Mills, MD 21117

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at N/W Side of Dolfield Boulevard, South of Easter Court

which is presently zoned DR1, DR10.5, RC5, ML and ML-IM

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

an amendment to the development plan approved in Case No. IV-615 to show details of residential units above the first floor of Office Buildings A, B and C.

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

Robert A. Hoffman / [illegible]
Signature

Venable LLP
Company

210 Allegheny Avenue — (410) 494-6200
Address — Telephone No.

Towson, MD 21204
City — State — Zip Code

Legal Owner(s):

Run Crossing LLC
Name - Type or Print

[signature]
Signature

By: Sidney Emmer, President
Name - Type or Print

Signature

1801 Falls Road — (410) 685-5200
Address — Telephone No.

Baltimore, MD 21201
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

Case No. 06-095-SPH

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING ______

UNAVAILABLE FOR HEARING ______

Reviewed By D.T. Date 8/15/05

REV 9/15/98

ORDER RECEIVED FOR FILING
Date 10-27-05
By [illegible]

August 15, 2005

MILL RUN

(For Zoning Purposes Only)

Beginning for the first at a point located on the northern right-of-way line of future Dolfield Boulevard, located approximately 89 feet, more or less, from the intersection of Run Crossing Drive and future Dolfield Boulevard, thence running the following courses and distances:

1. Southwesterly 130.98 feet by a curve to the left, having a radius of 5042.00 feet and a chord bearing South 34°32'41" West 130.98 feet to a point; thence,
2. South 33°48'01" West 1857.43 feet to a point; thence,
3. North 58°03'40" West 304.43 feet; thence,
4. North 58°07'32" West 329.98 feet; thence,
5. North 57°25'24" West 248.68 feet; thence,
6. North 01°23'45" West 1578.41 feet to a point along the southern right of way line of BGE; thence,
7. North 84°55'31"East 490.51 feet; thence,
8. South 83°25'16" East 596.05 feet; thence,
9. South 05°04'31" East 406.40 feet; thence,
10. South 84°55'29" West 807.49 feet to the point of beginning.

Containing 56.05 acres of land, more or less.

Beginning for the second at a point located North 01°23'45" West 66.14 feet distant from the end of the sixth or North 01°23'45" West 1578.41 feet line of the firstly described parcel herein, thence running the following courses and distances:

06-095-SPH

August 15, 2005
PROPERTY DESCRIPTION (For Zoning Purposes Only)
The Mill Run property located
within The Fourth Election District
of Baltimore County, Maryland

1. North 01°23'45" West 33.91 feet to a point; thence
2. South 83°25'16" East 167.52 feet to a point; thence
3. South 84°55'33" West 166.24 feet to the point of beginning.

Containing 0.065 acres of land, more or less.

Beginning for the third at a point located at the southwesterly corner of the intersection of future Dolfield Boulevard and Run Crossing Drive, thence running the following courses and distances:

1. North 79°27'23" East 27.34 feet to a point; thence
2. South 55°23'26" East 113.67 feet to a point; thence
3. South 60°17'18" East 46.88 feet to a point; thence
4. South 33°48'02" West 438.48 feet to a point; thence
5. North 56°16'36" West 180.00 feet to a point; thence
6. North 33°48'01" East 400.26 feet to the point of beginning.

Containing 1.80 acres of land, more or less.

Located within the Fourth Councilmanic District and Fourth Election District of Baltimore County, Maryland.

STATE OF MARYLAND
GERHARD F. LINSENMEYER III
No. 503
REGISTERED
PROPERTY LINE SURVEYOR

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 448609

DATE 8/15/05 ACCOUNT 001006150

AMOUNT $ 325.00

RECEIVED FROM: VENABLE

FOR: ITEM # 095 06-095-SPH

N/W/S OF DOLFIELD BLVD S OF EASTER CT. D.T.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
8/16/2005	8/15/2005	11:12:17	1

REG W001 WALKIN JRIC JHR
>RECEIPT # 249713 8/15/2005 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 448609
Recpt Tot $325.00
$325.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #06-095-SPH
N/west side of Dolfield Boulevard, South of Easter Court
N/west side of Dolfield Boulevard, South of Easter Court and north of Parkers Farm Road
4th Election District — 4th Councilmanic District
Legal Owner(s): Run Crossing, LLC,
Sidney Emmer, President

Special Hearing: to allow an amendment to the development plan approved in Case No. IV-615 to show details of residential units above the first floor of office buildings.

Hearing: Wednesday, October 12, 2005 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
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.

JT 9/735 September 27 68590

CERTIFICATE OF PUBLICATION

9/29/, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/27/, 2005.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 06-095-SPH

Petitioner/Developer: RUN CROSSING

SIDNEY EMMER

Date of Hearing/Closing: OCT 12, 2005

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

ATTN: Kristen Matthews {(410) 887-3394}

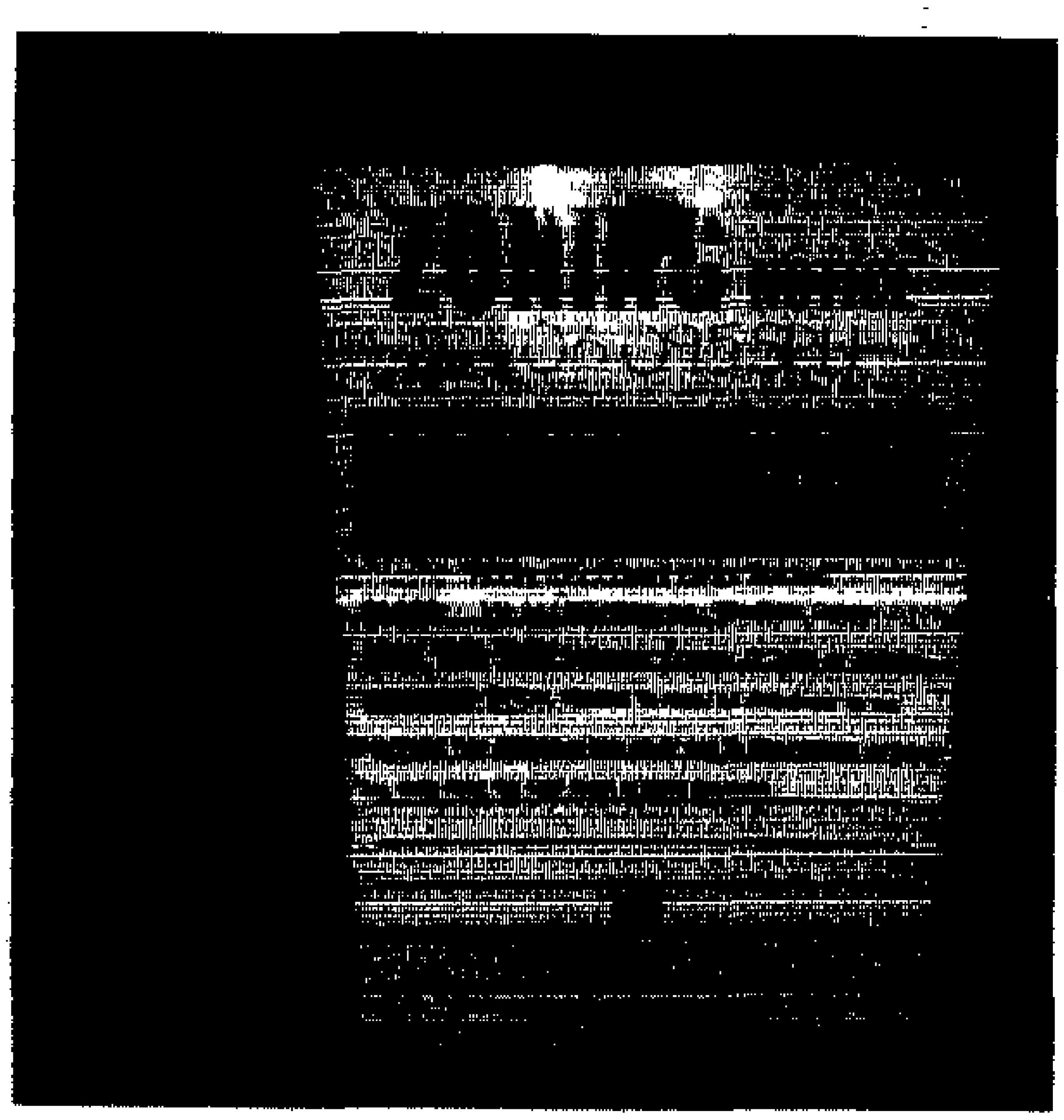
Ladies and Gentlemen:

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:

N/W SIDE OF DOLFIELD BLVD, SOUTH OF EASTER CT.
AND N. OF PARKERS FARM RD.

The sign(s) were posted on 9-25-05
(Month, Day, Year)

Sincerely,



DEAD END DOLFIELD BLVD
N. OF PARKERS FARM RD

Robert Black 9-27-05
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 27, 2005 Issue - Jeffersonian

Please forward billing to:
Amy Dontell 410-494-6200
Venable, LLP
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: 06-095-SPH
N/west side of Dolfied Boulevard, South of Easter Court
N/west side of Dolfield Boulevard, South of Easter Court and north of Parkers Farm Road
4th Election District – 4th Councilmanic Election
Legal Owners: Run Crossing, LLC, Sidney Emmer, President

Special Hearing to allow an amendment to the development plan approved in Case No. IV-615 to show details of residential units above the first floor of office buildings.

Hearing: Wednesday, October 12, 2005 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake, Towson 21204

WILLIAM J WISEMAN III
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

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

Baltimore County

James T Smith, Jr, County Executive
Timothy M Kotroco, Director

August 25, 2005

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: 06-095-SPH
N/west side of Dolfied Boulevard, South of Easter Court
N/west side of Dolfield Boulevard, South of Easter Court and north of Parkers Farm Road
4th Election District – 4th Councilmanic Election
Legal Owners: Run Crossing, LLC, Sidney Emmer, President

Special Hearing to allow an amendment to the development plan approved in Case No. IV-615 to show details of residential units above the first floor of office buildings.

Hearing: Wednesday, October 12, 2005 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake, Towson 21204

Timothy Kotroco
Timothy Kotroco
Director

TK:klm

C: Robert Hoffman, 210 Allegheny Avenue, Towson 21204
Sidney Emmer, 1801 Falls Road, Baltimore 21201

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 27, 2005.**
(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.

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: 06-095-SPH

Petitioner: RUN CROSSING LLC

Address or Location: N/W SIDE OF DOLFIELD BLVD. S OF EASTER CT.

PLEASE FORWARD ADVERTISING BILL TO:

Name: AMY DONTELL

Address: VENABLE LLP

210 ALLEGHENY AVE.

TOWSON, MD 21204

Telephone Number: 410-494-6200

Revised 2/20/98 - SCJ

Department of Permits and Development Management

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

Baltimore County

James T Smith, Jr., County Executive
Timothy M Kotroco, Director

October 3, 2005

Robert A. Hoffman
Venable, LLP.
210 Allegheny Avenue
Towson, Maryland 21204

Dear Mr. Hoffman:

RE: Case Number: 06-095-SPH

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 15, 2005.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Run Crossing, LLC. Sidney Emmer 1801 Falls Road Baltimore 21201

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500

Baltimore County

James T Smith, Jr., County Executive
John J. Hohman, Chief

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

August 26, 2005

ATTENTION: Kristen Matthews

Distribution Meeting of: August 29,2005

Item No.: 095 & 103

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lt. Jimmie Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: September 2, 2005

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 6, 2005
Item Nos. 091, 094, 095, 096, 097, 098,
099, 100, 101, 103, and 104

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-09022005.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley

DATE: September 7, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of August 29, 2005

__X__ The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

06-095
~~06-096~~
06-099

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: October 12, 2005

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

SUBJECT: N/W side of Dolfield Boulevard, South of Easter Court

INFORMATION:

Item Number: 6-095

Petitioner: Run Crossing LLC

Zoning: DR 1, DR 10.5, RC 5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:
The Office of Planning supports the petitioner's request, as the addition of residential units above commercial and office use is a development trend that is consistent with the goal and objectives to establish mixed-use development in Baltimore County.

For further information concerning the matters stated here in, please contact Dave Green at 410-887-3480.

Prepared by: ______________________

Division Chief: ______________________

AFK/LL: CM

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

SHA State Highway Administration
Driven to Excel
Maryland Department of Transportation

Date: 8·30·05

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

RE: Baltimore County
Item No. 095 DT

Dear. Ms. Matthews:

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.

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,

L. J. Gredlein

Steven D. Foster, Chief
Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING Northwest side Dolfield Blvd, S of Easter Court and N of Parkers Farm Road 4^{th} Election & 4^{th} Councilmanic Districts Legal Owner(s): Run Crossing, LLC by Sidney Emmer-President Petitioner(s)	* * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 06-095-SPH

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

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 26th day of August, 2005, a copy of the foregoing Entry of Appearance was mailed to Robert A Hoffman, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED
AUG 2 6 2005
Per............

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Mr. T.J. Hartley, 11052 Alex Way, Owings Mills, MD 21117
Ms. Katherine Thomas, ________ ?

Do you know who she is? no just delete her nam

ok to sign my name to letter

Mill Run PUD-C
Parking - Bldgs Restaurant B, Retail B&C, Office C
CFN 9/29/5

Standard Parking Calculations

Use	sf	parking rate	required spaces
Office	16500	0.0033	54
Restaurant	6650	0.016	106
Retail	22450	0.005	112
Multi-Family Surface Parked	72	1.725	124
	Spaces Required		397
	Spaces Provided		388
	Parking Shortage		(9) spaces

Shared Parking Calculations per Section 409.

Weekday 6am to 6pm % Req'd	Spaces Req'd	6pm to midnight % Req'd	Spaces Req'd	Weekend 6am to 6pm % Req'd	Spaces Req'd	6pm to midnight % Req'd	Spaces Req'd	Midnight to 6am % Req'd	Spaces Req'd
100%	54	10%	5	10%	5	5%	3	5%	3
50%	53	100%	106	100%	106	100%	106	10%	11
60%	67	90%	101	100%	112	70%	79	5%	6
100%	124	100%	124	100%	124	100%	124	100%	124
	299		337		348		312		143
	388		388		388		388		388
Excess Shared Parking Spaces	**89**		**51**		**40**		**76**		**245**

Pet #2

Mill Run PUD-C
Parking - Bldgs. Restaurant A, Retail A, Office A
CFN 9/29/5

Standard Parking Calculations

Use	sf	parking rate	required spaces
Office	16500	0.0033	54
Restaurant	6650	0.016	106
Retail	5950	0.005	30
Multi-Family Surface Parked	36	1.95	70
	Spaces Required		261
	Spaces Provided		216
	Parking Shortage		(45) spaces

Shared Parking Calculations per Section 409.

	Weekday 6am to 6pm % Req'd	Weekday 6am to 6pm Spaces Req'd	6pm to midnight % Req'd	6pm to midnight Spaces Req'd	Weekend 6am to 6pm % Req'd	Weekend 6am to 6pm Spaces Req'd	6pm to midnight % Req'd	6pm to midnight Spaces Req'd	Midnight to 6am % Req'd	Midnight to 6am Spaces Req'd
	100%	54	10%	5	10%	5	5%	3	5%	3
	50%	53	100%	106	100%	106	100%	106	10%	11
	60%	18	90%	27	100%	30	70%	21	5%	1
	100%	70	100%	70	100%	70	100%	70	100%	70
		196		209		212		200		85
		216		216		216		216		216
Excess Shared Parking Spaces		**20**		**7**		**4**		**16**		**131**

Pet #3

Mill Run PUD-C

Whole Site

Shared Parking Calculations per Section 409.

Use	sf	parking rate	required spaces	Weekday 6am to 6pm % Req'd	Weekday 6am to 6pm Spaces Req'd	Weekday 6pm to midnight % Req'd	Weekday 6pm to midnight Spaces Req'd	Weekend 6am to 6pm % Req'd	Weekend 6am to 6pm Spaces Req'd	Weekend 6pm to midnight % Req'd	Weekend 6pm to midnight Spaces Req'd	Midnight to 6am % Req'd	Midnight to 6am Spaces Req'd
Office	39000	0.0033	129	100%	129	10%	13	10%	13	5%	6	5%	6
Restaurant	13300	0.016	213	50%	106	100%	213	100%	213	100%	213	10%	21
Retail	28400	0.005	142	60%	85	90%	128	100%	142	70%	99	5%	7
Bank	4200	0.0033	14	100%	14	100%	14	100%	14	100%	14	100%	14
Condominiums	392	1.95	765		710		710		710		710		710 **
Multi-Family													
Surface Parked	104	1.725	181	100%	181	100%	181	100%	181	100%	181	100%	181
Garage Parked	36	1.95	71	100%	71	100%	71	100%	71	100%	71	100%	71
Pool	lump sum		42		0		0		0		0		0 **
	Spaces Required		1557		1296		1329		1344		1295		1011
	Spaces Provided		1399		1399		1399		1399		1399		1399
	Modification Request		(158) spaces	**Excess Shared Parking Spaces**	**103**		**70**		**55**		**104**		**388**

**Modification of Standards approved by Hearing Officers Order, Case #IV-615 November 23, 2004

Pet #4

IN RE: DEVELOPMENT PLAN HEARING W/S Fut Dolefield Boulevard, S of Easter Court 4th Election District 4th Councilmanic District (MILL RUN PUD-C) Sidney Emmer Builders *Developer/Petitioner*	* * * * *	BEFORE THE HEARING OFFICER OF BALTIMORE COUNTY Case No. IV-615

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

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, as a requested approval of a Development Plan known as " Mill Run PUD-C" prepared by D. S. Thaler & Assoc., Inc. The Developer is proposing the development of the subject property into 392 condo units, 32 multi-family units, 46,900 sq. ft. of retail, 23,500 sq. ft. of general office, 13,300 sq. ft. of restaurant, and 4,200 sq. ft. of bank uses. The subject property is located on the west side of future Dolefield Boulevard, south of Easter Court. The particulars of the manner in which the property is proposed to be developed are more specifically shown on Developer's Exhibit No. 1, the Development Plan entered into evidence at the hearing.

The property was posted with Notice of Hearing Officer's Hearing on October 13, 2004, for 20 working days prior to the hearing, in order to notify all interested citizens of the date and location of the hearing.

Appearing at the hearing on behalf of the Development Plan approval request were Sid Emmer, and Charles Nass,, appearing on behalf of the Petitioner, David S. Thaler and Stacey MacArthur and Mark Vaszic, appearing on behalf of D. S. Thaler & Assoc., Inc., the engineering firm that prepared the Development Plan. Robert A. Hoffman, Esquire and David Karceski, Esquire represented the Petitioner at the hearing.

Appearing as an interested citizen was Stewart Richardson.

Also in attendance on November 12, 2004 were representatives of the various Baltimore County reviewing agencies; namely, Bruno Rudaitis (Zoning Review), Robert Bowling (Development Plans Review), Eric Rockel (Bureau of Land Acquisition), and Walt Smith (Development Management), all from the Office of Permits & Development Management; John

Oltman from the Department of Environmental Protection and Resource Management (DEPRM); Mark Cunningham from the Office of Planning; and Donna Bailey from the Department of Recreation & Parks.

As to the history of the project, a Concept Plan Conference was held on March 8, 2004. A Community Input Meeting was held on April 13, 2004 in the Owings Mills High School. The Development Plan was approved by the Planning Board on June 3, 2004. A Development Plan Conference was held on October 20, 2004 and a Hearing Officer's Hearing for this development was held on November 12, 2004 in Room 106 of the County Office Building.

Developer Issues

The Developer presented no issues for resolution.

County Issues

The representative from each County agency indicated that the Development Plan met all regulations for which the agency had jurisdiction except as follows:

Department of Environmental Protection and Resource Management (DEPRM)

The representative of the Department indicated that all technical issues had been resolved but that the Department was waiting for the Director's review of the alternatives analysis which the representative had recommended to the Director. Nevertheless, the parties agreed to keep the record open to finalize the Director's review. Neither party waived its right to have this matter resolved before this Commission if the matter is not resolved between the parties.

On November 19, 2004 the representative from the Department indicated that all issues with his Department had been resolved.

Community Issues

Mr. Richardson indicated his concern that area schools were overcrowded and that this development would add to the problem. He noted that Newtown Elementary School and Cedarmere Elementary School were over the State limit for enrollment. He was aware that the Board of Education is building a new elementary school known a Woodholme Elementary, which will be open next year and may relieve some of the existing problem. However, he was concerned that even if this should happen there may be a problem that children from this site would arrive before the new elementary school is ready. Speaking for other concerned parents in the area, he requested time to inform others that could not attend the hearing.

Mr. Hoffman reviewed the procedure that all such developments must follow to notify the citizens in the area of the pending plan including posting the property, holding a Community Input Meeting at the Owings Mills High School, notice from the Developer, etc. Apparently 40 people attended the Community Input Meeting. He agreed to meet with the community members to review their concerns. However, as noted at the hearing, by law this Commission has only 15 days to render its decision and it is likely that this will occur before Mr. Hoffman and the community meet.

In regard to school overcrowding, the Developer's engineer noted that the target market for the condos and multi-family units is not parents with young children, but rather empty nesters and singles. He noted, for example, units over the retail strip on the first floor of the buildings along Dolefield Boulevard would ordinarily not appeal to families with children.

However, the Developer's representatives recognized that marketing strategy aside, the plan must account for children in the new community. They indicated that the schools in the area were in fact over the State capacity with the projected number of children from this project at the elementary and high school level. However, there is sufficient capacity in adjoining school districts to accommodate the projected students. Mr. Thaler noted that to his knowledge Woodholme Elementary School is scheduled to be operational in 2005 and that this project will be ready for occupancy in 2006. Presumably, the Board of Education would redistrict any schools that remained overcrowded.

Applicable Law

§ 32-4-228. SAME – CONDUCT OF THE HEARING.

(a) *Hearing conducted on unresolved comment or condition.*

(1) The Hearing Officer shall take testimony and receive evidence regarding any unresolved comment or condition that is relevant to the proposed Development Plan, including testimony or evidence regarding any potential impact of any approved development upon the proposed plan.

(2) The Hearing Officer shall make findings for the record and shall render a decision in accordance with the requirements of this part.

(b) *Hearing conduct and operation.* The Hearing Officer:

(i) Shall conduct the hearing in conformance with Rule IV of the Zoning Commissioner's rules;

(ii) Shall regulate the course of the hearing as the Hearing Officer considers proper, including the scope and nature of the testimony and evidence presented; and

(iii) May conduct the hearing in an informal manner.

<u>§ 32-4-244 (b) Basis for Approval</u>.

(b) *Basis for approval*. The Hearing Officer may approve a Development Plan for a Planned Unit Development only upon finding that:

(1) In due consideration of the comments or reports submitted by other agencies or officials, the proposed development meets the intent, purpose, conditions, and standards of this section;
(2) The proposed development will conform with Section 502.1.A,B, C, D, E and F of the Baltimore County Zoning Regulations and will constitute a good design, use, and layout of the proposed site;
(3) There is a reasonable expectation that the proposed development, including development schedules contained in the development plan, will be developed to the full extent of the plan based upon the following:
    (i) Evidence of the applicant's or developer's financial responsibility in general and with respect to the proposed development;
    (ii) Pertinent market data submitted by the applicant, by county agencies or officials, or by others;
    (iii) Development cost;
    (iv) General economic conditions that may be anticipated at the time the development or any phase of the development is to be financed; and
    (v) All other facts that may reasonably be ascertained and have a bearing on the findings ;
(4) The development is in compliance with the Baltimore County Zoning Regulations;

(5) The Development Plan is in accordance with the planning objectives, and requirements of Section 430 of the Baltimore County Zoning Regulations, the comprehensive manual of development policies, and the Baltimore County Zoning Regulations in general;
(6) The Development Plan is in conformance with the goals, objectives, and recommendations of the Master Plan or area plans; and
(7) The Development does not violate the provisions of any deed or covenants attached to the property.

Testimony and Evidence

Mr. Emmer testified that this plan is the fourth phase of a multi-phase project for this developing area in the County. The site contains 56 acres of land along the proposed Dolefield Boulevard zoned ML-IM, DR 10.5, DR 1, OT and RC 5. Instead of warehouses or industrial uses allowed by right in the ML portion of the property, the Developer proposes a mixed use community of homes, work and shopping in a Commercial Planned Unit Development. His intent is to provide a village center of retail, restaurants and services to encourage pedestrian traffic not only from residents of this community but the prior three developments that also adjoin this site. To foster this sense of village center, parking for the uses along Dolefield Boulevard is in the rear of the buildings rather than along the primary roadway as ordinarily would be expected. There will be a single parking lane along Dolefield Boulevard in addition to the two through lanes to serve the retail shops on the first floor of these buildings and to slow traffic down on Dolefield, as well as provide convenient parking. To give a further sense of community, the five condo buildings surround a pool, which will serve its residents. Design of the proposed buildings is shown on Petitioner's Exhibit 1C, many of which will be in the Dutch village mode.

In addition, the plan shows that approximately 30 acres of land will be preserved as open space adding to the greenway plan for the County. This area will contain passive open space amenities of walking trails, benches, etc., in addition to preserving wetlands and forests. However, the Developer again noted that this area would not have attractions for the entertainment of children but rather would have adult passive walking trails. The zoning for this portion of the property has both rural conservation and density residential designations. See rendering of the landscaping and open space in Developer's Exhibit 2.

The Developer's engineer indicated that he had submitted all reports and studies required of the Developer to Baltimore County who had approved each except the alternative analysis under review by DEPRM. This includes review and approval by the Planning Board. As such, he opined that the proposed development meets the intent, purpose, conditions and standard applicable to the project. In addition, the engineer testified that the plan conforms to Section 502.1 A, B, C, D, E and F. In summary, he opined that the plan would not be detrimental to the health, safety and welfare of the community and in fact would enhance the community. This plan of mixed uses contracts with the industrial uses allowed by right in ML zones. More than 50% of the property will be preserved as forested greenway. As noted above, schools are adequate through redistricting by considering the theoretical number of children who might attend local schools. However, considering the new elementary school in the area and the marketing strategy pointing toward singles and seniors, he indicated that there will be no adverse impact on the area schools. Finally, he noted that there will be a public benefit as outlined in Developer's Exhibit 3.

He also noted that this particular developer has a track record which indicates that there is a reasonable expectation the proposed development will be successful. Mr. Emmer noted that he has successfully developed 224 condo units on an adjacent property, all of which are built and occupied. In addition, he is also constructing 71,000 sq. ft. of office space and another 287,000 sq. ft. of flex space in a nearby site. He indicated that he has the technical expertise, financial backing and management experience to complete this project.

The Developer's engineer indicated that the plan conforms to all Baltimore County zoning regulations and that the plan conforms to the planning objectives and requirement of

Section 430 of the B.C.Z.R., the CMDP and applicable regulations. However, he noted that the Developer is requesting approval of modification of standards as follows:

1. Per Section 409.6.A (B.C.Z.R.), to allow 710 parking spaces in lieu of the required 765 parking spaces for the condominium units.
2. Per Section 409.6.4 (B.C.Z.R.), to allow 0 parking spaces for the swimming pool in lieu of the required 42 spaces.
3. Per Section 409.1.B (B.C.Z.R.), to allow 3 employee parking spaces along the bank drive-thru lane.
4. Per Section 238.2 (B.C.Z.R.), to allow a minimum of 21 ft. rear and side setback in lieu of the required 30 ft. (Condominium Bldg. 'A'); and
5. Per Section 450.4.F (B.C.Z.R.), to allow signage on the rear of a building in addition to the signage on the front of the building.

In regard to parking, the Developer is requesting to provide 710 parking spaces in lieu of the required 765. The Engineer noted that this requirement arises from a CMDP provision that homes with garages have an additional 30.5 more parking. This regulation is focused on normal homes in which garages are often filled with storage items and the County wants to insure that there is sufficient off-street parking. However, in this case, an entire parking garage will be provided and no storage will be allowed in the garage. In addition, there will be some parking on Dolefield Boulevard.

The second request is for zero spaces to serve the pool. Again, an isolated pool clearly needs parking for people to use the facility. However, here the pool serves the five condo buildings, all of which are easily within walking distance to the pool. No one will drive to this pool.

He also noted that they would like to have three parking spaces along the bank drive-thru lane. These would not interfere with the flow of vehicles in the drive-thru lane and would be used exclusively for employees.

Condo building A is 21 ft. from the property line rather than the 30 ft. required. However, the engineer noted that these property lines are internal to the project and this case and amount to a setback from a parking lot.

Finally, the Developer requests to be allowed to have signs on both the front and backs of each building. These are needed because there is parking on both the front and rear yards. He noted that the Planning Office supports each of the above modifications.

Findings of Fact and Conclusions of Law

I find that this plan complies with all requirements of Sections 32-4-244 and 32-4-245 of the Baltimore County Code and should be approved. I recognize Mr. Richardson's concerns regarding school overcrowding in the area, but from the testimony and evidence presented the regulations can be satisfied by the Board of Education adjusting the school district lines to use the capacity of adjoining districts. As Mr. Richardson pointed out, however, this district line adjustment is easier said than done as parents and administrators vie to have the district drawn to their liking. That said, the testimony is that there will be a new elementary school opening before the "children" from this project begin to arrive. I take solace about school overcrowding in the fact that these units willing be marketed to singles and seniors.

Specifically, I find that the Developer has submitted all reports and studies required by Baltimore County who has approved each except the alternative analysis under review by DEPRM. Based upon the note from the Department of November 19, 2004. I further find that this last item now has been cleared as evidenced by the letter in the file from DEPRM regarding alternatives analysis. I note that this plan was also approved by the Planning Board.

I further find that the proposed development meets the intent, purpose, conditions and standards applicable to the project and conforms to Section 502.1 A, B, C, D, E and F of the B.C.Z.R. I find that the plan would not be detrimental to the health, safety and welfare of the community and in fact would enhance the community. This plan of mixed uses contracts with the industrial uses allowed by right in ML zones. More than 50% of the property will be preserved as forested greenway. As noted above, schools are adequate by redistricting when considering the theoretical number of children who might attend local schools. However, considering the new elementary school in the area and the marketing strategy pointing toward singles and seniors, I find that there will be no adverse impact on the area schools. Finally, there will be a public benefit as outlined in Developer's Exhibit 3.

I also find that Mr. Emmer has a track record, which indicates there is a reasonable expectation that the proposed development will be successful. This is the fourth phase of a highly successful larger program by Mr. Emmer. I find that he has the technical expertise, financial backing and management experience to complete this project.

I further find that the plan conforms to all Baltimore County Zoning Regulations and that the plan conforms to the planning objectives and requirement of Section 430 of the B.C.Z.R., the CMDP and applicable regulations. However, it is to be noted that the Developer has made a request for modification of standards.

In regard to parking, the Developer is requesting to provide 710 parking spaces in lieu of the required 765. I see no reason why the CMDP provision requiring homes with garages have an additional 30% more parking should apply here as reasonable because this development does not have the usual or ordinary circumstances. However, in this case an entire parking garage will be provided and no storage will be allowed in the garage. In addition, there will be some parking on Dolefield Boulevard.

I also approve the Developer's request for zero spaces to serve the pool Here the pool serves the five condo buildings, all of which are easily within walking distance to the pool. No one will drive to this pool as an ordinary course of business. Some guests of the condo owners may use the pool undoubtedly but they can park in the garage provided and again will walk to the pool.

I also approve having three parking spaces along the bank drive-thru lane. These would not interfere with the flow of vehicles in the drive-thru lane and would be used exclusively for employees. Similarly, I approve having Condo Building A 21 ft. from the property line rather than the 30 ft. required. As the engineer noted, these property lines are internal to the project and this case amounts to a setback from a parking lot not a residential property line where such would matter greatly.

I approve the Developer's request for signs on both the front and backs of each retail building. These are needed because there is parking on both the front and rear yards. I also note that the Planning Office supports each of the above modifications.

In summary I find that the Developer has met all applicable regulations and the Development Plan should be approved.

THEREFORE, IT IS ORDERED, by this Hearing Officer for Baltimore County, this 23 day of November, 2004, that the Development Plan known as "Mill Run PUD-C", submitted into evidence as "Developer's Exhibit No. 1, be and it is hereby APPROVED; and

IT IS FURTHER ORDERED that the Developer's request to modify standards as follows:

1. Per Section 409.6.A (B.C.Z.R.), to allow 710 parking spaces in lieu of the required 765 parking spaces for the condominium units.
2. Per Section 409.6.4 (B.C.Z.R.), to allow 0 parking spaces for the swimming pool in lieu of the required 42 spaces.
3. Per Section 409.1.B (B.C.Z.R.), to allow 3 employee parking spaces along the bank drive-thru lane.
4. Per Section 238.2 (B.C.Z.R.), to allow a minimum of 21 ft. rear and side setback in lieu of the required 30 ft. (Condominium Bldg. 'A'); and
5. Per Section 450.4.F (B.C.Z.R.), to allow signage on the rear of a building in addition to the signage on the front of the building.

be and are hereby APPROVED.

Any appeal from this decision must be taken in accordance with Section 32-4-281 of the Baltimore County Code and the applicable provisions of law.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

PLEASE PRINT CLEARLY

CASE NAME________________
CASE NUMBER______________
DATE_____________________

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
*Jim Thomas	11023 Mill Centre Dr.	Owings Mills, MD	KapJim3@aol.com
Audrey Coppersmith	9625 Ashlyn Circle	Owings Mills, MD	
*Amy Mitchell	11027 Mill Centre Drive	Owings Mills, MD 21117	amitchel@jhmi.edu
*Allan McLeod	9683 Ashlyn Circle	Owings Mills MD 21117	allanmcleod@aol.com
*Sidney Katz	9732 Ashlyn Circle	Owings Mills, MD 21117	sidkatz@comcast.net.
Tom Pilon	2560 Lord Baltimore Drive	Balt MD 21244	tom.pilon@stjohnpropertiesinc.com
T.J. Hartley	11052 Alex Way	Owings Mills, MD, 2117	jkanen@aol.com
Katherine Thomas	Pres. Village of Mill Run		
	Condo Assoc		

PLEASE PRINT CLEARLY

CASE NAME____________
CASE NUMBER____________
DATE____________

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Rob Hoffman	210 Allegheny Ave	Towson Md 21204	RAHoffman@Venable.com
D STHALER CHARLES	BOX 47428	BALT MD 21244-7428	dsthaler@dsthaler.com
Jen Lester	1510 Hollins St	Balt MD 21223	
Sid Emmer	1801 Falls Rd.	Balto. MD 21201	

MILL RUN
PLAT TO ACCOMPANY ZONING PETITION
VICINITY MAP
SCALE 1"=1000'
BUILDING 'A' PARKING GARAGE DETAIL
SCALE 1"=60'
CONDOMINIUM PARKING GARAGE DETAIL
SCALE 1"=60'
NOTE
PARKING BAY STRIPING IS SUBJECT TO COLUMN SPACING
LOT LAYOUT DETAIL
NTS
SCALE. 1"=50'
NORTH MCS
BALTIMORE COUNTY OFFICE OF PLANNING SHALL REVIEW AND APPROVE THE ARCHITECTURAL PLANS AND ELEVATIONS PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
PROJECT NAME MILL RUN
PLAN TITLE PLAT TO ACCOMPANY ZONING PETITION
COUNCILMANIC DIST 4
REGIONAL PLANNING DISTRICT 306
ELECTION DIST 4
PROJECT MANAGER CHRISTINE RORKE
PDM # IV-615
CIM APRIL 13, 2004
APPROVAL
DEVELOPER
SIDNEY EMMER BUILDERS
1801 FALLS ROAD
BALTIMORE, MD 21201
410 685 5200
D. S. THALER & ASSOC., INC.
CIVIL ENGINEERS
LANDSCAPE ARCHITECTS
SURVEYORS
LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 944-ENGR, (410) 944-3647
DATE 8.15.05
SCALE 1"=50'
PROJ NO 02293g
SHEET 1 OF 3
ORDER CASE NO. IV-615
LEGEND
PROPOSED
EXISTING
CONDOMINIUM BUILDING 'A'
CONDOMINIUM BUILDING 'B'
CONDOMINIUM BUILDING 'C'
CONDOMINIUM BUILDING 'D'
CONDOMINIUM BUILDING 'E'
OFFICE 'A'
OFFICE 'B'
RESTAURANT 'A'
RESTAURANT 'B'
RETAIL 'A'
RETAIL 'B'
RETAIL 'C'
RETAIL 'D'
BANK
MULTI-FAMILY
POOL
CLUB HOUSE
PROPOSED GATEHOUSE
PROP GATE
KENT-MAR PLAT 2 74 55
KENT-MAR PLAT 1 74 52
BGE @ PLEASANT HILL
EX BGE SUBSTATION

MILL RUN

PLAT TO ACCOMPANY ZONING PETITION

COUNTY ADOPTED PLANS

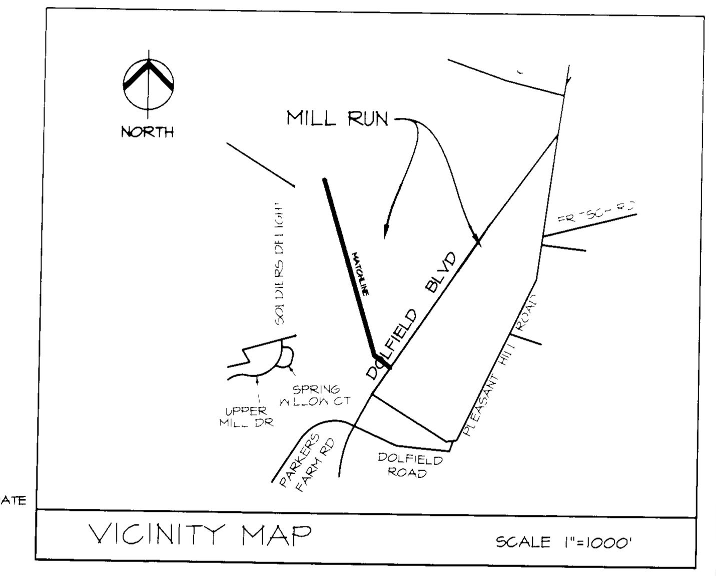
Existing	Not Existing	In Conformance	
●		●	Balto Co Master Plan 2010
	●		Community or Revitalization Plan(s)
	●		Recreation and Parks Plan
	●		Streetscape Plan
●		●	Greenways Plan
			Other ______________

EXISTING BUILDING CONDITIONS

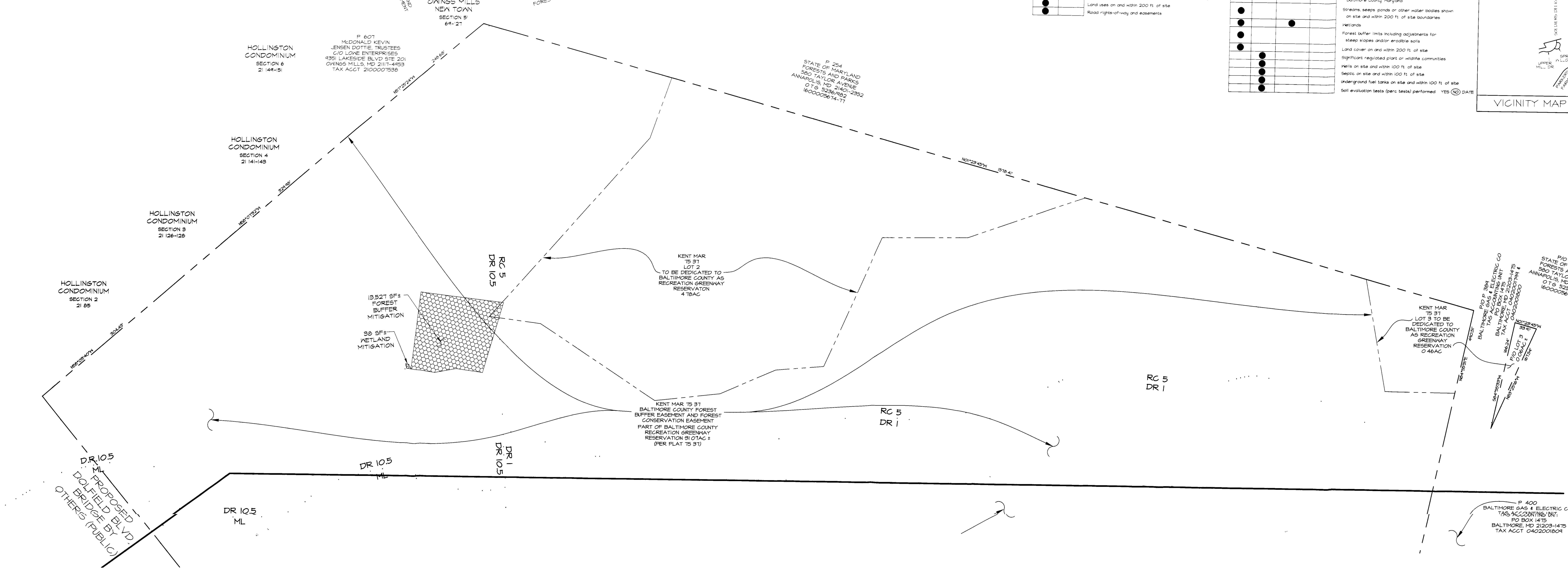
Existing	Not Existing	
●		Locations of existing buildings within 200 ft of site boundaries
●		Location of existing roads within 200 ft of site boundaries
	●	Designated historic sites
	●	Designated archeological
	●	Significant views
	●	Significant features (specimen trees, buildings streetscape etc)
●		Land uses on and within 200 ft of site
●		Road rights-of-way and easements

ENVIRONMENTAL INFORMATION

Existing	Not Existing	Field Delineated	Field Verified	
●				Topography and street grades (minimum 5ft contour appropriately labeled)
●				Slopes greater than 25%
●				100 year floodplain
●				Soils mapped according to Soil Survey Baltimore County Maryland
●				Streams, seeps ponds or other water bodies shown on site and within 200 ft of site boundaries
●		●		Wetlands
●				Forest buffer limits including adjustments for steep slopes and/or erodible soils
●				Land cover on and within 200 ft of site
	●			Significant regulated plant or wildlife communities
	●			Wells on site and within 100 ft of site
	●			Septic on site and within 100 ft of site
	●			Underground fuel tanks on site and within 100 ft of site
	●			Soil evaluation tests (perc tests) performed YES (NO) DATE



VICINITY MAP SCALE 1"=1000'



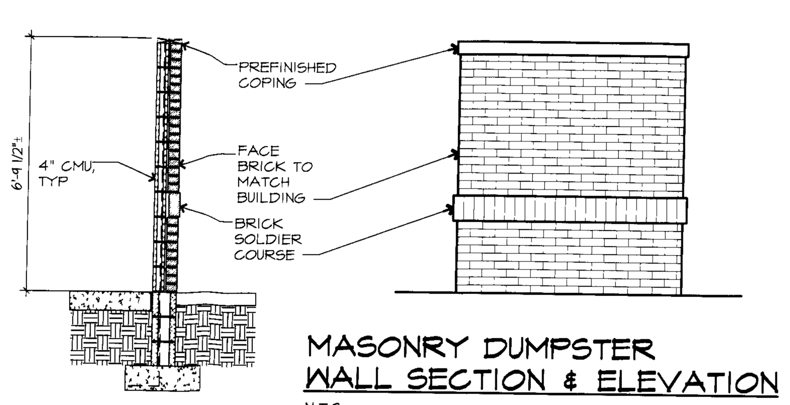
...ABLE OUTFALL STATEMENT

Drainage from this site flows in two directions, to the existing stream ...em located on the property to the west of the proposed development and ...e existing storm drain system in the adjacent development of Kentmar ... Red Run stream system, which bisects the property, has an extensive ...sted wetlands system The stream and associated forest and wetlands ...em had been platted previously in SM 75-37 as conservation areas D S ...er & Associates, Inc has made a visual examination of the on-site stream ...em and wetlands This examination included limited (due to dense ...etation) field observations of the existing channels Our observation of the ...am found the channels to be silty and stable, with no apparent signs of ...ion The banks are heavily vegetated both within the wooded areas and in ...pen meadow areas

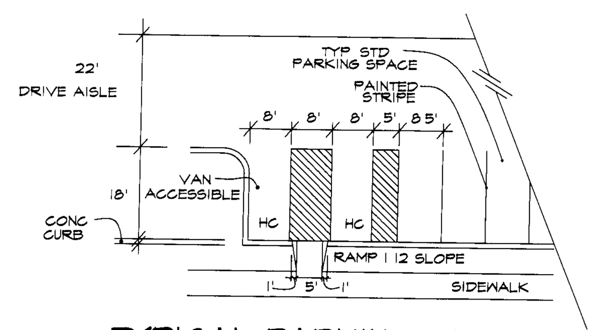
Seven stormwater management facilities and three recharge gardens will ...onstructed for the development to provide for WQv, Rev, Cpv, and Qf ... #1 will consist of one surface sand filter and two underground storage ...ties The recharge gardens associated with BMP #1 will include yard inlets ...pture the higher flows and limit ponding potential These inlets will ...arge into the proposed storm drain system The surface sand filter will ...arge into one of the underground structures Discharge from the ...ground facilities will combine to one discharge point and will be released ...he forest buffer west of the development This area has well-vegetated, ...nsive, flat wetlands which border the Red Run A riprap velocity dissipater ...e incorporated into the design to disperse the flows With the provision ... and 100-year storm management, it is our opinion that there will be no ...icant adverse change in the rate, velocity or degree of concentration of ...unoff from this facility as it enters Red Run after development

...BMP #2 and BMP #3 will each consist of one underground sand filter and ...nderground storage facility Each underground sand filter will discharge ...s associated underground storage structure Discharge from the ...ground facilities will combine to one discharge point and will be released ...he forest buffer west of the development, approximately 700Found ...ializing VBA System farther downstream from the outfall for BMP #1 ...rea is forested and has well-vegetated wetlands, bordering the Red Run ...ap velocity dissipater will be incorporated into the design to disperse ...ows With the provision of 1- and 10-year storm management, it is our ...n that there will be no significant adverse change in the rate, velocity or ...e of concentration of the runoff from these facilities as it enters Red ...fter development

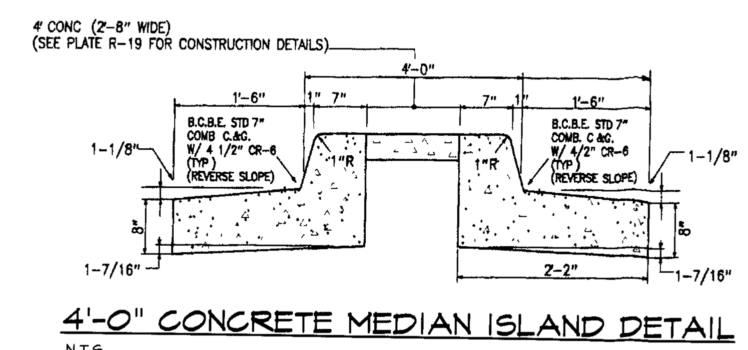
...herefore, we conclude that the outfalls are "suitable" based on criteria ...ded by the Baltimore County Department of Public Works and the ...tment of Environmental Protection and Resource Management



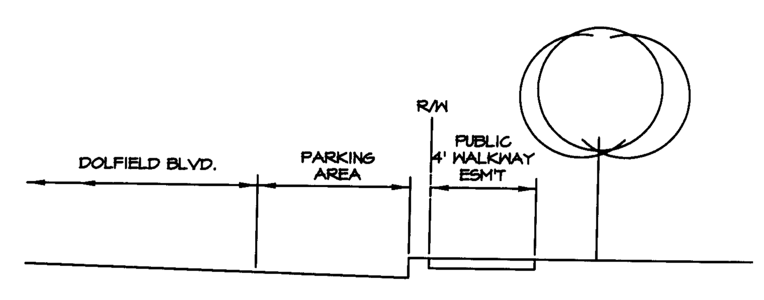
MASONRY DUMPSTER WALL SECTION & ELEVATION
NTS



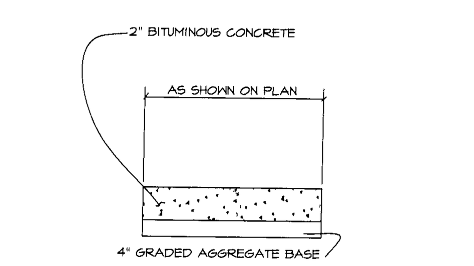
TYPICAL PARKING DETAIL
NTS



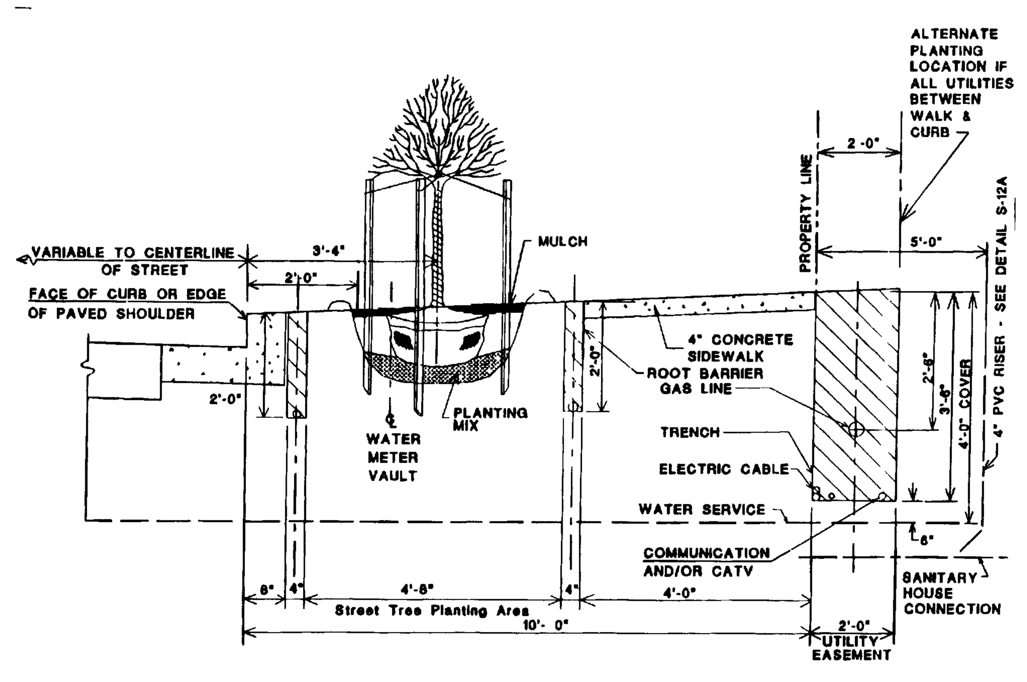
4'-0" CONCRETE MEDIAN ISLAND DETAIL
NTS



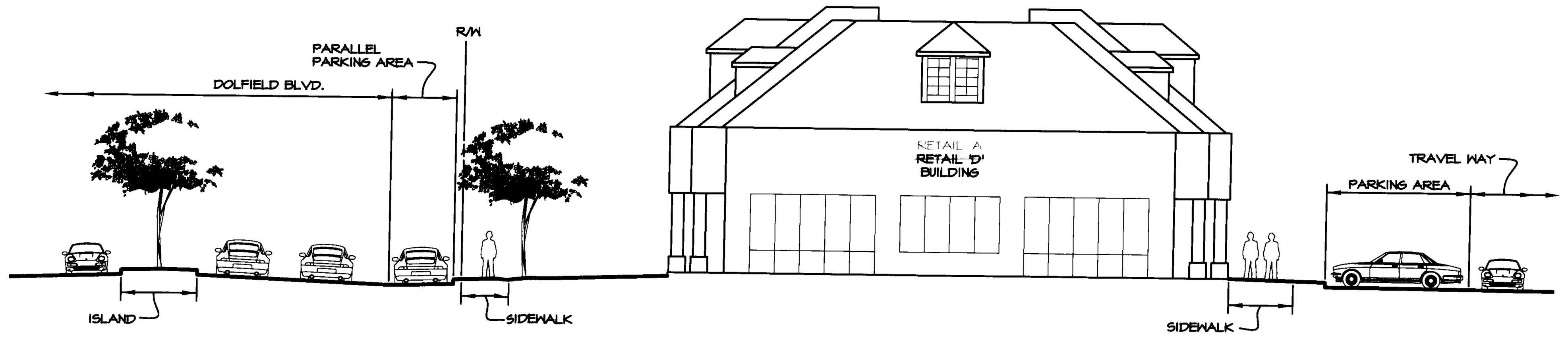
PARALLEL PARKING ALONG DOLFIELD BLVD.
NTS



PATHWAY TYPICAL SECTION
NTS



TYPICAL SIDEWALK/STREET TREE DETAIL (BALTO. CO. PLATE G-5A)
NTS



SECTION A-A'
SCALE 1" = 10'

SOILS

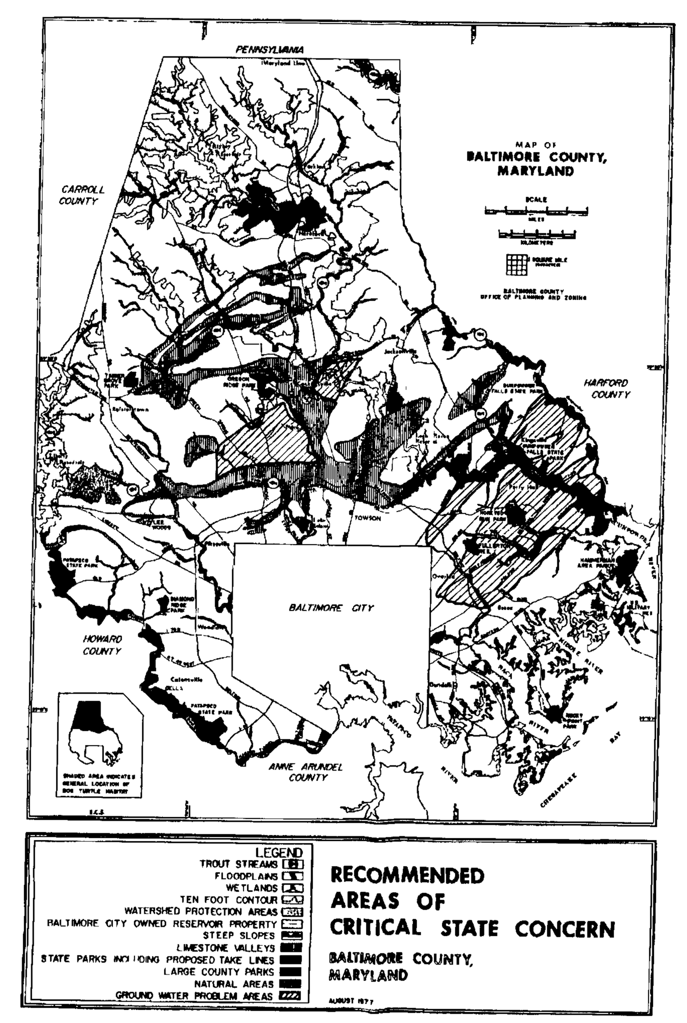
SYMBOL	NAME	HOMES W/ BASEMENT	HOMES W/O BASEMENT	STREETS & PARKING LOTS	AGRICULTURAL CAPABILITY
GcB2	Glenelg loam, 3-8% slopes, moderately eroded	Slight	Slight	Moderate	IIe-4*
GcC2	Glenelg loam, 8-15% slopes, moderately eroded	Moderate	Moderate	Severe	IIIe-4*
GnB	Glenelg-silt loam,3-8% slopes	Severe	Moderate	Severe	IIe-16*
MbC2	Manor loam, 8-15% slopes, moderately eroded	Moderate	Moderate	Severe	IIIe-25*
MbD2	Manor loam, 15-25% slopes, moderately eroded	Severe	Severe	Severe	IVe-25*

(*) DENOTES PRIME AND PRODUCTIVE SOILS

CERTIFICATE OF DELINQUENT ACCOUNTS

I, ______________, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT

(SIGNATURE) president



RECOMMENDED AREAS OF CRITICAL STATE CONCERN
BALTIMORE COUNTY, MARYLAND

BALTIMORE COUNTY OFFICE OF PLANNING SHALL REVIEW AND APPROVE THE ARCHITECTURAL PLANS AND ELEVATIONS PRIOR TO THE ISSUANCE OF BUILDING PERMITS.

NORTH MCS

0' 25' 50' 100'
SCALE 1"=50'

LEGEND

TRACT BOUNDARY — ROAD — FIRE HYDRANT — SOILS — SANITARY SEWER — TREES — 25% SLOPES — ZONING — EASEMENT — CONTOUR

PROJECT NAME MILL RUN
PLAN TITLE PLAT TO ACCOMPANY ZONING PETITION

COUNCILMANIC DIST 4
REGIONAL PLANNING DISTRICT 306
ELECTION DIST 4
PROJECT MANAGER CHRISTINE RORKE
PDM # IV-615
CIM APRIL 13, 2004
APPROVAL

DEVELOPER
SIDNEY EMMER BUILDERS
1801 FALLS ROAD
BALTIMORE, MD 21201
410 685 5200

DST&A
D. S. THALER & ASSOC., INC.
CIVIL ENGINEERS LANDSCAPE ARCHITECTS
SURVEYORS LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 944-ENGR, (410) 944-3647

DATE 8 15 05
SCALE 1"=50'
C1 2'
PROJ NO 2293q
SHEET 2 OF 3

File name T \Mill Run\dwg\Planning\Exhibits\redline\ZONING PLAT2 dwg Layout Layout1 Aug 11 2005-4 18pm kkr

MILL RUN

PLAT TO ACCOMPANY ZONING PETITION

GENERAL NOTES

1. DEVELOPMENT NAME: MILL RUN
2. APPLICANT:
SIDNEY EMMER BUILDERS
1801 Falls Road
Baltimore, Md 21201
410.685.5200
3. OWNERS:
P. 604 & P. 604 P/O
RUN CROSSING LLC
1801 FALLS RD
BALTIMORE MD 21201

P. 599 LOT 6
HANOVER GARDENS FOUR LLC
1801 FALLS RD
BALTIMORE MD 21201

P. 575
BANKERS TRUST COMPANY TRUSTEE
C/O HOMECOMINGS FINANCIAL
[illegible] WAXIE WAY, SUITE [illegible]
SAN DIEGO, CA [illegible]
4. PLAN PREPARED BY:
D.S. Thaler & Associates, Inc.
7115 Ambassador Road
P.O. Box 47428
Baltimore, Maryland 21244
ATTN: Stacey A. McArthur, R.L.A.
(410) 944-3647
5. PROPERTY REFERENCES:

PARCEL	LOT	TAX ACCOUNT #	DEED	HELD SINCE	TAX MAP-GRID	ADC MAP
P. 575		4-2200024516	11220/717	1968	57-24	24-B4
P. 604	P/O 1	4-2400002026	19646/319	1968	57-24	24-B4
P. 604	P/O 1	4-2400002027	19646/319	1968	57-24	24-B4
P. 604	P/O 1	4-2400002028	19646/319	1968	57-24	24-B4
P. 604	P/O 1	4-2400002029	19646/319	1968	57-24	24-B4
P. 604		4-2400002030	19646/319	1968	57-24	24-B4
P. 599	6	4-2300012943	15759/160	1968	57-24	24-B4

Boundary:	Plat SM 75:37 (DST & A NOV. 2002)
Topography:	Daft, McCune, Walker, Inc. (June 9, 2000)
Utilities:	Baltimore County Key Map (T-SW) Baltimore County Design Drawings as noted.
Zoning:	Baltimore County 200 Scale Zoning Map (2000) (NW-11J)
Soils:	U.S.D.A. Baltimore County Soil Survey Manual (Map 26)
Floodplain:	Red Run Floodplain Study - Rummel, Klepper, Kahl (June, 1985) 100 year floodplain exists on site
Wetlands Delineation:	Daft, McCune, Walker, Inc. (June, 2000) Approved by DEPRM: 1.22.01 There are no tidal wetlands on-site
Steep Slopes & Erodible Soils Analysis:	Daft, McCune, Walker, Inc. (January, 2001) Approved by DEPRM: 3.6.01
Forest Stand Delineation:	Daft, McCune, Walker, Inc. Approved by DEPRM: 1.16.01
Forest Conservation Worksheet:	Exploration Research, Inc. (August 14, 2001) Approved by DEPRM: 11.13.01
Forest Buffer Variance:	Daft, McCune, Walker, Inc. Approved by DEPRM: 3.7.01
Final Forest Conservation Plan:	Exploration Research Approved by DEPRM: 11.31.01 FC-01-051

6. GENERAL DATA:
Election District: 4 — Watershed: Owings Mills
Census Tract: 4041.00 — Subsewershed: 66
Councilmanic District: 4 — Regional Planning District: 306

School Information:
School District: New Town Elem./Deer Park Middle/New Town & Owings Mills High * (2002-2003)
*This site is split between two high schools: New Town (9-10) and Owings Mills (11-12).

	State Rated Capacity (SRC)	Enrollment Sept. 30th	Enrollment Total Projected	Projected # pupils for this project	Capacity Above	Capacity Below	Projected # pupils as a % of SRC
Elementary	751	863	874	11	112	--	116.4%
Middle	1,368	1,336	1,343	7	--	25	98.2%
NT High School	1,348	443	447	4	--	901	33.2%
OM High School	1,147	1,343	1,347	4	200	--	117.4%

Adjacent School Districts with additional capacity: New Town ES, Deer Park ES, & Randallstown HS

	State Rated Capacity (SRC)	Enrollment Sept. 30th	Enrollment Total Projected	Projected # pupils for this project	Capacity Above	Capacity Below	Projected # pupils as a % of SRC
Elementary	745	707	718	11	--	27	96.4%
Elementary	481	470	481	11	--	0	100.0%
High School	1,444	1,503	1,511	8	67	--	104.6%

7. SITE INFORMATION:
A. Acreage: Gross = 59.64 Ac± / Net = 57.85 Ac±
B. Existing Zoning and
C. Density Calculations

Zone	Total Ac+/- N. side of Dolfield Blvd.	Total Ac+/- S. side of Dolfield Blvd.	(Net)	(Gross)	Units Allowed N. side of Dolfield Blvd.	Units Allowed S. side of Dolfield Blvd.	Units Proposed N. side of Dolfield Blvd.	Units Proposed S. side of Dolfield Blvd.	Total Density Proposed
RC-5*	12.96 AC±	---	12.96 AC±	12.96 AC±	---		342 CONDOMINIUMS		342 CONDOMINIUMS
DR-1	9.94 AC±	---	9.94 AC±	9.94 AC±	9 D.U.			32 MULTI-FAMILY	32 MULTI-FAMILY
DR-10.5	6.83 AC±	---	6.83 AC±	6.91 AC±	72 D.U.		46,900 SF ± RETAIL		46,900 SF ± RETAIL
ML	5.33 AC±	---	5.33 AC±	6.06 AC±	2 FAR or 464,349 SF ±		13,300 SF ± RESTAURANT		13,300 SF ± RESTAURANT
ML-IM	20.99 AC±	1.74 AC±	22.73 AC±	23.71 AC±	2 FAR or 1,879,178 SF ±	2 FAR or 186,436 SF ±			
OT	---	0.06 AC±	0.06 AC±	0.06 AC±	0.06 AC±	---	17,500 SF ± OFFICE	6,000 SF ± OFFICE 4,200 SF ± BANK	23,500 SF ± OFFICE 4,200 SF ± BANK
Total	56.05 AC±	1.8 AC±	57.85 AC±	59.64 AC±					

* Note: RC-5 density cannot be counted in the overall density of the PUD process.

D. Parking

	Unit Type	Proposed Units	Parking Required	Parking Provided	Average Daily Trips
N. side of Dolfield Blvd.	CONDOMINIUM (2 BEDROOM)	342 UNITS	1.5 SPACES/UNIT or 588 SPACES X 30% GUEST = 177 SPACES; 765 SPACES	127 SURFACE SPACES; 583 GARAGE SPACES	6.5 ADT/UNIT OR 2,548
	POOL		342 UNITS @ 3 PEOPLE = 25% / 7 = 42 SPACES	--	
	RETAIL	46,900 SF ±	5 SPACES/1,000 SF or 235 SPACES	240 SPACES	[illegible]
	OFFICE (GENERAL)	17,500 SF ±	3.3 SPACES/1,000 SF or 58 SPACES	58 SPACES	[illegible]
	RESTAURANT	13,300 SF ±	16 SPACES/1,000 SF or 213 SPACES	221 SPACES	[illegible]
				40 PARALLEL SPACES ALONG DOLFIELD ROAD	
	MULTI-FAMILY (2 BEDROOM)	[illegible]	[illegible]	[illegible]	[illegible]
	MULTI-FAMILY (2 BEDROOM)	[illegible]	[illegible]	[illegible]	[illegible]
Sub-Total		[illegible]	[illegible]	[illegible]	[illegible]
S. side of Dolfield Blvd.	MULTI-FAMILY (2 BEDROOM)	32 UNITS	1.5 SPACES/UNIT or 48 SPACES X 15% GUEST = 8 SPACES; 56 SPACES	56 SURFACE SPACES	6.5 ADT/UNIT OR 208
	OFFICE (GENERAL)	6,000 SF ±	3.3 SPACES/1,000 SF or 20 SPACES	20 SPACES	[illegible]
	BANK	4,200 SF ±	3.3 SPACES/1,000 SF or 14 SPACES	14 SURFACE SPACES	[illegible]
Sub-Total			90 SPACES	90 SPACES	[illegible]
Overall	CONDOMINIUM	342 UNITS	765 SPACES	[illegible]	2,548 ADT
	MULTI-FAMILY	[illegible]	[illegible]	[illegible]	[illegible]
	POOL		42 SPACES		
	RETAIL	[illegible]	[illegible]	[illegible]	[illegible]
	OFFICE (GENERAL)	[illegible]	[illegible]	[illegible]	[illegible]
	RESTAURANT	13,300 SF ±	213 SPACES	[illegible]	2,740 ADT
	BANK	4,200 SF ±	14 SPACES	[illegible]	[illegible]
TOTAL			[illegible]	[illegible]	[illegible]

E. Open Space & Greenway per PUD-C Regulations

Required	Provided
N/A	[illegible] Recreational Greenway Reservation and Amenity Open Space A fee in lieu shall be paid as determined by the Director of Recreation and Parks.

"AS AGREED PER THE LETTER DATED APRIL 30, 2004, THE DEVELOPER, SIDNEY EMMER BUILDERS, WILL MAKE A PAYMENT OF $25,000.00 TO BALTIMORE COUNTY (DEPARTMENT OF RECREATION AND PARKS) TO ASSIST WITH THE PLANNING OF THE GREENWAY. PAYMENT SHALL BE MADE PRIOR TO THE RECORDING OF ANY PLAT FOR THE CONDOMINIUM BUILDINGS."

"WITHIN THE AREA SHOWN AS 'BALTIMORE COUNTY RECREATIONAL GREENWAY RESERVATION', PERMITTED USES MAY INCLUDE: PUBLIC ACCESS FOR HIKING, BICYCLING, FISHING, NATURE/ENVIRONMENTAL STUDIES, AND BALTIMORE COUNTY SUPERVISED TRAIL IMPROVEMENTS AND MAINTENANCE, SUBJECT TO APPROVAL BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT."

Landscape requirements as specified in the Baltimore County Landscape Manual adopted August [illegible] 2000 and as amended.

Note: Schematic Landscape Plan shown is preliminary in nature and is to show compliance with the Baltimore County Landscape Manual. The Schematic Landscape Plan is subject to a Final Landscape Plan.

Planting Unit Equivalents:
1 major deciduous tree (2-2 1/2 cal.) or
2 minor deciduous trees (1-1/2 cal.) or
2 evergreen trees (6' ht.) or
5 shrubs or
class A: 24-30" ht.
class B: 18" ht.
500 S.F. of ground cover or
10 herbaceous/perennial (1 gal.)*or
20 herbaceous/perennial (1 quart)
*To meet Class D screening requirements only.

LANDSCAPE REQUIREMENTS	N. OF DOLFIELD Required	N. OF DOLFIELD Proposed	S. OF DOLFIELD Required	S. OF DOLFIELD Proposed
A. STREET FRONTAGE: (Condition A) Adjacent Road @ 1 PU/40 L.F.; 1857'± @ 1 PU/40 L.F.; 616'± @ 1 PU/40 L.F.	46.4 P.U.	46.4 P.U.	15.4 P.U.	15.4 P.U.
Interior Road @ 1 PU/20 L.F.; 1665'± @ 1 PU/20 L.F.; 166'± @ 1 PU/20 L.F.	5.6 P.U.	5.6 P.U.	8.3 P.U.	8.3 P.U.
B. PARKING LOTS: (Condition B) 1. Perimeter Screening - Adjacent Public ROW @ 1 PU/15 L.F.; 85'± @ 1 PU/15 L.F.; 344'± @ 1 PU/15 L.F.	5.6 P.U.	5.6 P.U.	22.6 P.U.	22.6 P.U.
2. Interior Landscaping - Reserve 7% of Parking Area and Plant @ 1 PU/12 Parking Spaces; 643 SPACES/12; 100 SPACES/12	53.6 P.U.	53.6 P.U.	8.3 P.U.	8.3 P.U.
C. PARKING STRUCTURES: (Condition D) WHERE GARAGE IS VISUALLY OPEN TO THE STREET @ 1 PU/15 LF (CONDO 'A': 250'±/15	16.6 P.U.	16.6 P.U.		
D. SERVICE LANES: (Condition F) 1 PU/15 LF; 90 '±/20	4.5 P.U.	4.5 P.U.		
E. DUMPSTERS AND GROUND-MOUNTED HVAC: (Condition H) 1. Dumpster Enclosure @ 1 PU/15 LF (Min. 10' from ROW and Residential Lots); 250 '±/15; 50 '±/15	16.6 P.U.	16.6 P.U.	3.3 P.U.	3.3 P.U.
F. STORMWATER MANAGEMENT: (Condition I) @ 1 PU/15 LF; N/A: UNDERGROUND FACILITIES	N/A		N/A	
G. RETAINING WALLS (Condition 'J') LENGTH OF BASE OF WALL @ 1 PU/15 LF; 1700'±/15 LF	113.3 P.U.	113.3 P.U.		
TOTAL:	262.2 P.U.	262.2 P.U.	57.9 P.U.	57.9 P.U.

Credit may be applied for at time of Final Landscape Plan submittal.
The Final Landscape plan will be approved prior to grading permit application.
Additional Planting for courtyard areas and median planting per the office of Planning as shown.

8. UTILITIES: Public water and sewer will be provided. Onsite utilities will be either public or private.
9. USE: The existing use is Vacant. The proposed use is Condominium, Multi-family, Retail, Office, Restaurant & Bank.
10. AVERAGE DAILY TRIPS (ADTS): Average daily trips as calculated from the Baltimore County Comprehensive Manual of Development Policy 10,434 ADTS. **See Parking Note 7D
11. STORMWATER MANAGEMENT: Stormwater management will conform to Baltimore County Standards and the 2000 Maryland Stormwater Management Design Manual. Stormwater management facilities will be privately owned and maintained. Preliminary hydrology computations have been provided with the filing of the Development Plan. The Hydrology Report verifies that the outfalls are suitable.
12. GRADING: Grading shown is schematic only.
13. VEGETATION: Existing vegetation will be retained in areas not needed for construction or grading. Existing vegetation consists of forest and farm fields.
14. SIGHT LINES: Proposed sight lines are shown on the plan and will be cleared and graded and kept permanently clear to ensure unobstructed sight at all times.
15. STORAGE TANKS: There are no underground storage tank(s) on site. There are no existing well or septic systems on site.
16. LIGHTING: Proposed lighting is shown as ▲. Lighting is schematic and subject to change. A lighting plan shall be submitted to the Office of Planning at the time of the Final Landscape Plan. Lighting shall conform to IESNA standards.
17. ENVIRONMENTAL: There are no known critical areas, archaeological sites endangered species, or hazardous materials* on the site.
*As known to the applicant; location and description of hazardous materials as defined by Section 7-101 of the Environmental Article of the annotated Code of Maryland, as from time to time amended.
"Any Forest Conservation Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."
"There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Conservation Easement except as permitted by Baltimore County Department of Environmental Protection and Resource Management."
"Any Forest Buffer Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."
"There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement except as permitted by Baltimore County Department of Environmental Protection and Resource Management."
A Hydrogeological Report and an Environmental Effects Report has been filed concurrently with this Development Plan.
A Final Forest Conservation Plan and worksheet was prepared by Exploration Research, Inc. independently of this plan. It has been approved as FC-01-051 by DEPRM on 11.13.01.
This site does not lie within the limits of the Chesapeake Bay Critical Areas. No additional information is requested by the Department of Environmental Protection and Resource Management to determine compliance with the Critical Area Local Protection Program pursuant to Section 26-442(a).
18. No other zoning case history has been found. [illegible]
19. Future signs shall conform with BCZR Section 450 and all zoning policies.
20. Maximum building height allowed: [illegible]
21. Soil and Slope Mitigation Measures: [illegible]
22. Sidewalks shall be provided on all public roads.
23. [illegible]
24. [illegible]
25. [illegible]
26. [illegible]
27. All drainage and utility easements shall be 20' wide.
28. The "Recommended Areas of Critical State Concern" map included on this sheet.
29. There are no Residential Transition Areas (RTA's) on site.
30. Proposed roads are private, except as noted. [illegible]
31. The Bureau of Traffic Engineering and Planning has confirmed that the subject site is not within a traffic deficient area (per Keith Link) [illegible]
32. Open areas within lots [illegible] will not be dedicated to the Condominium Association.
33. Refuse collection will be provided by a private contractor. Mail delivery will be provided by US Postal Service.
34. "No obstructions of any kind may be placed in any Baltimore County right-of-way except by express written permission by an authorized signatory for Baltimore County."
35. [illegible]
36. The number of guests permitted [illegible] Baltimore County Health Department.
37. A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management [illegible] Forest Buffer Easement [illegible]
38. The exterior facades of all sides of all buildings shall be predominantly brick.
39. Proposed structures along future Dolfield Blvd. shall be at least two stories high or engineered to provide for future improvements of residential units above the commercial component.
40. All crosswalks shall be constructed of materials and color different from that of vehicular driving surfaces.
41. All proposed signs shall be monument type and constructed of brick, stone or decorative block.
42. Per BCZR Section 409.8.A.3: Any lighting fixture used to illuminate any parking facility shall be so arranged as to reflect the light away from residential lots and public streets. Light standards shall be protected from vehicular traffic by curbing or landscaping.
43. Loading areas are indicated on the plan. Loading areas shall comply with Section 409.11 (BCZR).
44. The bank drive thru lanes shall be distinctly marked by special striping or pavement markings. Drive thru lanes shall comply with Section 409.10.A and 409.10.B (BCZR), subject to Modification Request.
45. Handicap parking spaces shall comply with the Code of Maryland Regulations 05.02.02.
46. Retaining walls shall be owned and maintained by the C.O.A. and owner of Lot 6.
47. Dolfield Blvd must be designed, built and connected through either to the North or South before any residential occupancy permits will be issued.
48. Retail Buildings A, B, C and D, Restaurant A & B and Lot Nos. 12 and 14 shall be permitted all retail uses permitted by right in the BM zone and the underlying ML-IM and ML zones. Residential use of Retail Buildings A, B, C and D, Office A shall also be permitted above the first floor and on any level on Lot 12.

Department of Environmental Protection and Resource Management — Baltimore County

November 15, 2004

Mr. David A. Hamm
D.S. Thaler & Associates, Inc.
7115 Ambassador Road
Baltimore, Md 21244

Re: Mill Run PUD (fka Kentmar)
Alternatives Analysis/Forest Buffer Variance

Dear Mr. Hamm:

[illegible]

Sincerely,
David A. C. Carroll
Director

cc: Mr. Sidney Emmer
Sidney Emmer Builders
1801 Falls Road
Baltimore, Md 21201

AREA OF BUILDING SIGNAGE

BLDG.	SIGN AREA (SF±) PER END ELEVATION: ALLOWED: 2X BLDG. LENGTH	PER END ELEVATION: PROPOSED	SIGN AREA (SF±) PER FRONT ELEVATION: ALLOWED: 2X BLDG. LENGTH	REAR ELEVATION: PROPOSED
OFFICE 'A'	140 SF±	140 SF± / END	500 SF±	500 SF± / ELEVATION
RETAIL 'A'	140 SF±	140 SF± / END	170 SF±	170 SF± / ELEVATION
RETAIL 'B'	140 SF±	140 SF± / END	170 SF±	170 SF± / ELEVATION
RETAIL 'C'	140 SF±	N/A	500 SF±	500 SF± / ELEVATION
RETAIL 'D'	140 SF±	140 SF± / END	500 SF±	500 SF± / ELEVATION
RESTAURANT 'A'	140 SF±	140 SF± / END	190 SF±	190 SF± / ELEVATION
RESTAURANT 'B'	140 SF±	140 SF± / END	190 SF±	190 SF± / ELEVATION
OFFICE 'B'	80 SF±	80 SF± / END	420 SF±	420 SF± / ELEVATION
BANK	80 SF±	80 SF± / END	210 SF±	210 SF± / ELEVATION

NOTE:
SIGNAGE FOR MULTI-TENANT BUILDINGS IS LIMITED TO THE LENGTH OF THE WALL CONTAINING THE EXTERIOR ENTRANCE AND DEFINING THE SPACE OCCUPIED BY THE SEPARATE ENTITY.

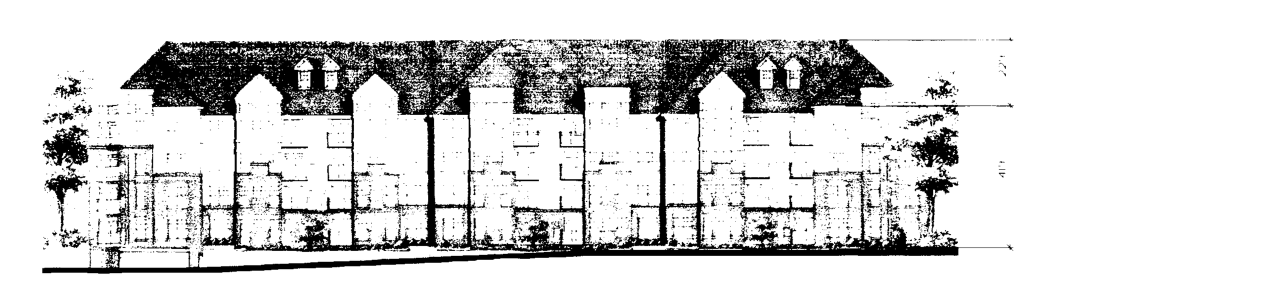
SITE HISTORY

- Development Plan (4th Refinement) PDM # IV-563 approved 2.18.04
- Record Plat 75:37 recorded 11.25.02
- DRC #082304J Lot line adjustment along the common property line with BGE. Approval pending

MODIFICATION OF STANDARDS REQUEST:

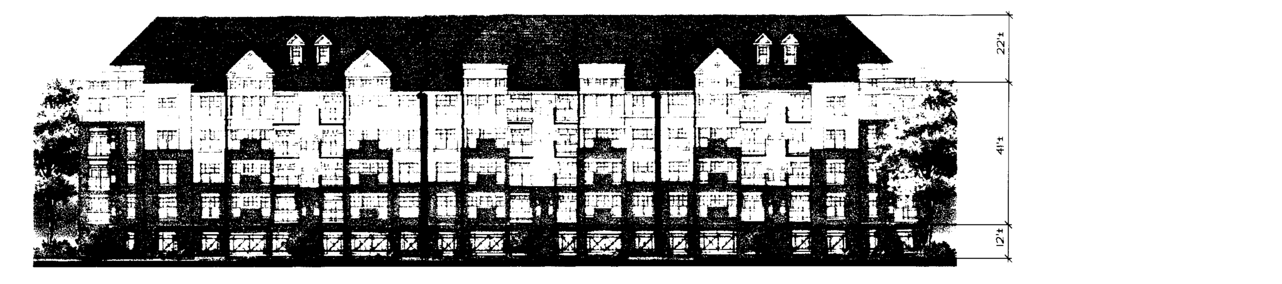
1. Per Section 409.6.A (BCZR) To allow 710 parking spaces in lieu of the required 765 parking spaces for the condominium units.
2. Per Section 409.6.A (BCZR) To allow 0 parking spaces for the swimming pool in lieu of the required 42 spaces.
3. Per Section 409.11.B (BCZR) To allow 3 employee parking spaces along the bank drive-thru lane.
4. Per Section 259.2 (BCZR) To allow a minimum of 21 feet rear & side setback in lieu of the required 30 feet. (Condominium bldg 'A')
5. Per Section 450.4F (BCZR) To allow signage on the rear of a building in addition to the signage on the front of the building.
6. Per Section 409.6.A (BCZR) To allow 163 total parking spaces in lieu of the required 252 spaces for the multi-family units.
7. Per Section 259.2 To allow a minimum side setback of 15' in lieu of the required 30' (Office A and C, Retail A, B and C).
8. Per Section 204.4.C (BCZR) To allow a minimum 11' side and rear setback to a lot line in lieu of 30' for Lot 12.

NOTE: Requests # 1 & 2 do not reflect the 40 parking spaces along Dolfield Blvd.



CONDOMINIUM - FRONT ELEVATION (TYP)

N.T.S.

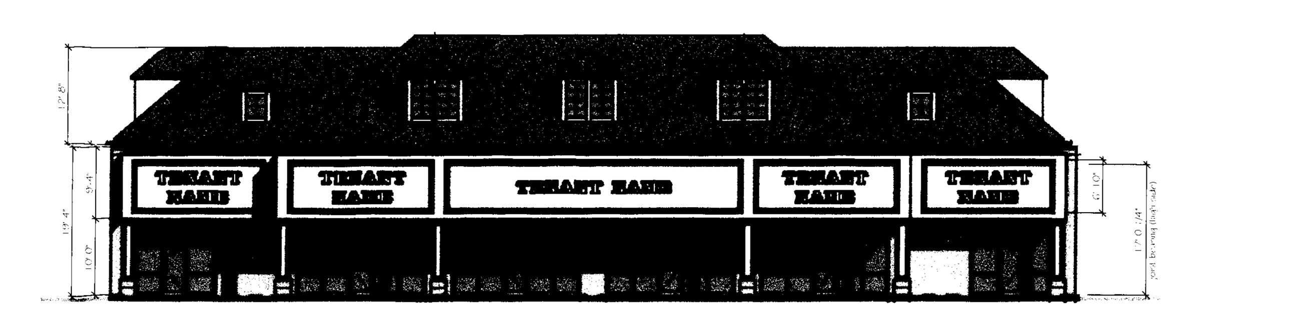


CONDOMINIUM - REAR ELEVATION (TYP)

N.T.S.

CONDOMINIUM - SIDE ELEVATION (TYP)

N.T.S.



RETAIL - FRONT & REAR ELEVATION (TYP)

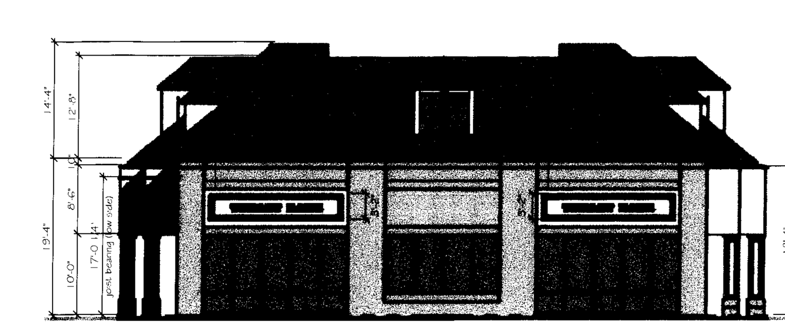
N.T.S.

The exterior facades of all sides of all buildings shall be predominantly brick.

PROPOSED SIGNAGE/FRONT & REAR FACADE
OFFICE 'A', RETAIL 'C' & 'D':
111 LF± OF TEXT @ 2 LINES OF TEXT = 222 LF±
2'-1/4" LETTER HEIGHT
222 LF± x 2'-1/4" HT. = 500 SF±
(OR COMBINATION THEREOF, NOT TO EXCEED 500 SF± PER FACADE PER BUILDING)

PROPOSED SIGNAGE/FRONT & REAR FACADE
RETAIL 'A' & 'B':
37.5 LF± OF TEXT @ 2 LINES OF TEXT = 75 LF±
2'-1/4" LETTER HEIGHT
75 LF± x 2'-1/4" HT. = 170 SF±
(OR COMBINATION THEREOF, NOT TO EXCEED 170 SF± PER FACADE PER BUILDING)

PROPOSED SIGNAGE/FRONT & REAR FACADE
RESTAURANT 'A' & 'B':
42 LF± OF TEXT @ 2 LINES OF TEXT = 84 LF±
2'-1/4" LETTER HEIGHT
84 LF± x 2'-1/4" HT. = 190 SF±
(OR COMBINATION THEREOF, NOT TO EXCEED 190 SF± PER FACADE PER BUILDING)



RETAIL - END ELEVATION (TYP)

N.T.S.

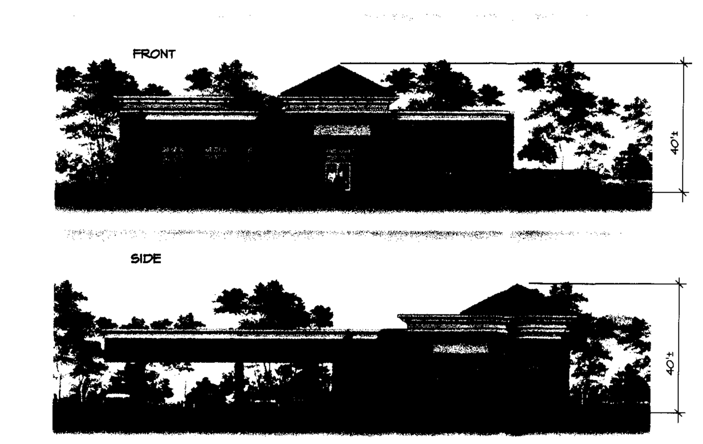
The exterior facades of all sides of all buildings shall be predominantly brick.

PROPOSED SIGNAGE/END FACADE
OFFICE 'A'; RETAIL 'A', 'B', 'C', 'D'; RESTAURANT 'A' & 'B':
32 LF± OF TEXT @ 2 LINES OF TEXT = 64 LF±
2'-1/2" LETTER HEIGHT
64 LF± x 2'-1/2" HT. = 140 SF±
(OR COMBINATION THEREOF, NOT TO EXCEED 140 SF± PER FACADE PER BUILDING)

MULTI-FAMILY/OFFICE/RETAIL BUILDING - FRONT ELEVATION (TYP)

N.T.S.

PROPOSED SIGNAGE/FRONT FACADE
OFFICE:
210 LF± OF TEXT @ 1 LINE OF TEXT
24" LETTER HEIGHT
210 LF± x 24" HT. = 420 SF±
(OR COMBINATION THEREOF, NOT TO EXCEED 420 SF± PER FACADE)

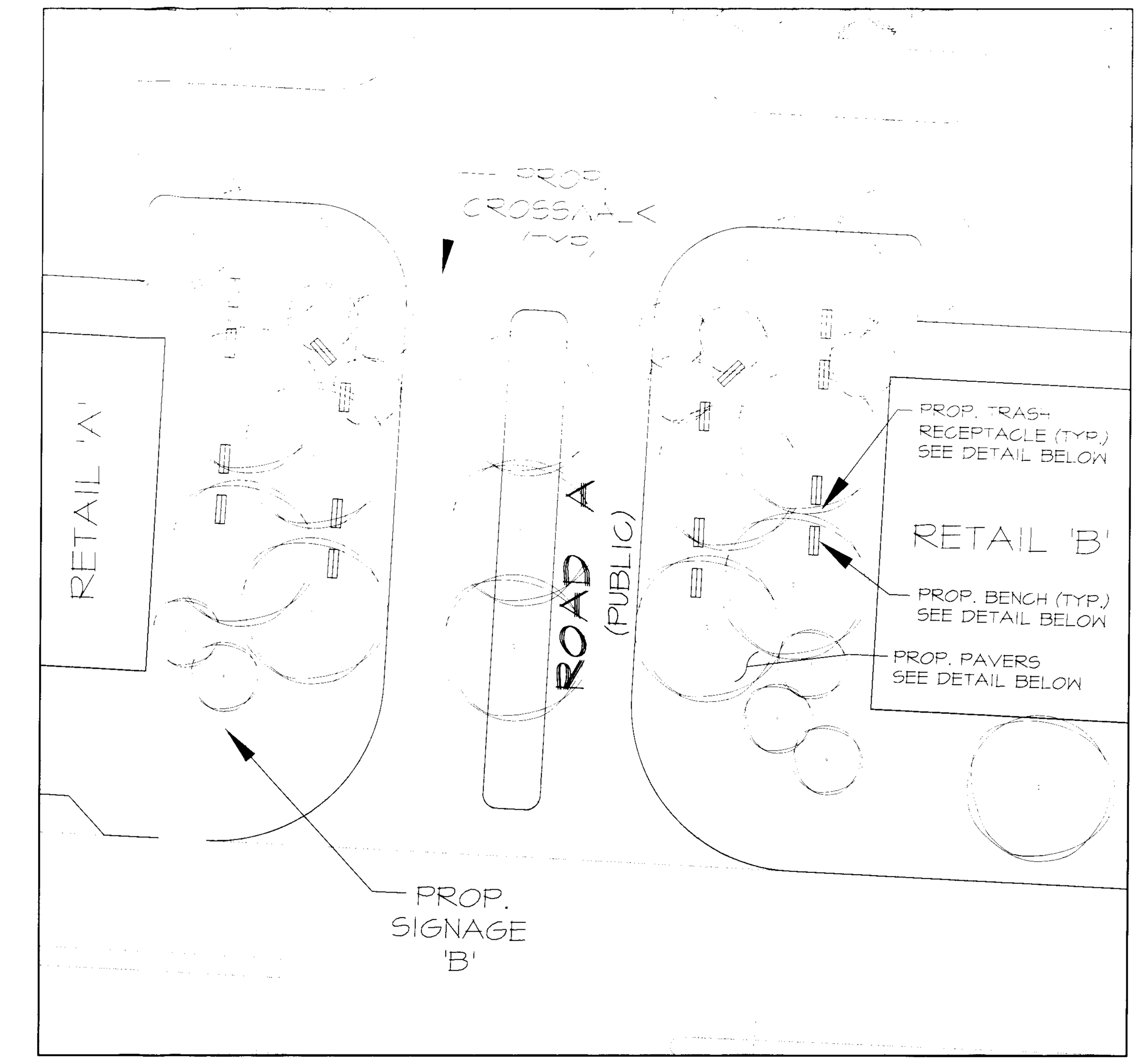


BANK - SCHEMATIC FRONT AND SIDE ELEVATION

N.T.S.

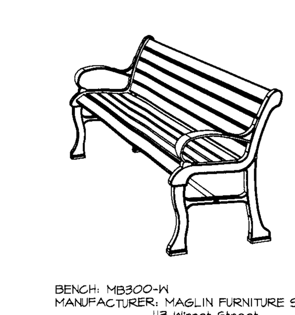
PROPOSED SIGNAGE/FRONT & REAR FACADE
105 LF± OF TEXT @ 1 LINE OF TEXT
24" LETTER HEIGHT
105 LF± x 24" HT. = 210 SF±
(OR COMBINATION THEREOF, NOT TO EXCEED 210 SF± PER FACADE)

PROPOSED SIGNAGE/SIDE FACADE
40 LF± OF TEXT @ 1 LINE OF TEXT
24" LETTER HEIGHT
40 LF± x 24" HT. = 80 SF±
(OR COMBINATION THEREOF, NOT TO EXCEED 80 SF± PER FACADE)

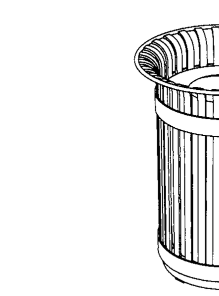


ENTRANCE COURTYARD

SCALE: 1"=20'



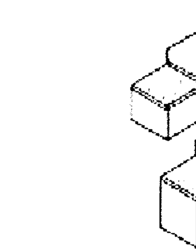
BENCH: MB300-W
MANUFACTURER: MAGLIN FURNITURE SYSTEMS
113 Winnet Street
Woodstock, Ontario, Can
N4S 5Z8
1.800.716.5506
OR SIMILAR



TRASH RECEPTACLE: MLWR200-32
MANUFACTURER: MAGLIN FURNITURE SYSTEMS
113 Winnet Street
Woodstock, Ontario, Can
N4S 5Z8
1.800.716.5506
OR SIMILAR

SITE FURNISHINGS

N.T.S.

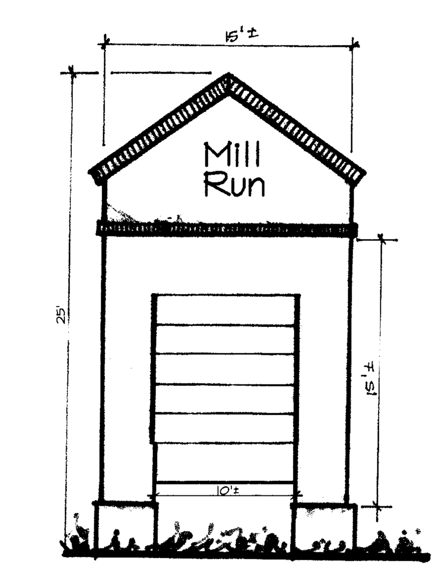


PAVER: DURASTONE
11831 Hopewell Road
Hagerstown, Md
21740
240.420.3780
OR SIMILAR

PAVER

N.T.S.

NOTE: PAVERS TO BE PLACED IN RETAIL AND CONDOMINIUM COURTYARD AREAS ONLY.

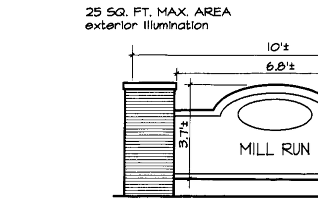


SCHEMATIC SIGN 'B' ELEVATION

N.T.S.

PROPOSED SIGNAGE
150 SF± (10'x15')

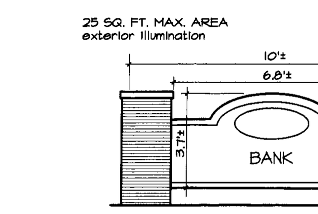
25 SQ. FT. MAX. AREA
exterior illumination



SCHEMATIC SIGN 'A' ELEVATION

N.T.S.

25 SQ. FT. MAX. AREA
exterior illumination



SCHEMATIC SIGN 'C' ELEVATION

N.T.S.

BALTIMORE COUNTY OFFICE OF PLANNING SHALL REVIEW AND APPROVE THE ARCHITECTURAL PLANS AND ELEVATIONS PRIOR TO THE ISSUANCE OF BUILDING PERMITS.

PROJECT NAME: **MILL RUN**

PLAN TITLE: **PLAT TO ACCOMPANY ZONING PETITION**

COUNCILMANIC DIST.: 4
REGIONAL PLANNING DISTRICT: 306
ELECTION DIST.: 4
PROJECT MANAGER: CHRISTINE RORKE
PDM #: IV-615
CIM: APRIL 13, 2004
APPROVAL:

DEVELOPER:

SIDNEY EMMER BUILDERS
1801 FALLS ROAD
BALTIMORE, MD 21201
410.685.5200

D. S. THALER & ASSOC., INC.
CIVIL ENGINEERS — SURVEYORS
LANDSCAPE ARCHITECTS — LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 944-ENGR, (410) 944-3647

DATE: 8.15.05
SCALE:
C.I.:
PROJ. NO.: 2293q
SHEET 3 OF 3