

IN RE: PETITIONS FOR SPECIAL HEARING *	BEFORE THE
AND SPECIAL EXCEPTION	
SE corner of Joppa Road and Goucher *	OFFICE OF
Blvd. and Joppa Road	
9 th Election District *	ADMINISTRATIVE HEARINGS
5 th Councilmanic District	
(801 Goucher Blvd.) *	FOR BALTIMORE COUNTY
Towson VF LLC *	CASE NO. 2011-0214-SPHX
<i>Legal Owner</i>	

* * * * *

ORDER OF DISMISSAL

WHEREAS, this matter came before the Office of Administrative Hearings on February 28, 2011 for consideration of Petitions for Special Hearing and Special Exception filed by the legal property owner, Towson VF LLC by Vornado Realty Trust, Authorized Signatory. The Petitioner requested a special hearing seeking to approve an amendment to the site plan approved in Case No. 2011-0046-A from Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."). In addition, the Petitioner requested a special exception to permit a health club as a community building from Section 230.13 of the B.C.Z.R.

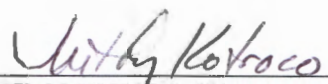
Appearing at the requisite public hearing in support of the requests were Tom Brodowski with Bally Total Fitness, William P. Monk with Morris & Ritchie Associates, Inc., and Aaren Olsen. David H. Karceski, Esquire with Venable, LLP appeared as counsel on behalf of the Petitioner. Appearing in opposition were Donna M.B. King, Esquire and John C. Baier.

At the conclusion of the hearing and with the concurrence of all parties, this matter was continued for a lengthy period. Eventually, pursuant to a verbal request from David Karceski, Esquire, the Petitioner has requested a withdrawal of the Petition. Thus, the matter shall be dismissed.

ORDER RECEIVED FOR FILING

Date 5-1-12
 By DW

NOW, THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County this 1st day of May, 2012 that the Petitions for Special Hearing and Special Exception seeking relief as set forth above, be and is hereby DISMISSED without prejudice.



TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:dlw

- c: David H. Karceski, Esquire, Venable, LLP, 210 West Pennsylvania Avenue, Suite 500,
Towson, Maryland 21204
- Donna M.B. King, Esquire, 309 West Pennsylvania Avenue, Fl. 1, Towson, MD 21204

ORDER RECEIVED FOR FILING

Date 5-1-12

By dlw



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 801 Goucher Boulevard
which is presently zoned BL-CCC

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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
(This box to be completed by planner)

an amendment to the site plan approved in Case No. 2011-0046-A.

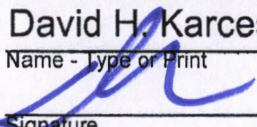
Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning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

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

Contract Purchaser/Lessee:

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

Attorney For Petitioner:

David H. Karceski
Name - Type or Print _____
Signature  _____
Venable LLP
Company
210 W. Pennsylvania Ave., Suite 500 410-494-6200
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:

David H. Karceski
Name
210 W. Pennsylvania Ave., Suite 500 410-494-6200
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JK Date 11/13/11

Case No. 2011-0214-SPHX
ORDER RECEIVED FOR FILING

Date 5-1-12

By kw

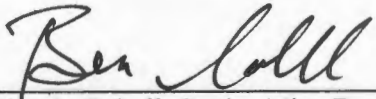
**Attachment to
Petition for Special Hearing**

801 Goucher Boulevard

Legal Owner:

Towson VF L.L.C.

By: Vornado Realty Trust

By: 
Benjamin Schall, Senior Vice President
888 Seventh Avenue, 29th Floor
New York, NY 10019
(212) 894-7000



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property

located at 801 Goucher Boulevard

which is presently zoned BL-CCC

Deed Reference: 12201 /068 Tax Account # 0905840090

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Special Exception for a health club as a community building, pursuant to Section 230.13 of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Exception, 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:

David H. Karceski
Name - Type or Print _____

Signature _____

Venable LLP
Company _____

210 W. Pennsylvania Ave., Suite 500 410-494-6200
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:

David H. Karceski
Name _____

210 W. Pennsylvania Ave., Suite 500 410-494-6200
Address _____ Telephone No. _____

Towson MD 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By PK Date 1/13/11

Case No. 2011-0214-SPHX

RECEIVED FOR FILING

Date 5-1-12

By [Signature]

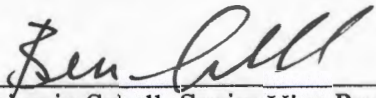
**Attachment to
Petition for Special Exception**

801 Goucher Boulevard

Legal Owner:

Towson VF L.L.C.

By: Vornado Realty Trust, Authorized Signatory

By: 
Benjamin Schall, Senior Vice President
888 Seventh Avenue, 29th Floor
New York, NY 10019
(212) 894-7000

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



January 10, 2011

ZONING DESCRIPTION FOR SPECIAL HEARING REQUEST

Beginning at a point in the westerly line of Prince Road, 70 feet wide, at the southerly line of Joppa Road running thence from said point of beginning;

1. South 23°25'43" West 660.42 feet;
2. Southwesterly by a line curving to the right having a radius of 270.67 feet for an arc distance of 222.61 feet said curve being subtended by a chord bearing South 46°59'25" West 216.39 feet;
3. South 70°24'46" West 40.98 feet;
4. North 65°17'30" West 79.02 feet;
5. Northwesterly by a line curving to the left having a radius of 1965.00 feet for an arc distance of 70.10 feet said curve being subtended by a chord bearing North 24°44'03" West 70.09 feet;
6. North 20°17'30" West 104.96 feet;
7. North 29°36'08" West 49.08 feet;
8. Northwesterly by a line curving to the left having a radius of 111.00 feet for an arc distance of 29.82 feet said curve being subtended by a chord bearing North 18°55'44" West 29.66 feet;
9. Northwesterly by a line curving to the left having a radius of 1977.00 feet for an arc distance of 242.97 feet said curve being subtended by a chord bearing North 32°56'07" West 242.82 feet;
10. North 36°27'22" West 218.44 feet;
11. Northwesterly by a line curving to the right having a radius of 1843.00 feet for an arc distance of 94.35 feet said curve being subtended by a chord bearing North 34°59'21" West 94.34 feet;
12. North 33°31'22" West 187.19 feet;
13. Northwesterly by a line curving to the right having a radius of 389.00 feet for an arc distance of 49.81 feet said curve being subtended by a chord bearing North 29°51'17" West 49.77 feet;
14. Northwesterly by a line curving to the right having a radius of 1855.00 feet for an arc distance of 104.88 feet said curve being subtended by a chord bearing North 24°34'01" West 104.87 feet;
15. North 22°56'50" West 14.79 feet;
16. North 26°51'39" East 132.07 feet;

S:\PROJECT FOLDERS\14901-15000\14993\14993-Zoning Description Ballys Special Hearing.doc

1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD + Laurel, MD + Towson, MD + Georgetown, DE + Wilmington, DE + York, PA
(410) 515-9000 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (717) 751-6073

17. South 67°59'13" East 24.99 feet;
18. Southeasterly by a line curving to the right having a radius of 89.00 feet for an arc distance of 30.99 feet said curve being subtended by a chord bearing South 62°33'19" East 30.83 feet;
19. Southeasterly by a line curving to the left having a radius of 111.00 feet for an arc distance of 38.65 feet said curve being subtended by a chord bearing South 62°33'20" East 38.45 feet;
20. South 72°31'48" East 415.69 feet;
21. Southeasterly by a line curving to the left having a radius of 841.00 feet for an arc distance of 50.15 feet said curve being subtended by a chord bearing South 74°14'16" East 50.14 feet;
22. South 75°56'46" East 151.23 feet;
23. Southeasterly by a line curving to the right having a radius of 839.00 feet for an arc distance of 48.82 feet said curve being subtended by a chord bearing South 74°16'45" East 48.81 feet;
24. South 72°36'44" East 135.60 feet;
25. Southeasterly by a line curving to the right having a radius of 903.64 feet for an arc distance of 117.07 feet said curve being subtended by a chord bearing South 68°54'03" East 116.99 feet;
26. South 65°16'33" East 101.24 feet;
27. South 20°35'15" East 28.67 feet to the point of beginning having an address of 801 Goucher Boulevard and being located along the northeasterly side of said Goucher Boulevard.

Containing 637, 531 square feet or 14.635 acres of land, more or less and being located in the Ninth Election District, Fifth Councilmanic District, of Baltimore County, Maryland.



Joshua T. Sharon
Professional Engineer No. 34479

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



January 10, 2011

ZONING DESCRIPTION FOR SPECIAL EXCEPTION REQUEST

Beginning at a point at the end of the five following courses and distances from the south right of way line of Joppa Road near the westerly side of Prince Road, North 65°11'12" West 101.20 feet, Northwesterly by a line curving to the left having a radius of 903.64 feet for an arc distance of 117.07 feet, said curve being subtended by a chord bearing North 68°54'03" West 116.99 feet, North 72°36'44" West 135.60 feet, Northwesterly by a line curving to the left having a radius of 839.00 feet for an arc distance of 48.82 feet, said curve being subtended by a chord bearing North 74°16'45" West 48.81 feet, thence leaving the aforesaid right of way line, South 19°35'14" West 91.90 feet, running thence from said point of beginning;

South 70°24'55" East 110.79 feet; South 19°35'14" West 186.00 feet; North 70°24'55" West 111.99 feet; North 19°35'14" East 186.00 feet; South 70°24'55" East 1.20 feet to the point of beginning having an address of 803 Goucher Boulevard, Suite 103 and being located south of the southerly side of said Joppa Road.

Containing 20,830 square feet or 0.47819 acres of land, more or less and being located in the Ninth Election District, Fifth Councilmanic District, Baltimore County, Maryland.



Joshua T. Sharon
Professional Engineer No. 34479

S:\PROJECT FOLDERS\14901-15000\14993\14993-Zoning Description Ballys Special Exception.doc

1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD + Laurel, MD + Towson, MD + Georgetown, DE + Wilmington, DE + York, PA
(410) 515-9000 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (717) 751-6073

214

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



January 10, 2011

ZONING DESCRIPTION FOR SPECIAL EXCEPTION REQUEST

Beginning at a point at the end of the five following courses and distances from the south right of way line of Joppa Road near the westerly side of Prince Road, North 65°11'12" West 101.20 feet, Northwesterly by a line curving to the left having a radius of 903.64 feet for an arc distance of 117.07 feet, said curve being subtended by a chord bearing North 68°54'03" West 116.99 feet, North 72°36'44" West 135.60 feet, Northwesterly by a line curving to the left having a radius of 839.00 feet for an arc distance of 48.82 feet, said curve being subtended by a chord bearing North 74°16'45" West 48.81 feet, thence leaving the aforesaid right of way line, South 19°35'14" West 91.90 feet, running thence from said point of beginning;

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Joshua T. Sharon
Professional Engineer No. 34479

S:\PROJECT FOLDERS\14901-15000\14993\14993-Zoning Description Ballys Special Exception.doc

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(410) 515-9000 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (717) 751-6073

214



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 24, 2011

2/28/11

Benjamin Schall, Sr. Vice President
Towson VF, LLC
888 Seventh Avenue 29th Floor
New York, NY 10019

RE: Case Number 2011-0214 SPHX, 801 Goucher Boulevard

Dear Mr. Schall,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 13, 2011. This letter is not an approval, but only a **NOTIFICATION**.

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.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
David H. Karceski/Venable LLP, 210 W. Pennsylvania Avenue Ste. 500, Towson, MD 21204

Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

Hearing 2/28/11

January 14, 2011

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **January 18, 2011**

Item No.:

Administrative Variance: 2011-0207, 2011-0210A, 2011-0211A

Special Hearing: 2011-0205-SPH, 2011-0209-SPH

Variance: 2011-0208A, 2011-0212A

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Special Hearing / Exception: 2011-0214-SPHX

Comments:

The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code dated July 19, 2010 prior to occupancy or the beginning of operation.

Other Comments:

Special Hearing: 2011-0206-SPH - No comments were made due to the plans being missing from the zoning packet.

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 1/21/2011

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

RE: Baltimore County
Item No 2011-0214-SPHX
801 GOLCHER BLVD
TOWSON VF LLC
SPECIAL EXCEPTION -
SPECIAL HEARING -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0214-SPHX.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Access Management Division

SDF/mb

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 24, 2011

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For January 24, 2011
Item Nos. 2011- 205, 206, 207, 208,
209, 210, 211, 212 and 214

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

DAK:CEN:cab
cc: File
G:\DevPlanRev\ZAC -No Comments\ZAC-01242011 -NO COMMENTS.doc

RE: PETITION FOR SPECIAL EXCEPTION/HEARING
801 Goucher Boulevard
SE Corner Goucher Blvd and Joppa Road
9th Election and 5th Councilmanic Districts
Legal Owners: Towson VF LLC

PETITIONER(S)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* CASE NO: 2011-0214-SPHX

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 and all 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
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED
JAN 19 2011

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of January, 2011, a copy of the foregoing Entry of Appearance was mailed to:

David H. Karceski, Esq.
210 West Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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/neighborhood 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: 2011-0214-SPHX

Petitioner: _____

Address or Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kedrick Whitmore

Address: 210 W. Pennsylvania Ave
Towson, MD 21204

Telephone Number: 410-494-6204

803 GOUCHER BOULEVARD

SHOPPERS.
Food & Pharmacy

STAPLES

hhgregg

GOLF GALAXY

PEARLE VISION

SLEEPY'S

CASUAL
MALE
XL

STOP



PLEASE PRINT CLEARLY

RETTONER'S SIGN

NAME

Daryl K. ...
...
...
...
...

ADDRESS

210 W. ...
256 ...
210 Rt 4 East
210 C. E. ...

08-2-86

DAVID ...
...
...

E-MAIL

801 Gordon St
2011-214
28/11

MI

10

212

Wmank@mas...

98-2-86

DAVID ...
...
...

E-MAIL

801 Gordon St
2011-214
28/11

MI

10

212

Wmank@mas...

98-2-86

DAVID ...
...
...

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>2-3</u>	DEPRM (if not received, date e-mail sent _____)	<u>nc</u>
<u>2-14</u>	FIRE DEPARTMENT	<u>nc</u>
<u>2-14</u>	PLANNING (if not received, date e-mail sent _____)	<u>supporte</u>
<u>1-21</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2011-0046-A)

NEWSPAPER ADVERTISEMENT Date: 2-10

SIGN POSTING Date: 2-12 by Blach

PEOPLE'S COUNSEL APPEARANCE Yes No

PEOPLE'S COUNSEL COMMENT LETTER Yes No

Comments, if any: _____

IN RE: PETITION FOR VARIANCE
NE corner of Goucher Boulevard and
Joppa Road
9th Election District
5th Councilmanic District
(801-803 Goucher Blvd.)

Towson VF LLC
Legal Owner
Noodles and Company, Inc.
Contract Purchaser

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
*
* CASE NO. 2011-0046-A

previous order

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Towson VF LLC, by Vornado Realty Trust, Authorized Signatory, and the Contract Lessee, Noodles & Company, Inc., by Anna Putnam, Designer/Corporate Representative. Variance relief is requested from Section 450.4.5(d) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow 2 wall-mounted enterprise signs on a façade with a separate exterior customer entrance in lieu of the permitted 1 wall-mounted sign (front façade), and to allow 1 wall-mounted enterprise sign on a façade without a separate exterior customer entrance in lieu of the 0 wall-mounted signs permitted (rear façade). The subject property and requested relief are more fully described on the site plan and the signage details, which were marked and accepted into evidence as Petitioner's Exhibits 1A and 1B, respectively.

Appearing at the requisite public hearing in support of the variance request were Leslie M. Pittler, Esquire on behalf of Petitioner Noodles & Company, Inc. and David Karceski, Esquire on behalf of the property owner, Towson VF LLC. Also appearing in support of the requested relief were Joshua Sharon with Morris & Ritchie Associates, Inc., the professional

engineer who prepared the site plan, and George Marino with Service Neon Signs in Springfield, VA, the firm that handles signage installations for Petitioner. There were no Protestants or other interested citizens in attendance.

Testimony and evidence offered revealed that the subject property is located at the southeast corner of the intersection of Joppa Road and Goucher Boulevard, in the Towson area of Baltimore County. The 19 acre parcel with attendant improvements is zoned B.L.-C.C.C. (Business Local – Commercial, Community Core), triangularly shaped and surrounded by Goucher Boulevard to the south and west, Joppa Road to the north, and Prince Road to the east. The site is improved with an existing shopping center, which is undergoing redevelopment, including improvement of existing building facades and the construction of additional pad sites. An aerial photograph, marked and accepted into evidence as Petitioner's Exhibit 3, helps illustrate both the location as well as the unusual shape and constraints of the site. Petitioner Noodles & Company, Inc. is a privately held chain of fast casual restaurants with franchises located throughout the United States. The company was founded in 1995 and is headquartered in Colorado. As explained by Mr. Sharon, Petitioner's consulting engineer, several of the pad sites are undergoing development with Petitioner slated for Pad 1, as shown on the site plan. This pad is located near the frontage on Goucher Boulevard and also near the entrance to the site from that public road.

Petitioner's signage expert, Mr. Marino, indicated that the requested variance relief pertains to the two proposed wall mounted enterprise signs on the front façade that has a separate exterior customer entrance, as well as the one wall mounted enterprise sign proposed for the rear façade of the restaurant building without a separate exterior customer entrance. The Zoning Regulations permit one such wall mounted enterprise sign on the front façade with a separate

exterior entrance, and no such signs on the rear façade without a separate exterior customer entrance. The sign proposed for the front and rear façades were identified on the site plan as Signs "A" and "B," respectively. Sign "D" was originally included in the Petition for Variance as one of the two wall mounted enterprise signs proposed for the front façade in lieu of the permitted one sign; however, after consulting with the Zoning Review Office, that office construed Sign "D," which states in small lettering "EST. 1995" not to be an enterprise sign, but rather as a commemorative, memorial sign that does not require a variance. Hence, Mr. Pittler requested to amend the variance request to remove the reference to the request for two wall mounted enterprise signs on the front façade (since only one is requested and is permitted by right) and to request variance relief for only the one requested wall mounted enterprise sign for the rear façade. This request actually lessens the relief requested and was permitted.

In support of the requested variance relief, Mr. Sharon explained that the specific need for the variance is generated by the unusual features and characteristics of the property. Specifically, the irregular shape of the overall site, the significant grade changes along the public road frontage and orientation and elevation of the Pad 1 site above street level, the curvature of the surrounding roads, and the existing mature landscaping along Goucher Boulevard are all factors that contribute to the uniqueness of the subject property and severely hamper visibility into the site. It was further indicated that the sign Regulations are relatively basic for an in-line strip shopping center, but in this case, due to the unique shape of the property and layout of improvements internally, all four sides of the restaurant are visible and in need of identification for patrons. A strict interpretation of the sign regulations contained within the B.C.Z.R. would not allow for adequate identification of the restaurant and no adverse impact would result.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated September 1, 2010 which indicates their support for the requested relief. They add that the building is designed to present finished facades on all elevations and the signage package is well integrated with the design.

Having considered all of the evidence and proffered testimony on this issue, I am persuaded to grant the Petition for Variance. Based on my review of the site plan, the signage details, and the aerial photograph of the property, I find the requirements of B.C.Z.R. Section 307.1 to be satisfied. The proposed wall mounted enterprise sign for the rear façade is appropriate, given the unique shape, orientation, and constraints of the site, which together limit the site visibility. The sign will facilitate adequate identification of the restaurant from the public road as well as to internal traffic, which would not be possible if the sign were not permitted. I also note that there are no adverse Zoning Advisory Committee (ZAC) comments, and in fact the Office of Planning is supportive of the requested relief and the signage package. Finally, I find this variance request can be granted in strict harmony with the spirit and intent of the Zoning Regulations, and in such a manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioner's variance requests should be granted.

THEREFORE, IT IS ORDERED this 19th day of October, 2010 by this Deputy Zoning Commissioner that Petitioner's Variance request from Section 450.4.5(d) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow 1 wall-mounted enterprise sign on a façade

without a separate exterior customer entrance in lieu of the 0 wall-mounted signs permitted (rear façade) be and is hereby **GRANTED**, subject to the following:

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

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

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

Hearing 2/28/11

January 14, 2011

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **January 18, 2011**

Item No.:

Administrative Variance: 2011-0207, 2011-0210A, 2011-0211A

Special Hearing: 2011-0205-SPH, 2011-0209-SPH

Variance: 2011-0208A, 2011-0212A

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Special Hearing / Exception: 2011-0214-SPHX

Comments:

The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code dated July 19, 2010 prior to occupancy or the beginning of operation.

Other Comments:

Special Hearing: 2011-0206-SPH - No comments were made due to the plans being missing from the zoning packet.

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

January 25, 2011

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: 2011-0214-SPHX

801 Goucher Boulevard
S/east corner of Joppa Road and Goucher Boulevard
9th Election District – 5th Councilmanic District
Legal Owners: Towson VF, LLC

Special Hearing to approve an amendment to the site plan approved in Case No. 011-0046-A.
Special Exception to permit a health club as a community building, pursuant to Section 230.13 of the Baltimore County Zoning Regulations.

Hearing: Thursday, February 17, 2011 at 3:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Towson VF, LLC, Benjamin Schall, 888 Seventh Ave., 29th Fl., New York NY 10019

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., FEBRUARY 2, 2011.**
- (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, 2011 Issue - Jeffersonian

Please forward billing to:
Kedrick Whitmore
Venable, LLP
210 W. Pennsylvania Avenue
Towson, MD 21204

410-494-6204

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: 2011-0214-SPHX

801 Goucher Boulevard
S/east corner of Joppa Road and Goucher Boulevard
9th Election District – 5th Councilmanic District
Legal Owners: Towson VF, LLC

Special Hearing to approve an amendment to the site plan approved in Case No. 011-0046-A.
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Hearing: Thursday, February 17, 2011 at 3:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections 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.

January 13, 2011

David H. Karceski

T 410.494.6285
F 410.821.0147
dhkarceski@venable.com

HAND DELIVERED

Mr. W. Carl Richards, Jr., Supervisor
Zoning Review Office
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Petitions for Special Exception and Special Hearing
Location: 801 Goucher Boulevard


Dear Mr. Richards:

I am drop filing the enclosed Petitions for Special Exception and Special Hearing for the above-referenced property. I do not know of any violations of any zoning laws on the property. With this letter, I have enclosed the following documents:

1. Petition for Special Exception (3)
2. Petition for Special Hearing (3)
3. Zoning Description for Special Exception Request (3)
4. Zoning Description for Special Hearing Request (3)
5. Zoning Map (1)
6. Site Plans (12)
7. Newspaper Advertising Form (1)
8. Check in the amount of \$835.00

If you have any questions or concerns regarding this filing, please do not hesitate to contact me.

Very truly yours,



David H. Karceski

Enclosures

cc: Bruno Rudaitis

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

FEB 04 2011

ZONING COMMISSIONER

TO: Office of Administrative Law

FROM: Dave Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: February 3, 2011

SUBJECT: Zoning Item # 11-214-SPHX
Address 801 Goucher Boulevard
(Towson VF, LLC Property)

Zoning Advisory Committee Meeting of January 18, 2011.

X The Department of Environmental Protection and Sustainability has no comments on the above-referenced zoning item.

Reviewer: JWL Date: 2/3/11

228-11
TK
10PM

TK
2-28

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: February 14, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: 801 Goucher Boulevard

INFORMATION:

Item Number: 11-214

Petitioner: Towson VF, LLC

Zoning: BL-CCC

Requested Action: Special Exception and Special Hearing

RECEIVED

FEB 17 2011

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject request and accompanying site plan. The subject request for a health club as a community building does not appear to be detrimental to the health, safety or general welfare of the locality involved and impacted. The subject use appears to be a positive addition to the to this part of the Joppa Road corridor. As such, the Office of Planning supports the petitioner's request for special exception and special hearing.

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

Prepared by: Curtis Gurney

Division Chief: Jeff Mayhew
JM/LL: CM

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: February 14, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: 801 Goucher Boulevard

INFORMATION:

Item Number: 11-214

Petitioner: Towson VF, LLC

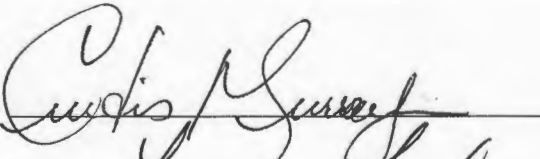
Zoning: BL-CCC

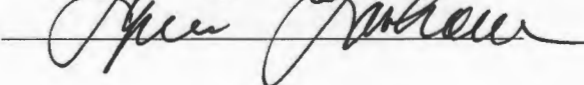
Requested Action: Special Exception and Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject request and accompanying site plan. The subject request for a health club as a community building does not appear to be detrimental to the health, safety or general welfare of the locality involved and impacted. The subject use appears to be a positive addition to the to this part of the Joppa Road corridor. As such, the Office of Planning supports the petitioner's request for special exception and special hearing.

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

Prepared by: 

Division Chief: 
JM/LL: CM



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 24, 2011

Benjamin Schall, Sr. Vice President
Towson VF, LLC
888 Seventh Avenue 29th Floor
New York, NY 10019

RE: Case Number 2011-0214 SPHX, 801 Goucher Boulevard

Dear Mr. Schall,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 13, 2011. This letter is not an approval, but only a **NOTIFICATION**.

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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
David H. Karceski/Venable LLP, 210 W. Pennsylvania Avenue Ste. 500, Towson, MD 21204

Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov

CERTIFICATE OF POSTING

2011-0214-SPHX

RE: Case No.: _____

Petitioner/Developer: _____

Towson VF, LLC

Date of Hearing/Closing: _____

Feb 28, 2011

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

Attn: Kristen Matthews:
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:

801 Goucher Blvd

The sign(s) were posted on _____

February 12, 2011
(Month, Day, Year)

Sincerely,



(Signature of Sign Poster)

February 13, 2011
(Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

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

(410) 282-7940
(Telephone Number)

1W222

To

POSTPONED

DO NOT REMOVE

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: # 2011-0214-SPHX
801 Goucher Boulevard
S/east corner of Joppa Road and Goucher Boulevard
9th Election District
5th Councilmanic District
Legal Owner(s): Towson VF, LLC
Special Hearing to approve an amendment to the site plan approved in Case No. 011-0046-A.
Special Exception to permit a health club as a community building, pursuant to Section 230.13 of the Baltimore County Zoning Regulations.

Hearing: Monday, February 28, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West 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.

02/058 Feb. 10 266818

CERTIFICATE OF PUBLICATION

2/10/2011

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 2/10/2011.

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

J. Wilkinson

LEGAL ADVERTISING



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

January 25, 2011

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: 2011-0214-SPHX

801 Goucher Boulevard
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A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the typed name and title.

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Towson VF, LLC, Benjamin Schall, 888 Seventh Ave., 29th Fl., New York NY 10019

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, FEBRUARY 12, 2011**
- (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
Thursday, February 10, 2011 Issue - Jeffersonian

Please forward billing to:
Kedrick Whitmore
Venable, LLP
210 W. Pennsylvania Avenue
Towson, MD 21204

410-494-6204

CORRECTED NOTICE OF ZONING HEARING

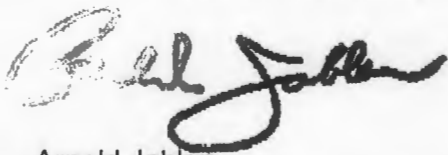
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- 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.



State Highway Administration

Maryland Department of Transportation

Martin O'Malley, Governor | Anthony G. Brown, Lt. Governor

Beverley K. Swaim-Staley, Secretary | Neil J. Pedersen, Administrator

Date: 1/21/2011

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

RE: Baltimore County
Item No 2011-0214-SPHX.
801 GOLUCHER BLVD
TOWSON VF LLC
SPECIAL EXCEPTION -
SPECIAL HEARING -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0214-SPHX.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Handwritten signature of Michael P. Bailey

For Steven D. Foster, Chief
Access Management Division

SDF/mb

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



February 24, 2011

Baltimore County Administration Law Judge
Baltimore County Maryland
111 West Chesapeake Avenue
Towson, Maryland 21286

Re: 801-803 Goucher Boulevard
Parking Count Study

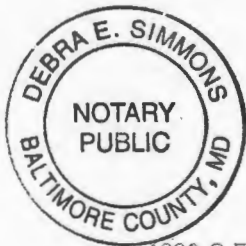
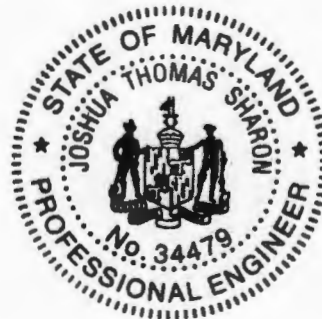
Dear Sir:

I hereby certify that I took site photographs on Thursday February 24, 2011 between 12:00pm to 1:00pm depicting existing site conditions. See attached exhibits.

Sincerely,

MORRIS & RITCHIE ASSOCIATES, INC.

Joshua T. Sharon, PE, SIT, LEED AP, CPESC
Project Engineer



Name of Notary Public: Debra E. Simmons County: BALTO. State: MD

My Commission Expires: 12/14

1220-C East Joppa Road, Suite 505, Towson, Maryland 21286 Tel: (410) 821-1690 Fax: (410) 821-1748

Abingdon, MD • Laurel, MD • Towson, MD • Georgetown, DE • Wilmington, DE • York, PA
(410) 515-9000 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 311-1111

Visit us on the web at www.mragta.com

PETITIONER'S

EXHIBIT NO. 4







WILLIAM P. MONK
Principal

Project Assignment:

Principal, Project Manager, Urban Design and Site Planning, Expert Witness

Years of Experience:

MRA: 10
Other Firms: 25

Education:

Master of Urban Planning,
University of Illinois, 1975
Bachelor of Urban Planning,
University of Illinois, 1973

Professional and Industry Affiliations:

Mayor's Transition Committee for Economic Development, Mayor Martin O'Malley, City of Baltimore 1999-2000
Greater Towson Committee (formerly Towson Development Corporation)
President 1998-2000
Bd. of Directors 1994-2010
Chairman of the Baltimore County Design Review Panel, 2008-present
Tomorrow's Towson Urban Design Committee (member)
National Association of Industrial and Office Properties (member)
Baltimore Development Work Group (member)
International Council of Shopping Centers (ICSC)

Past Member:

American Planning Association
National Golf Association
Citizens Planning & Housing Association (CPHA) (past board member)



**MORRIS & RITCHIE
ASSOCIATES, INC.**

Qualifications:

Mr. Monk is a Principal of MRA and provides site planning/design, project management, and government and community liaison services to institutional, commercial/retail, industrial, and residential clients throughout the mid-Atlantic region. Mr. Monk has worked in Baltimore City for over 35 years, representing commercial/retail and residential clients, as well as serving on nonprofit boards, ad hoc committees, and providing pro bono professional services.

Mr. Monk has extensive experience providing expert witness testimony. He is an approved expert witness in several jurisdictions throughout the mid-Atlantic region, including Prince George's County, Annapolis, Anne Arundel County, Baltimore, Baltimore County, Carroll County, Frederick County, Harford County, Howard County, and St. Charles Community in Maryland. Furthermore, he has testified in more than 300 zoning hearings over the past 35 years.

Sample projects managed and designed by Mr. Monk include the following:

COMMERCIAL/ RETAIL CENTERS

Bay River – Planned Business Community, Havre de Grace, Maryland Project Manager/Chief Designer for a 76-acre mixed-use master planned business community containing over 900,000 SF of retail, office, and institutional space. Located at the interchange of I-95 and MD 155, the "Gateway" to the historic city of Havre de Grace.

Hampstead Business Park, Hampstead, Maryland - Project management and site planning for a 26-acre mixed-use (industrial, office, and retail) planned community at the crossroads of the new Hampstead By-Pass and MD Route 482.

Solo Cup Site, Owings Mills, Maryland - Project Manager and Designer in the preparation of a mixed-use (office, retail, and residential) planned community containing over 900,000 SF for this 51-acre site in Baltimore County.

Reisterstown Plaza, Baltimore, Maryland - Principal-In-Charge responsible for design/site planning studies for the reconfiguration expansion of the retail center consisting of over 100,000 SF.

Towson Commons Redevelopment Studies and Design, Towson, Maryland Project Manager for ongoing redevelopment design studies intended to reposition the street-level retail component of a 15-year old mixed-use project that includes a proposed 20-story residential tower and an existing 10-story office tower. The Redevelopment Study process began with a survey of existing commercial real estate market opportunities in the area, and has focused on adding a strong residential component, while reinforcing the project's strength as an office location of choice and creating new retail and restaurant opportunities with direct street level pedestrian access. Upfront project feasibility studies included surveying, site engineering, and securing government entitlement approvals.

Continued on the next page...

PETITIONER'S

EXHIBIT NO. 2

Fidelity Investments Office, Towson, Maryland - Principal-In-Charge of land planning for the 6,500-SF office to serve as the prototype for the national deployment of Fidelity Investments new offices. Services provided by MRA included land development engineering, surveying, landscape architecture, architecture, and structural, mechanical, and electrical engineering, and government entitlement processing.

Canton Crossing, Baltimore City, Maryland - Master planning for six square block of mixed-use development incorporating hotel, office, retail, food market, structured parking, restaurant, and marina.

Glen Burnie Super Block, Anne Arundel County, Maryland - Prepared site plan for redevelopment of key five+ acre parcel in heart of Glen Burnie Urban Renewal District. Project includes food store anchor, retail, office, residential, structured parking, and town center plaza with skating rink.

BP Amoco Oil Company, Baltimore-Washington - Site/zoning feasibility studies and civil engineering for more than 80 sites.

Hagerstown Commons, Hagerstown, Maryland - A 42-acre, 350,000-SF, phased, mixed-use center containing office, retail and a cinema-plex.

Commerce Place, Prince George's County, Maryland - A 43-acre, 480,000-SF mixed-use retail, office and cinema-plex development.

Arundel Crossing East, Anne Arundel County, Maryland - Prepared a 40-acre site development plan containing both a Super K-Mart Store (190,000+ SF) and a Hechingers Home Care Center (130,000 SF.)

Allied Signal Company, Harbor Point, Baltimore, Maryland - Prepared mixed-use master plan for a 20+ acre site strategically located at entry to Baltimore's Inner Harbor. Includes retail, office, housing, entertainment, marina, and cruise ship docking facilities.

Old Town Mall, Baltimore, Maryland - Prepared site plans for re-design of historic urban renewal project, anchored by supermarket.

Boston Street Quay, Baltimore, Maryland - Prepared site plans for three-acre mixed-use development project on Baltimore's Inner Harbor waterfront, in Canton, incorporating retail, housing, and pier restaurant, with waterfront pedestrian promenade.

Tyson's Corner, Virginia - Preparation of site plan alternatives for a two-acre, multi-story retail/office and parking project containing more than 160,000 SF with structured parking.

Light House Point, Boston Street, Canton, Maryland - Prepared master plan for large scale mixed use waterfront development in historic Canton on Baltimore's "Gold Coast." Project includes housing, marina, specialty/maritime retail, restaurants, and pedestrian waterfront promenade.

Office Condominium Site Assessments, Mid-Atlantic Region - Prepared over 75 site development plans for the development of suburban office parks. Projects range in size from 5,000 SF to over 100,000 SF.

Landover Center Rezoning, Prince George's County, Maryland - Prepared the master plan for a 15-acre mixed-use retail, motel, and office building project. He also served as expert witness in the successful rezoning.

Lee Property Master Plan, Frederick County, Maryland - Preparation of a 102-acre mixed-use commercial complex containing over 400,000 SF of office, research and development space, a 190,000-SF Wal-Mart Super Store, a hotel/conference center complex and open space system. A historic Guilford farmstead comprising approximately 15 acres is the centerpiece of the complex. This area is on the National Register of Historic Places. The master plan calls

for the conversion of historic farmhouse into an inn/restaurant while retaining the farmstead outbuildings and incorporating them into an educational/learning center.

Arundel Delight Quarry, Baltimore County, Maryland - This 125-acre parcel in northwest Baltimore County utilizes an abandoned quarry as its centerpiece by transforming it into a 25-acre lake. The master plan calls for a mix of commercial (village center), employment (office), elderly care/retirement community and a mix of housing types (estate and carriage homes). Additionally an extensive open space system along with active recreational facilities and a Baltimore County fire station are incorporated into this unique master plan. This master plan was prepared over a period of 18 months in concert with a community and business task force that resulted in the approval of the overall master plan and securing the appropriate zoning to accommodate the mix of uses.

Patapsco Planned Community, Baltimore County, Maryland - Preparation of master plan for an 800-acre planned residential and commercial project. Plan includes country club, open space system, community shopping facilities/office, research and development park and a mix of residential housing types.

Run About Cove, Anne Arundel County, Maryland - 110-acre residential community containing over 700 housing units with a commercial village center and extensive recreational/open space amenities.

Edmondson Square Shopping Center, Baltimore, Maryland - Prepared site development plans for redevelopment of the six-acre site for new Giant Food, Hollywood Video, and Advance Auto Parts stores.

Towson Overlook, Baltimore County, Maryland - Re-development of 13-acre site to add 75,000 SF to the existing 50,000-SF shopping center.

EDUCATIONAL FACILITIES

Elementary - High School

St. Marks School, Baltimore County, Maryland - Prepared plans and assisted client in obtaining rezoning for the historic renovation and redevelopment of the former St. Marks School on Winters Lane in Catonsville.

College / University

Technology Center at University of Maryland Baltimore County, South Campus, Catonsville, Maryland Principal-In-Charge responsible for master planning for expansion of the South Campus to include two to three new research & technology buildings and conference center ranging in size from 60,000-100,000 SF each.

University of Maryland Baltimore County, Main Campus Master Planning for the Technology Development Center (TDC) and the Technology Research Center (TRC), Catonsville, Maryland - Principal-In-Charge responsible for master planning for expansion of the TDC and TRC facilities to include research, teaching, and conferencing facilities totaling 150,000-200,000 SF.

University of Maryland Baltimore County, Technology Development Center Parking Facilities, Catonsville, Maryland - Principal-In-Charge of site planning, civil engineering, and surveying for a 330-car satellite parking facility with shuttle bus pickup. Design/Bid/Construction.

GOLF COURSE COMMUNITY MASTER PLANNING AND GOLF COURSE PLANNING AND DESIGN:

Lake Diamond Golf and Country Club, Pinehurst, North Carolina - Preparation of a master plan incorporating an 18-hole golf course with club facilities and a "public golf center" including driving range, chipping and pitching greens and miniature golf course. Golf course routing is through dense pine forests and sand hills indigenous to the Pinehurst area. Lake Diamond (44 acres) provides a unique natural amenity. Estate home sites, community beach and recreation

area, and the golf course are situated along the lake frontage. The Lake Diamond subdivision has been modified and incorporated into the overall master plan. The plan encompasses approximately 350 acres and includes estate homesites (20,000 SF+/-) and fairway cottage sites (7,000-8,000 SF).

Baltimore County, Maryland - Preparation of a golf course routing plan on approximately 210 acres of state-owned property adjacent to the Patapsco River. This unique golf course routing plan is laid out around a number of environmentally sensitive wetland areas and is integrated with a proposed equestrian riding center and riding trails, which tie into a public open space network along the Patapsco River.

Hunters Green Planned Business Park, Washington County, Maryland - This golf course routing plan is integrated through an 850-acre planned unit development including residential, retail, office, and industrial uses. A series of environmentally sensitive areas and stream are utilized to enhance the natural features and playability of the course. The project also contains an inn and conference center adjacent to the golf course, both of which provide a central focus for the overall development plan.

Liberty Valley Country Club, Baltimore County, Maryland - A nine-hole executive par three golf course has been laid out on a portion of the former Hidden Valley Golf Course. The course is situated in a stream valley and incorporates large teeing areas to maximize the flexibility and allow play from multiple tees. A clubhouse with banquet and dining facilities, along with an olympic-size swimming pool and tennis courts are included.

Potomac Point Golf Links, St. Mary's County, Maryland - Prepared three alternative golf course routing plans within the context of an 800 (+)-acre planned community along the Potomac River in southern Maryland. Each routing plan encompassed different areas of the overall tract. The property, which offered a unique design challenge, included heavily wooded areas, tidal and non-tidal wetlands, fresh water lakes, a reclaimed sand quarry, and Potomac River and an inland bay frontages.

Each routing plan was developed within the context of the overall planned community, which included a wide range of residential product. This included single family estate lots, attached housing, condominium, and golf village home sites along with community commercial village and marina.

The golf course routing plan considered is described below.

The Potomac Point Links will be a unique 18-hole linksland style golf course built within the reclaimed sand hills of the former quarry site. The individual holes blend with the sand hills and ponds of this environmental award winning reclamation project providing a truly unique golf experience unmatched in this region. The course, which will be open to the public, is designed to be challenging and playable for all skill levels. Emphasis is placed on strategic shot making skills rather than strength while the usage of multiple tees allows the course to play from over 6,700 yards to slightly less than 4,900 yards. The unique character of the course incorporates both grass bunkers and swales, waste bunkers, mounding, a system of ponds and streams and natural vegetation and grasses all of which reinforce the links style of golf course architecture. The natural setting for the course is further enhanced by broad vistas of Breton Bay from many locations on the course. A public driving range with lesson tee, practice putting and chipping greens, pro shop, and clubhouse will provide the necessary support facilities.

HEALTH CARE FACILITIES/HOSPITAL / NURSING HOME PROJECTS

Hackerman Patz House, St. Joseph's Medical Center Campus, Towson, Maryland - Principal-In-Charge responsible for procuring a zoning variance, feasibility study for utilities, production of construction documents, obtaining grading and building permits and construction observation for this two-level, 13,600-SF, 20-room facility located on .85 acres. MRA worked with the project Architect and campus facilities staff to layout this overnight facility for families of hospital care patients. This facility was modeled after the McDonald House facilities and a similar facility on the Sinai Hospital Site in the City of Baltimore. The project design and construction was funded by a donor contribution.

HOSPITALITY

Burkeshire Marriott Feasibility Study, Towson, Maryland - Planner hired by the Baltimore County Economic Development to provide a feasibility study for the expansion of the Marriott Hotel to include conferencing facilities, structured parking, and campus retailing along the York Road street frontage. Project also included developing alternative site plans for the entire block known as the "triangle" which includes the Towson VFW hall.

HOUSING

Decatur Street Townhomes, Baltimore, Maryland - Project Manager responsible for master planning and civil engineering for 72 housing units in Locust Point.

Luzerne Street, Canton Mills, Chester Street, and Fleet Street Townhomes, Baltimore, Maryland - Project Manager responsible for master planning and civil engineering for urban in-fill residential projects in Baltimore City.

WILLIAM P. MONK
JURISDICTIONS WHERE WORK HAS BEEN PERFORMED

MARYLAND

Aberdeen
Annapolis*
Anne Arundel County
Baltimore*
Baltimore County*
Bel Air
Bowie
Charles County
Calvert County
Cambridge
Caroline County
Carroll County*
Cecil County
Centreville
Chesapeake Beach
College Park
Columbia
Easton
Ellicott City
Frederick
Frederick County*
Gaithersburg
Hagerstown
Hampstead
Harford County*
Havre de Grace
Howard County*
Kent County
Laurel
Montgomery County
Ocean City
Perryville
Prince George's County*
Queen Anne's Co.
Rockville
St. Charles Community*
St. Mary's County
St. Michael's
Salisbury
Talbot County
Washington County
Westminster

DELAWARE

Dover
Kent County
Milford
Newark
Rehobeth Beach
Sussex County

**DISTRICT OF
COLUMBIA**

NEW JERSEY

Cherry Hill
Dover Township
Mountainside
Pequannock Township
Perth Amboy
Piscataway*
Wall Township*
Pompton Plains
Toms River

NORTH CAROLINA

Pinehurst

PENNSYLVANIA

Bucks County
Chester County
Montgomery County
Paoli
Shrewsbury

VIRGINIA

Alexandria
Arlington
Arlington County
Chesterfield County
(Richmond area)
Fairfax City
Fairfax County
Falls Church
Fauquier County
Henrico County
(Richmond area)

VIRGINIA (Cont'd.)

Herndon
Leesburg
Loudon County
Manassas
Manassas Park
McLean
Prince William County
Quantico
Richmond
Sterling
Vienna

WEST VIRGINIA

Martinsburg

***EXPERT WITNESS**

**WILLIAM P. MONK
NATIONAL AND REGIONAL CLIENTS**

CONVENIENCE STORES

7-Eleven Food Stores
High's Food Stores
Wawa Food Stores
Paceway Convenience Stores
Dash-In Food Stores
6-12 Convenience Food Marts
X-Tra Mart
Royal Farm Stores

AUTOMOTIVE SERVICE

Precision Tune
Mr. Transmission
Pit Stop, Inc.
Windshields of America
Grease Monkey
Econo Lube 'N' Tune
Midas Muffler
3 Rivers Glass
Jiffy Lube
Mr. Tire
Kimmel Tire
Midas Muffler
Grease Monkey
Salvo Auto Parts
National Tire Warehouse
Western Auto
Parts America
NTW Automotive

**AUTOMOTIVE-
GASOLINE**

BP/Amoco Oil Co.
Arco Petroleum
Gulf Oil Company
Steuart/Agip
Shell Oil Company
Southern Maryland Oil Co.
Sunoco
Texaco/Star Enterprise
Eastern Petroleum
Quarles Petroleum, Inc.
Carroll Independent Fuel
Ewing Oil Company
Ocean Petroleum Co.

RESTAURANTS

Dunkin Donuts
Pizza Hut
Taco Bell
Hot-N-Now
Big Boys
Roy Rogers Restaurants
Checkers
Church's Fried Chicken
Hardee's
Burger King
Golden Corral
Kentucky Fried Chicken
Mr. Donut
Friendly's Restaurants
Chili's Restaurants
Subway Sub Shops
Red Hot n' Blue
McDonald's Corporation
All-In-One (Taco Bell, Pizza Hut, KFC)
East Side Marios
Chevys Mexican Restaurants
California Pizza Kitchen
Fuddruckers
Sweet Pea Café
Old Country Buffet
Cracker Barrel
Rita's Water Ice
Krispy Kreme
Wendy's

MISCELLANEOUS-COMMERCIAL

Rite Aid
K-Mart
Duron Paints
Nichol's Department Store
Safeway Food Stores
Blockbusters Video
Pier One Imports
Price Warehouse
F&M Drug Stores
Roses Department Store
Town & Country Pontiac-Nissan
Klein's Supermarkets
C.J. Bonner Co.
Carteret Savings Bank
Penn Advertising
Universal Advertising
Giant Foods
Nextel Corporation
PNE Media
Enterprise Rent-A-Car
Koons Ford
ATC Communications, Inc.
Wal-Mart
Sam's Club
Hechingers
Bluecrest North Caterers
Musselman Chevrolet
Bell Atlantic
Luby Chevrolet
Sports Authority
Revco Drugs
CVS Drugs
Weis Markets
Lamar Advertising
Hollywood Video
Food Lion
Graul's Food Markets
Jeepers, Inc.
Walgreens
Bank of America
Dollar General



Edgewood RD

DODD RD

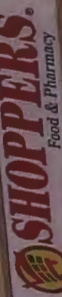
STOP

CENTER LANE ONLY

35



803 GOUCHER BOULEVARD



SHOPPERS.
Food & Pharmacy

STAPLES

hhgregg

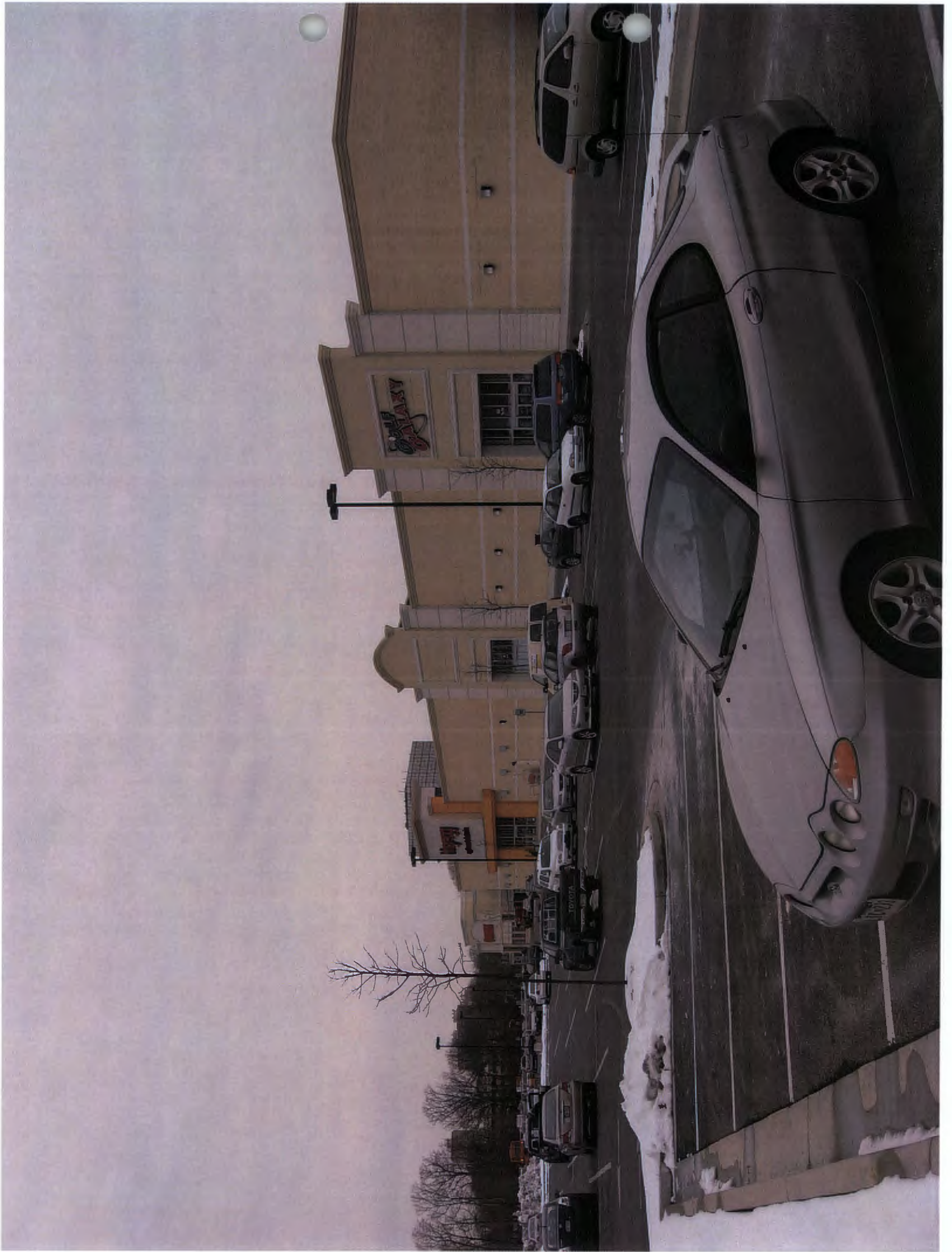
GOLF GALAXY

PEARLE VISION

SLEEPY'S

CASUAL MALE XL



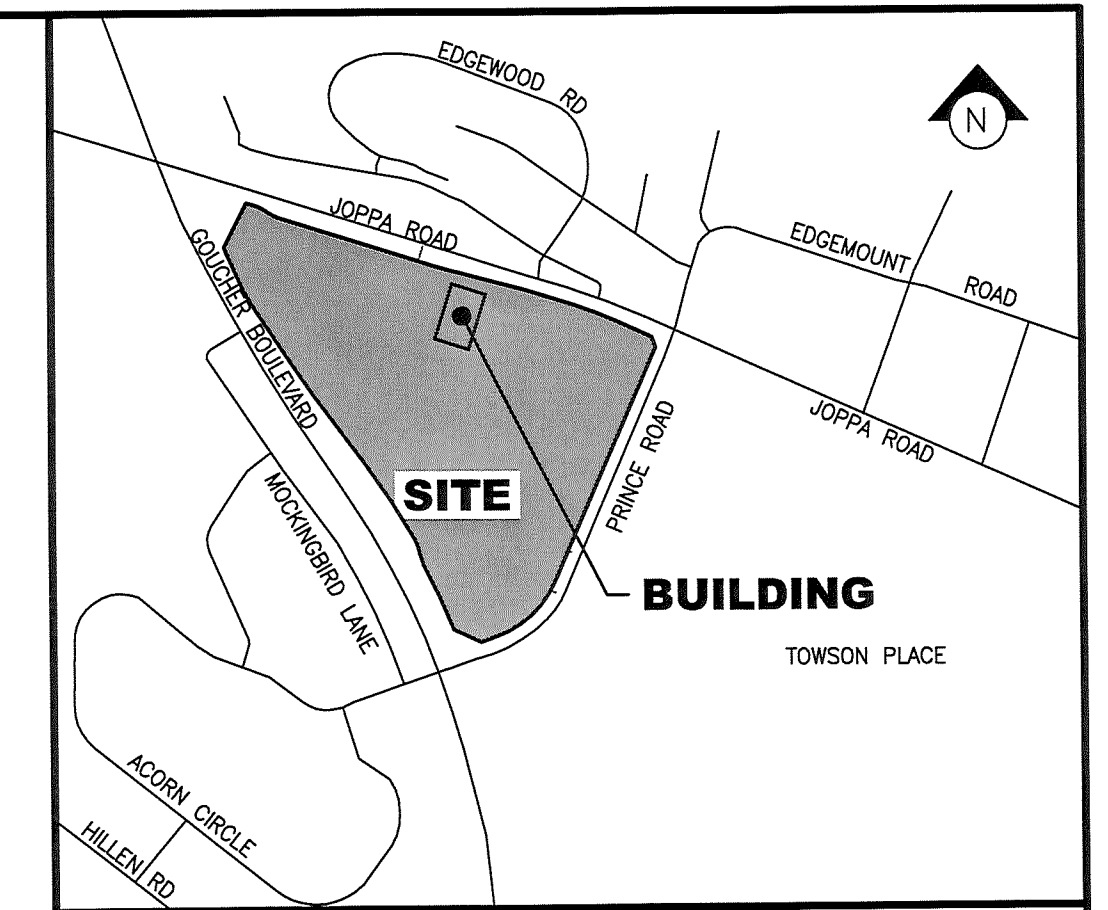
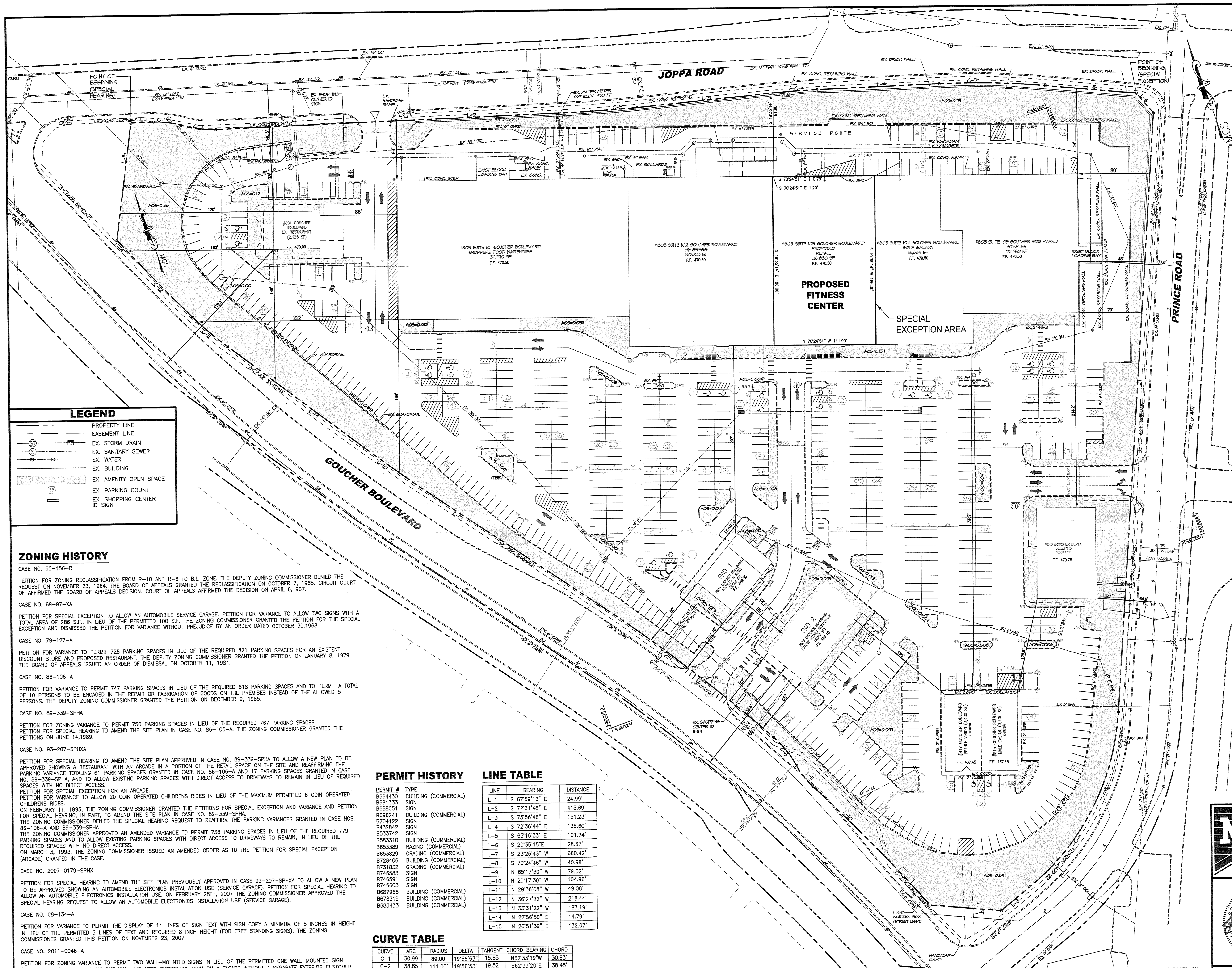












VICINITY MAP
SCALE: 1" = 500'

BENCHMARKS

104 PK N 630834.4342 E 1430756.8012 ELEV. 493.66	105 PK N 630868.9355 E 1430831.3937 ELEV. 467.13
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NEAR NORTH CURB JOPPA RD
364'± FROM EAST CURB OF EDGERTON ROAD

- GENERAL NOTES**
- OWNER/ DEVELOPER: TOWSON VF L.L.C. 888 7TH AVENUE, 29TH FLOOR NEW YORK, NY 10019 CONTACT: ANNEN OLSEN PHONE: (201) 587-1000
 - PLAN PREPARED BY: MORRIS & RITCHE ASSOCIATES, INC. 1220-C EAST JOPPA ROAD TOWSON, MARYLAND 21286 ATTENTION: JOSHUA T. SHARON PHONE: 410-821-1690
 - SITE DATA:
GROSS AREA: 14,635 AC± (637,500.6 SF ±)
NET AREA: 14.54 AC± (633,362.4 SF ±)
EXISTING ZONING: BL CCC
ELECTION DISTRICT: 3
COUNCILMANIC DISTRICT: 5
CENSUS TRACT: 4812.01
WATERSHED: 6 (LOWER GUNPOWDER)
SUBWATERSHED: 1
ZONING MAP: NE B9
MAP NO: 70 GRID 16
TAX MAP: 409
TAX ACCOUNT NUMBERS: 09-0905840090
DEED: 12201 / 68
EX. LAND USE: COMMERCIAL, GROCERY, RETAIL, RESTAURANT
PROF. LAND USE: FITNESS CENTER
BL CCC ZONE SETBACK REQUIREMENTS:
FRONT YARD: 10' FROM BUILDING TO PROPERTY LINE
40' FROM BUILDING TO STREET CENTER LINE
IF COMMERCIAL ABUTS RESIDENTIAL
SIDE YARD: 10' FROM BUILDING TO PROPERTY LINE
IF COMMERCIAL ABUTS RESIDENTIAL
REAR YARD: 20' FROM BUILDING TO PROPERTY LINE
F.A.R. PERMITTED: 3.0
F.A.R. PROPOSED: 0.25
 - BUILDING AREA TABULATION:
SHOPPER'S FOOD WAREHOUSE: 39,990 S.F.
HI GREGG: 30,323 S.F.
PROPOSED FITNESS CENTER: 20,830 S.F.
GOLF GALAXY: 16,334 S.F.
STARBUCKS: 22,462 S.F.

LEGEND

---	PROPERTY LINE
---	EASEMENT LINE
---	EX. STORM DRAIN
---	EX. SANITARY SEWER
---	EX. WATER
---	EX. BUILDING
---	EX. AMENITY OPEN SPACE
---	EX. PARKING COUNT
---	EX. SHOPPING CENTER ID SIGN

ZONING HISTORY

CASE NO. 65-156-R
PETITION FOR ZONING RECLASSIFICATION FROM R-10 AND R-6 TO B.L. ZONE. THE DEPUTY ZONING COMMISSIONER DENIED THE PETITION ON NOVEMBER 23, 1964. THE BOARD OF APPEALS GRANTED THE RECLASSIFICATION ON OCTOBER 7, 1965. CIRCUIT COURT OF AFFIRMED THE BOARD OF APPEALS DECISION. COURT OF APPEALS AFFIRMED THE DECISION ON APRIL 6, 1967.

CASE NO. 69-97-XA
PETITION FOR SPECIAL EXCEPTION TO ALLOW AN AUTOMOBILE SERVICE GARAGE. PETITION FOR VARIANCE TO ALLOW TWO SIGNS WITH A TOTAL AREA OF 286 S.F. IN LIEU OF THE PERMITTED 100 S.F. THE ZONING COMMISSIONER GRANTED THE PETITION FOR THE SPECIAL EXCEPTION AND DISMISSED THE PETITION FOR VARIANCE WITHOUT PREJUDICE BY AN ORDER DATED OCTOBER 30, 1968.

CASE NO. 79-127-A
PETITION FOR VARIANCE TO PERMIT 725 PARKING SPACES IN LIEU OF THE REQUIRED 821 PARKING SPACES FOR AN EXISTENT DISCOUNT STORE AND PROPOSED RESTAURANT. THE DEPUTY ZONING COMMISSIONER GRANTED THE PETITION ON JANUARY 5, 1979. THE BOARD OF APPEALS ISSUED AN ORDER OF DISMISSAL ON OCTOBER 11, 1984.

CASE NO. 86-106-A
PETITION FOR VARIANCE TO PERMIT 747 PARKING SPACES IN LIEU OF THE REQUIRED 818 PARKING SPACES AND TO PERMIT A TOTAL OF 10 PERSONS TO BE ENGAGED IN THE REPAIR OR FABRICATION OF GOODS ON THE PREMISES INSTEAD OF THE ALLOWED 5 PERSONS. THE DEPUTY ZONING COMMISSIONER GRANTED THE PETITION ON DECEMBER 9, 1985.

CASE NO. 89-339-SPHA
PETITION FOR ZONING VARIANCE TO PERMIT 750 PARKING SPACES IN LIEU OF THE REQUIRED 767 PARKING SPACES.
PETITION FOR SPECIAL HEARING TO AMEND THE SITE PLAN IN CASE NO. 86-106-A. THE ZONING COMMISSIONER GRANTED THE PETITIONS ON JUNE 14, 1989.

CASE NO. 93-207-SPHA
PETITION FOR SPECIAL HEARING TO AMEND THE SITE PLAN APPROVED IN CASE NO. 89-339-SPHA TO ALLOW A NEW PLAN TO BE APPROVED SHOWING AN AUTOMOBILE SERVICE GARAGE. PETITION FOR VARIANCE TO ALLOW TWO SIGNS WITH A TOTAL AREA OF 286 S.F. IN LIEU OF THE PERMITTED 100 S.F. THE ZONING COMMISSIONER GRANTED THE PETITION FOR THE SPECIAL EXCEPTION AND DISMISSED THE PETITION FOR VARIANCE WITHOUT PREJUDICE BY AN ORDER DATED OCTOBER 30, 1968.

PERMIT HISTORY

PERMIT #	TYPE
B664430	BUILDING (COMMERCIAL)
B681333	SIGN
B688051	SIGN
B696241	BUILDING (COMMERCIAL)
B704122	SIGN
B432942	SIGN
B533742	SIGN
B883310	BUILDING (COMMERCIAL)
B853369	RAZING (COMMERCIAL)
B853928	GRADING (COMMERCIAL)
B728406	BUILDING (COMMERCIAL)
B731832	GRADING (COMMERCIAL)
B746583	SIGN
B746581	SIGN
B746603	SIGN
B687966	BUILDING (COMMERCIAL)
B678319	BUILDING (COMMERCIAL)
B683433	BUILDING (COMMERCIAL)

LINE TABLE

LINE	BEARING	DISTANCE
L-1	S 87°59'13" E	24.99'
L-2	S 72°31'48" E	415.69'
L-3	S 75°56'46" E	151.23'
L-4	S 72°36'44" E	135.60'
L-5	S 65°16'33" E	101.24'
L-6	S 20°35'15" E	28.67'
L-7	S 23°25'43" W	660.42'
L-8	S 70°24'46" W	40.98'
L-9	N 65°17'30" W	79.02'
L-10	N 20°17'30" W	104.96'
L-11	N 29°36'08" W	49.08'
L-12	N 36°27'22" W	218.44'
L-13	N 33°31'22" W	187.19'
L-14	N 22°56'50" E	14.79'
L-15	N 26°51'39" E	132.07'

CURVE TABLE

CURVE	ARC	RADIUS	DELTA	TANGENT	CHORD BEARINGS	CHORD
C-1	30.99	89.00'	19°58'53"	15.65	N62°33'19" W	30.83'
C-2	38.65	111.00'	19°56'53"	19.92	S62°33'20" E	38.45'
C-3	50.15	841.00'	3°25'00"	25.08	S74°14'16" E	50.14'
C-4	48.82	839.00'	3°20'02"	24.42	N74°16'45" W	48.81'
C-5	117.07	903.64'	7°25'22"	58.62	N66°54'03" W	116.99'
C-6	222.61	270.67'	4°07'24"	118.04	N46°59'25" E	216.39'
C-7	70.10	1965.00'	5°22'00"	70.10	N24°44'03" W	70.09'
C-8	29.82	111.00'	20°58'15"	29.86	N16°55'44" W	29.86'
C-9	242.87	1977.00'	7°02'30"	121.64	N52°56'07" W	242.82'
C-10	94.35	1943.00'	2°55'59"	47.19	S34°59'21" E	94.34'
C-11	49.81	389.00'	7°20'09"	24.94	S29°51'17" E	49.77'
C-12	104.88	1855.00'	3°14'22"	62.46	S24°34'01" E	104.87'

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

NOTE:
ALL CURB RADIUS ARE 5' UNLESS OTHERWISE NOTED.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 34479, EXPIRATION DATE: 08/21/2012.



MORRIS & RITCHE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 605
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748
MRAGTA.COM



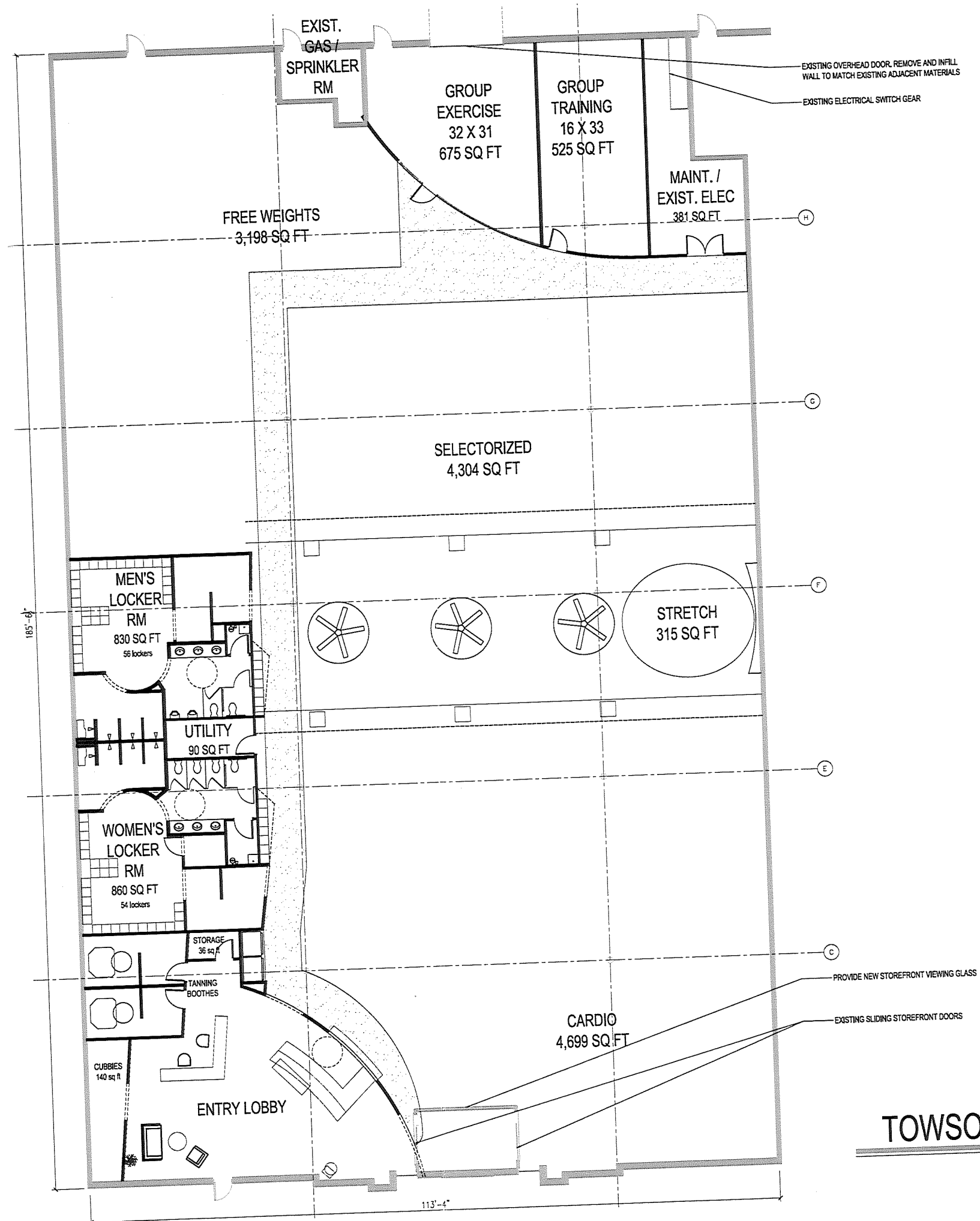
801-803 GOUCHER BOULEVARD
TOWSON, MD
PLAN TO ACCOMPANY
PETITIONS FOR SPECIAL EXCEPTION
AND SPECIAL HEARING

POSITION: N-NW
9TH ELECTION DISTRICT

KEY: 36,37-NE-6
36-NE-7
5TH COUNCILMANIC DISTRICT

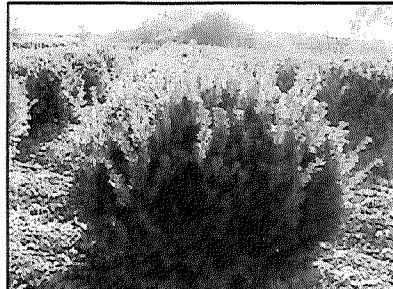
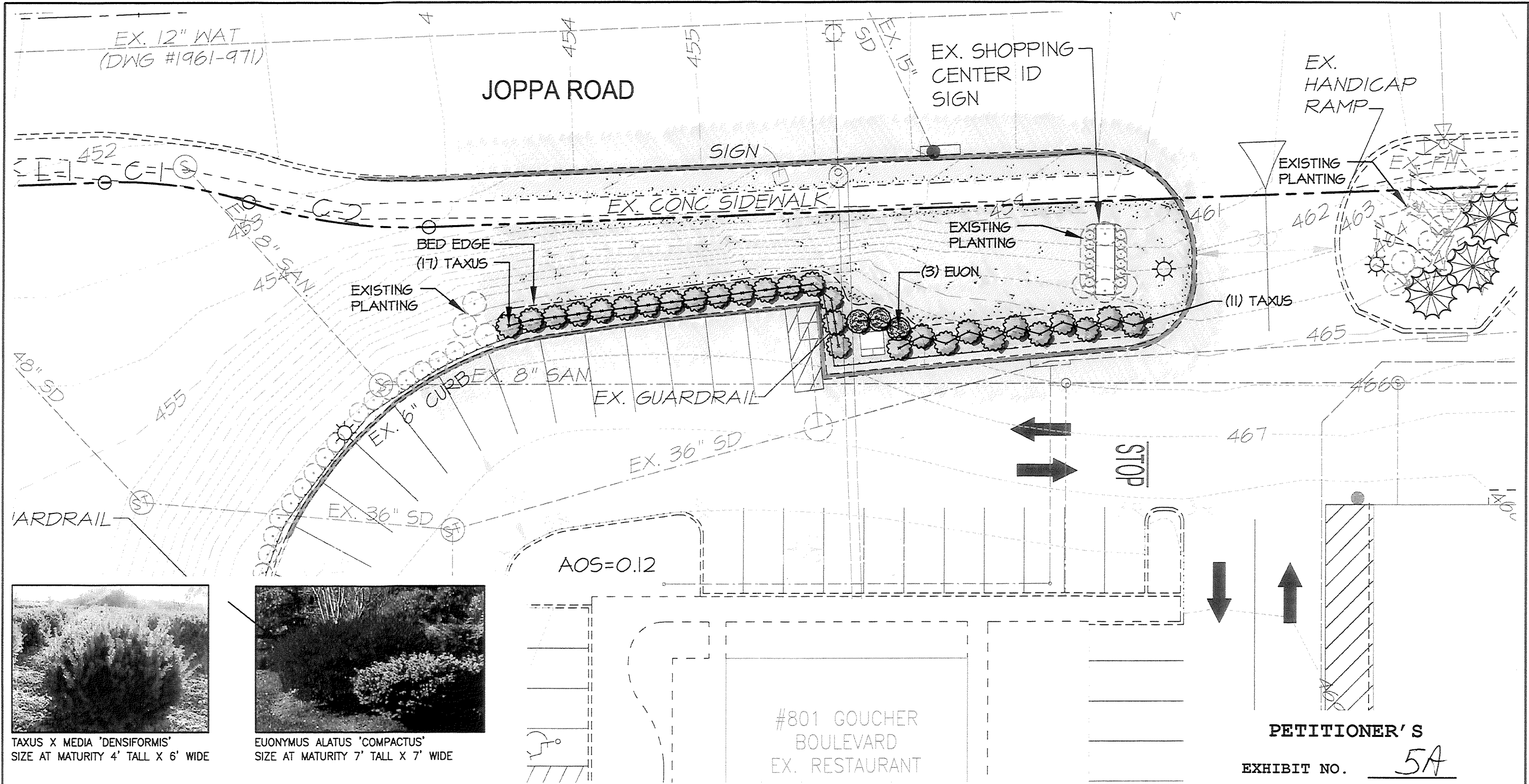
DATE	REVISIONS
	JOB NO.: 14993
	SCALE: 1" = 50'
	DATE: 01/10/2011
	DRAWN BY: J.T.S.
	DESIGN BY: J.T.S.
	REVIEW BY: M.G.C.
	SHEET: 1 OF 1

EQUIPMENT COUNT:
 82 Cardio pieces
 47 Selectorized pieces
 + 10 Express Workout pieces



PETITIONER'S
EXHIBIT NO. 3

TOWSON - 20,738 SQ FT
 11.12.2010 **B-FIT**



TAXUS X MEDIA 'DENSIFORMIS'
SIZE AT MATURITY 4' TALL X 6' WIDE



EUONYMUS ALATUS 'COMPACTUS'
SIZE AT MATURITY 7' TALL X 7' WIDE

PLANTING SCHEDULE

Key	Botanical Name	Common Name	Qty.	Size	Root	Spacing
SHRUBS						
EUON	Euonymus alatus 'Compactus'	Burning Bush	3	24-30 in.	B&B	AS SHOWN
TAXUS	Taxus X media 'Densiformis'	Spreading Yew	28	24-30 in.	B&B	AS SHOWN



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748
MRAGTA.COM

801-803 GOUCHER BOULEVARD
LANDSCAPE EXHIBIT "A"

SCALE: 1"=20' DATE: 2/25/2011 DRAWN BY: MAB DESIGN BY: MAB REVIEW BY: JOB NO. :14993

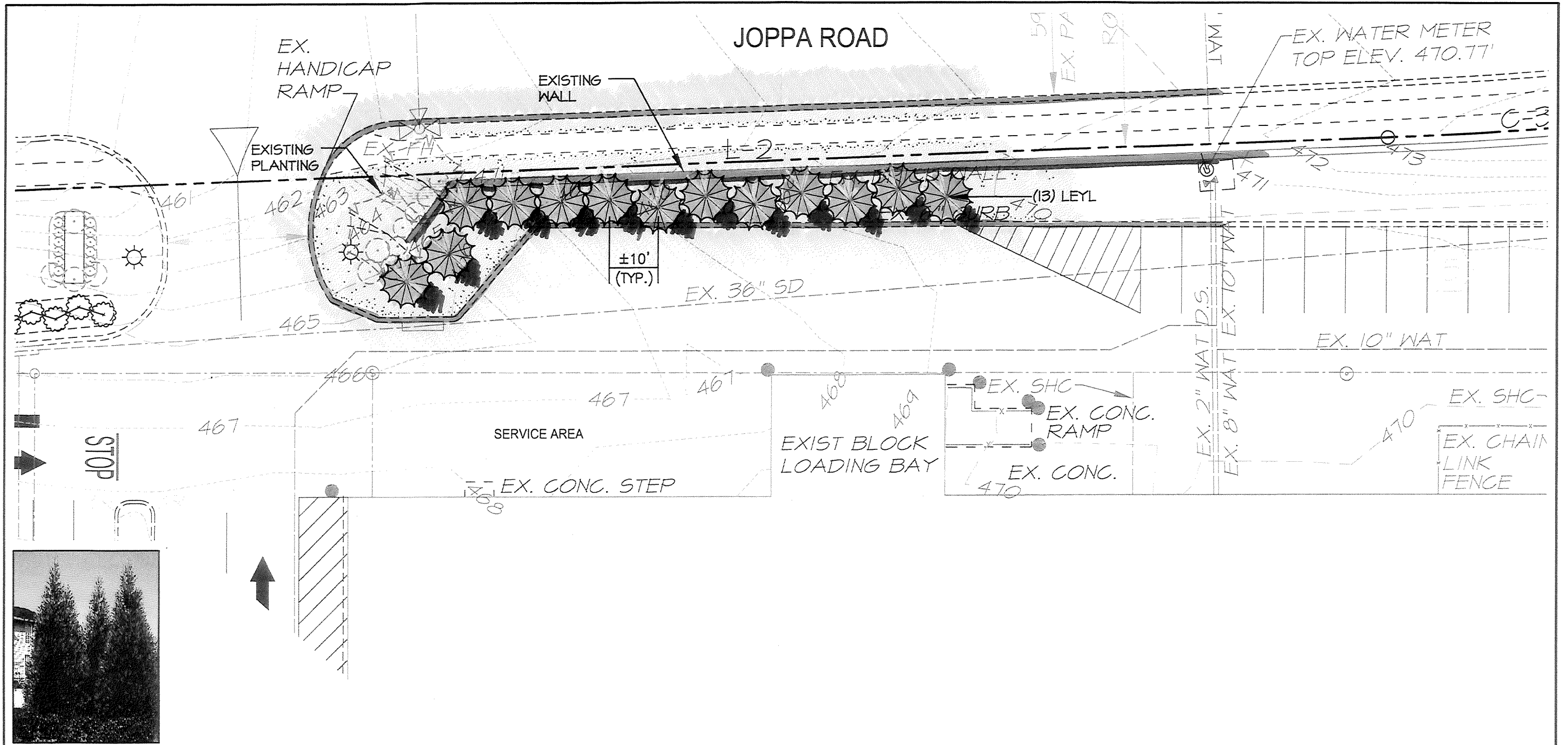
PETITIONER'S
EXHIBIT NO. 5A



***Euonymus alatus* 'Compactus'**
(Burning Bush)



***Taxus x media* 'Densiformis'**
Spreading Yew



CUPRESSOCYPARIS LEYLANDII (LEYLAND CYPRESS)
 SIZE AT MATURITY 30' TALL X 8-10' WIDE
 GROWTH RATE: AS MUCH AS 4' PER YEAR UNDER IDEAL GROWING CONDITIONS

PETITIONER' S
 EXHIBIT NO. 05B

PLANTING SCHEDULE

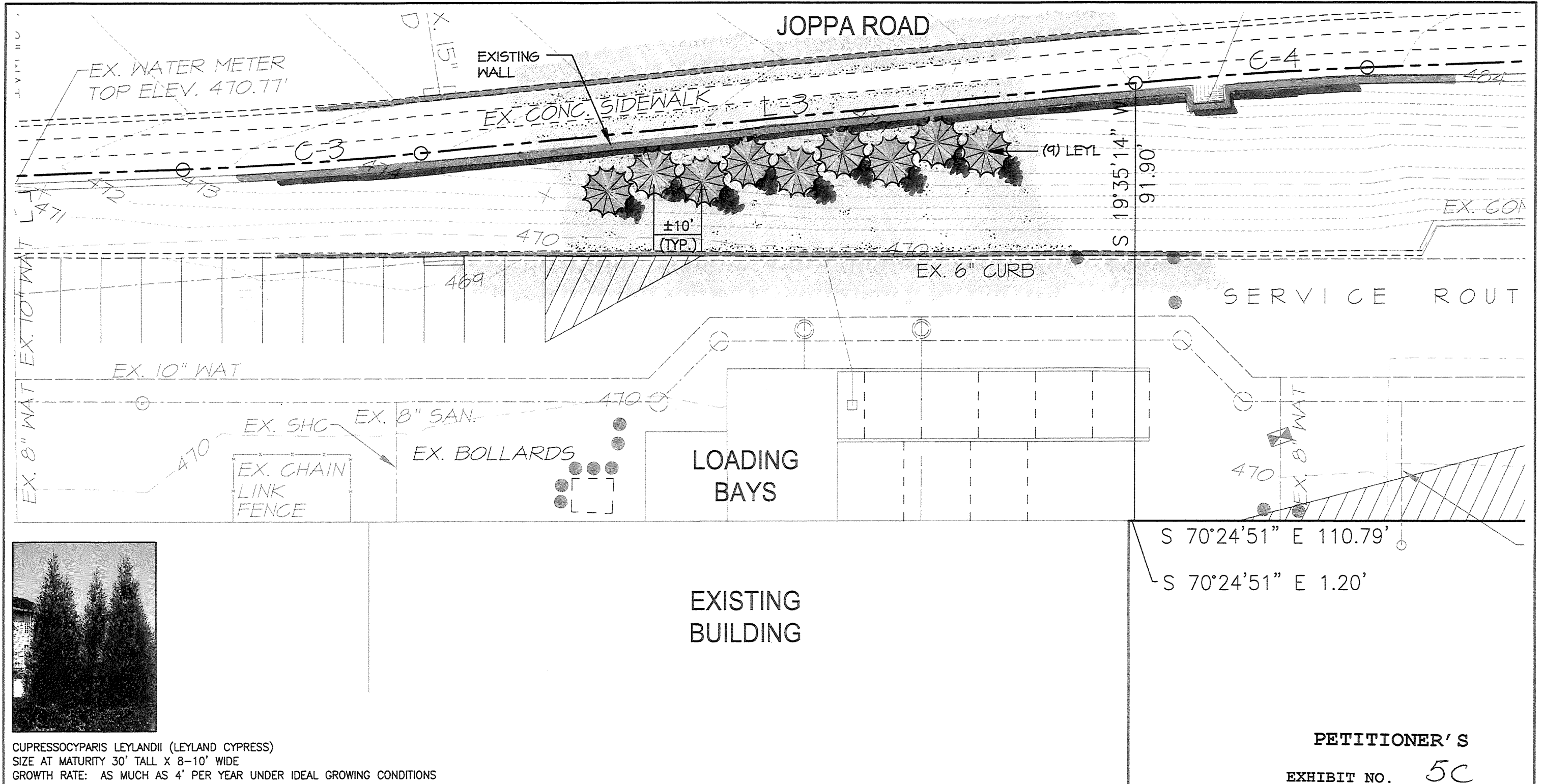
Key	Botanical Name	Common Name	Qty.	Size	Root	Spacing
EVERGREEN SCREEN						
LEYL	Cupressocyparis leylandii	Leyland Cypress	13	6' TALL	B&B	10' ON CENTER (STAGGERED)



MRA
MORRIS & RITCHIE ASSOCIATES, INC.
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 TOWSON, MARYLAND 21286
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801-803 GOUCHER BOULEVARD
LANDSCAPE EXHIBIT "B"
 BALTIMORE COUNTY, MARYLAND

SCALE: 1"=20' DATE: 2/25/2011 DRAWN BY: MAB DESIGN BY: MAB REVIEW BY: JOB NO. :14993



PLANTING SCHEDULE

Key	Botanical Name	Common Name	Qty.	Size	Root	Spacing
EVERGREEN SCREEN						
LEYL	Cupressocyparis leylandii	Leyland Cypress	9	6' TALL	B&B	10' ON CENTER (STAGGERED)



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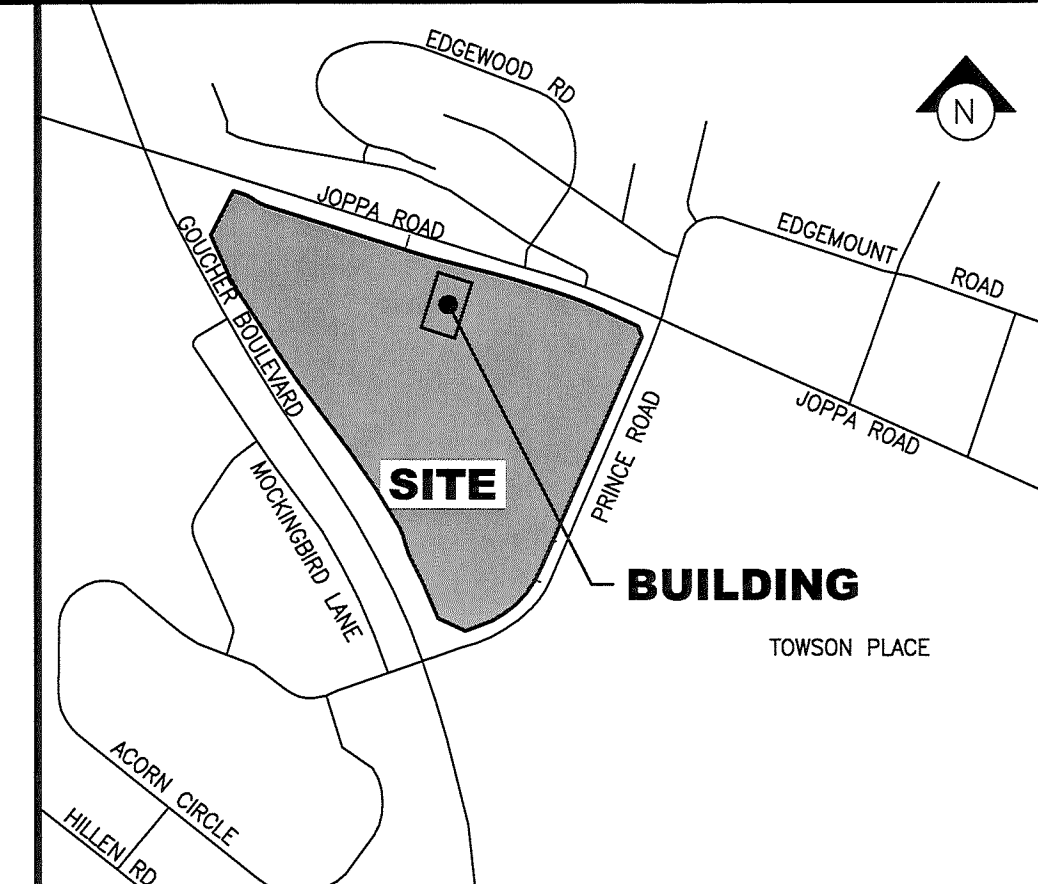
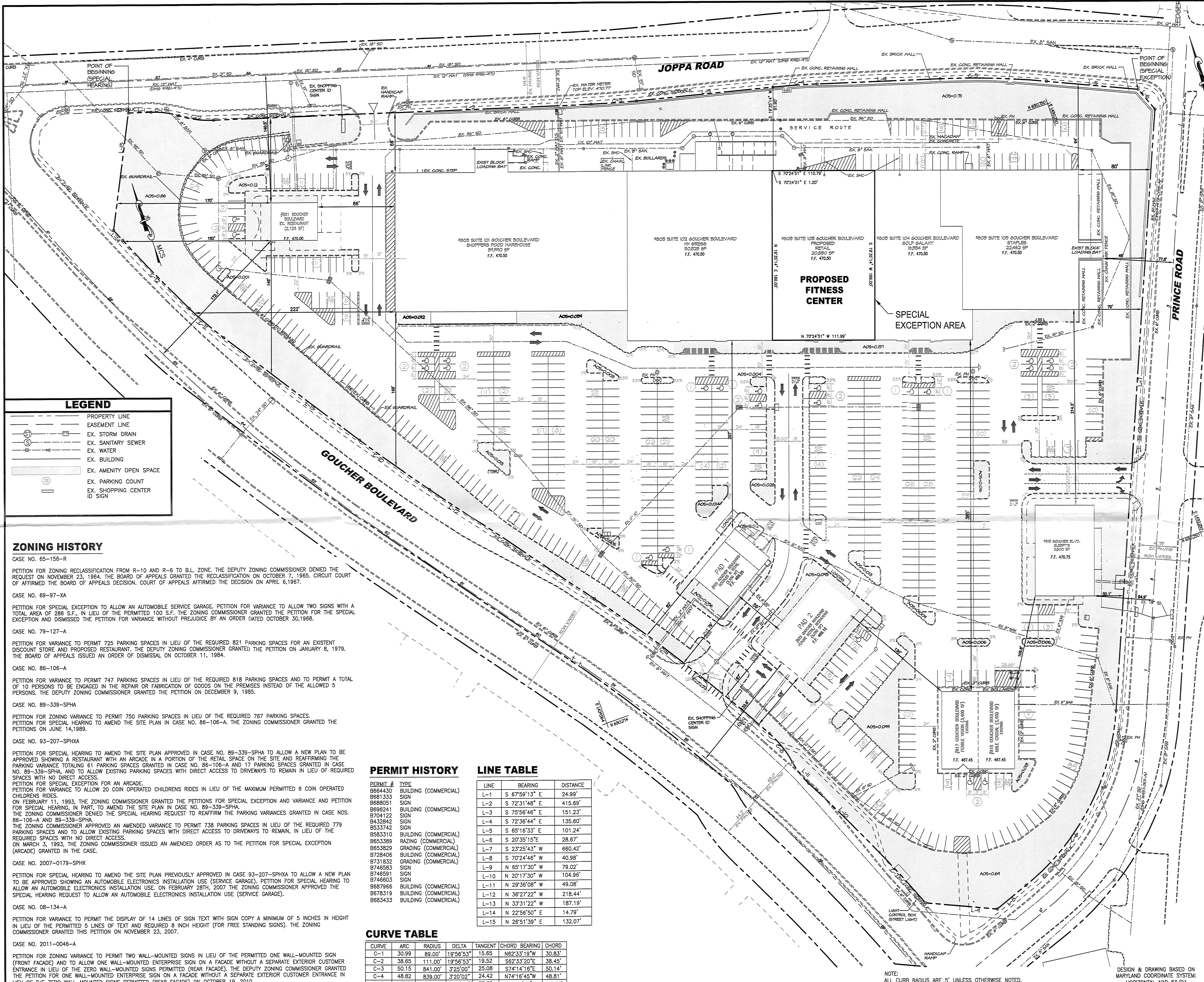
LANDSCAPE EXHIBIT "C"

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Cupressocyparis leylandii - Leyland Cypress



VICINITY MAP
SCALE: 1" = 500'

BENCHMARKS

104 PK N 630634.4342 E 1430756.8012 ELEV. 453.66	105 PK N 630888.9355 E 1430821.3937 ELEV. 467.13
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NEAR NORTH CURB JOPPA RD
364± FROM EAST CURB OF EDGERTON ROAD

GENERAL NOTES

- OWNER/ DEVELOPER:** TOWSON VF L.L.C.
888 7TH AVENUE, 29TH FLOOR
NEW YORK, NY 10019
CONTACT: ANAEN OLSEN
PHONE: (201) 587-1000
MORRIS & RITCHIE ASSOCIATES, INC.
1220-C EAST JOPPA ROAD
TOWSON, MARYLAND 21286
ATTENTION: JOSHUA T. SHARON
PHONE: 410-821-1690
- PLAN PREPARED BY:** MORRIS & RITCHIE ASSOCIATES, INC.
- SITE DATA:**
 - GROSS AREA: 14,835 AC± (637,500.6 SF ±)
 - NET AREA: 14.54 AC± (633,362.4 SF±)
 - EXISTING ZONING: BL CCC
 - ELECTION DISTRICT: 3
 - COUNCILMANIC DISTRICT: 5
 - CENSUS TRACT: 4812.01
 - WATERSHED: 6 (LOWER GUNPOWDER)
 - SUBWERSHED: 1
 - ZONING MAP: NE B9
 - TAX MAP: MAP 70 GRID 16
 - PARCEL: 409
 - TAX ACCOUNT NUMBERS: 09-0905840090
 - DEED: 12201 / 68
 - EX. LAND USE: COMMERCIAL, GROCERY, RETAIL, RESTAURANT
 - PROP. LAND USE: FITNESS CENTER
- PARKING TABULATION:**
 - BL CCC ZONE SETBACK REQUIREMENTS:
 - FRONT YARD: 10' FROM BUILDING TO PROPERTY LINE
 - 40' FROM BUILDING TO STREET CENTER LINE IF COMMERCIAL ABUTS RESIDENTIAL
 - 10' FROM BUILDING TO PROPERTY LINE IF COMMERCIAL ABUTS RESIDENTIAL
 - REAR YARD: 20' FROM BUILDING TO PROPERTY LINE
 - F.A.R. PERMITTED: 0.25
 - BUILDING AREA TABULATION:
 - SHOPPER'S FOOD WAREHOUSE: 39,990 S.F.
 - HR GREGG: 30,323 S.F.
 - PROPOSED FITNESS CENTER: 20,250 S.F.
 - GOLF GALAXY: 16,334 S.F.
 - STAPLES: 22,462 S.F.
 - PAD RETAIL:
 - PAD #1 - NOODLES: 3,500 S.F.
 - PAD #3 - CHIPTOLE: 2,126 S.F.
 - PAD #4 - SLEEPY'S: 6,500 S.F.
 - INLINE RETAIL:
 - #1 - CASUAL MALE: 3,400 S.F.
 - #2 - PEARLE VISION: 3,400 S.F.
 - SUB-TOTAL: 148,865 S.F.
 - FUTURE PROPOSED:
 - PAD #2 TENANT: 5,000 S.F.
 - TOTAL AREA AFTER IMPROVEMENTS: 153,865 S.F.
- PARKING TABULATION:**
 - THIS SHOPPING CENTER, WITH 153,865 SF OF GROSS LEASABLE AREA, IS PARKED AT 5 SPACES PER 1,000 SF. PER SECTION 409.6.A.2. OF THE BALTIMORE COUNTY ZONING REGULATIONS.
 - REQUIRED: 865 SF @ 5 SPACES PER 1,000 SF = 770 SPACES
 - PROPOSED:
 - STANDARD (8.5'x18') = 720 SPACES
 - HANDICAP (8.0'x18') = 24 SPACES
 - "CREDIT" PER VARIANCE GRANTED IN CASE #93-207 SPHXA = 41 SPACES
 - TOTAL = 785 SPACES
- THERE ARE NO 100-YEAR F.E.M.A. FLOODPLANS ON THIS SITE (F.E.M.A. PANEL NO. 240010 0410 B).
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.
- THE MAXIMUM BUILDING HEIGHT FOR BL-CCC ZONE IS 40 FEET.
- TOTAL AMENITY OPEN SPACE REQUIRED: 0.71 AC. (30,773 S.F.)
- TOTAL AMENITY OPEN SPACE PROVIDED: 3.06 AC. (133,197 S.F.)
- (SUB-TOTAL AREAS ON PLAN ARE LABELED IN ACRES)
- DRG HELD ON SEPTEMBER 25, 2008; DRG NUMBER 092508; DIST 9C5, LIMITED EXEMPTION 32-4-106(c)(1)(i) GRANTED.
- PROPOSED SITE WILL CONTAIN CURBS AND MACADAM.
- BUILDING CONSTRUCTION SHALL COMPLY WITH BUILDING CODE AND FIRE CODE REQUIREMENTS.
- ANY NEW SIGNS WILL CONFORM TO BALTIMORE COUNTY ZONING CODE, SECTION 450, OR A VARIANCE WILL BE REQUESTED.
- LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
- TO OUR KNOWLEDGE THERE ARE NO KNOWN EXISTING WELLS AND SEPTIC SYSTEMS ON THE PROPERTY.
- THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER AS SHOWN.

LEGEND

- PROPERTY LINE
- EASEMENT LINE
- EX. STORM DRAIN
- EX. SANITARY SEWER
- EX. WATER
- EX. BUILDING
- EX. AMENITY OPEN SPACE
- EX. PARKING COURT
- EX. SHOPPING CENTER ID SIGN

ZONING HISTORY

CASE NO. 65-156-R
PETITION FOR ZONING RECLASSIFICATION FROM R-10 AND R-6 TO B.L. ZONE. THE DEPUTY ZONING COMMISSIONER DENIED THE REQUEST ON NOVEMBER 23, 1964. THE BOARD OF APPEALS GRANTED THE RECLASSIFICATION ON OCTOBER 7, 1965. CIRCUIT COURT OF AFFIRMED THE BOARD OF APPEALS DECISION. COURT OF APPEALS AFFIRMED THE DECISION ON APRIL 6, 1967.

CASE NO. 69-97-XA
PETITION FOR SPECIAL EXCEPTION TO ALLOW AN AUTOMOBILE SERVICE GARAGE. PETITION FOR VARIANCE TO ALLOW TWO SIGNS WITH A TOTAL AREA OF 286 S.F., IN LIEU OF THE PERMITTED 100 S.F. THE ZONING COMMISSIONER GRANTED THE PETITION FOR THE SPECIAL EXCEPTION AND DISMISSED THE PETITION FOR VARIANCE WITHOUT PREJUDICE BY AN ORDER DATED OCTOBER 30, 1968.

CASE NO. 79-127-A
PETITION FOR VARIANCE TO PERMIT 725 PARKING SPACES IN LIEU OF THE REQUIRED 821 PARKING SPACES FOR AN EXISTENT DISCOUNT STORE AND PROPOSED RESTAURANT. THE DEPUTY ZONING COMMISSIONER GRANTED THE PETITION ON JANUARY 8, 1979. THE BOARD OF APPEALS ISSUED AN ORDER OF DISMISSAL ON OCTOBER 11, 1984.

CASE NO. 86-106-A
PETITION FOR VARIANCE TO PERMIT 747 PARKING SPACES IN LIEU OF THE REQUIRED 818 PARKING SPACES AND TO PERMIT A TOTAL OF 10 PERSONS TO BE ENGAGED IN THE REPAIR OR FABRICATION OF GOODS ON THE PREMISES INSTEAD OF THE ALLOWED 5 PERSONS. THE DEPUTY ZONING COMMISSIONER GRANTED THE PETITION ON DECEMBER 9, 1985.

CASE NO. 89-339-SPHA
PETITION FOR ZONING VARIANCE TO PERMIT 750 PARKING SPACES IN LIEU OF THE REQUIRED 767 PARKING SPACES.

PETITION FOR SPECIAL HEARING TO AMEND THE SITE PLAN IN CASE NO. 86-106-A. THE ZONING COMMISSIONER GRANTED THE PETITIONS ON JUNE 14, 1989.

CASE NO. 93-207-SPHXA
PETITION FOR SPECIAL HEARING TO AMEND THE SITE PLAN APPROVED IN CASE NO. 89-339-SPHA TO ALLOW A NEW PLAN TO BE APPROVED SHOWING A RESTAURANT WITH AN ARCADE IN A PORTION OF THE RETAIL SPACE ON THE SITE AND REAFFIRMING THE PARKING VARIANCE TOTALING 61 PARKING SPACES GRANTED IN CASE NO. 86-106-A AND 17 PARKING SPACES GRANTED IN CASE NO. 89-339-SPHA, AND TO ALLOW EXISTING PARKING SPACES WITH DIRECT ACCESS TO DRIVEWAYS TO REMAIN IN LIEU OF REQUIRED SPACES WITH NO DIRECT ACCESS.

PETITION FOR SPECIAL EXCEPTION FOR AN ARCADE.

PETITION FOR VARIANCE TO ALLOW 20 COIN OPERATED CHILDRENS RIDES IN LIEU OF THE MAXIMUM PERMITTED 6 COIN OPERATED CHILDRENS RIDES.

ON FEBRUARY 11, 1993, THE ZONING COMMISSIONER GRANTED THE PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE AND PETITION FOR SPECIAL HEARING, IN PART, TO AMEND THE SITE PLAN IN CASE NO. 89-339-SPHA.

THE ZONING COMMISSIONER DENIED THE SPECIAL HEARING REQUEST TO REAFFIRM THE PARKING VARIANCES GRANTED IN CASE NOS. 86-106-A AND 89-339-SPHA.

THE ZONING COMMISSIONER APPROVED AN AMENDED VARIANCE TO PERMIT 738 PARKING SPACES IN LIEU OF THE REQUIRED 779 PARKING SPACES AND TO ALLOW EXISTING PARKING SPACES WITH DIRECT ACCESS TO DRIVEWAYS TO REMAIN, IN LIEU OF THE REQUIRED SPACES WITH NO DIRECT ACCESS.

ON MARCH 3, 1993, THE ZONING COMMISSIONER ISSUED AN AMENDED ORDER AS TO THE PETITION FOR SPECIAL EXCEPTION (ARCADE) GRANTED IN THE CASE.

CASE NO. 2007-0179-SPHX
PETITION FOR SPECIAL HEARING TO AMEND THE SITE PLAN PREVIOUSLY APPROVED IN CASE 93-207-SPHXA TO ALLOW A NEW PLAN TO BE APPROVED SHOWING AN AUTOMOBILE ELECTRONICS INSTALLATION USE (SERVICE GARAGE). PETITION FOR SPECIAL HEARING TO ALLOW AN AUTOMOBILE ELECTRONICS INSTALLATION USE, ON FEBRUARY 28TH, 2007 THE ZONING COMMISSIONER APPROVED THE SPECIAL HEARING REQUEST TO ALLOW AN AUTOMOBILE ELECTRONICS INSTALLATION USE (SERVICE GARAGE).

CASE NO. 08-134-A
PETITION FOR VARIANCE TO PERMIT THE DISPLAY OF 14 LINES OF SIGN TEXT WITH SIGN COPY A MINIMUM OF 5 INCHES IN HEIGHT IN LIEU OF THE PERMITTED 5 LINES OF TEXT AND REQUIRED 8 INCH HEIGHT (FOR FREE STANDING SIGNS). THE ZONING COMMISSIONER GRANTED THIS PETITION ON NOVEMBER 23, 2007.

CASE NO. 2011-0046-A
PETITION FOR VARIANCE TO PERMIT TWO WALL-MOUNTED SIGNS IN LIEU OF THE PERMITTED ONE WALL-MOUNTED SIGN (FRONT FACADE) AND TO ALLOW ONE WALL-MOUNTED ENTERPRISE SIGN ON A FACADE WITHOUT A SEPARATE EXTERIOR CUSTOMER ENTRANCE IN LIEU OF THE ZERO WALL-MOUNTED SIGNS PERMITTED (REAR FACADE). THE DEPUTY ZONING COMMISSIONER GRANTED THE PETITION FOR ONE WALL-MOUNTED ENTERPRISE SIGN ON A FACADE WITHOUT A SEPARATE EXTERIOR CUSTOMER ENTRANCE IN LIEU OF THE ZERO WALL-MOUNTED SIGNS PERMITTED (REAR FACADE) ON OCTOBER 19, 2010.

PERMIT HISTORY

PERMIT #	TYPE
B664430	BUILDING (COMMERCIAL)
B681333	SIGN
B688051	SIGN
B696241	BUILDING (COMMERCIAL)
B704122	SIGN
B432842	SIGN
B533742	SIGN
B583310	BUILDING (COMMERCIAL)
B653389	RAZING (COMMERCIAL)
B653829	GRADING (COMMERCIAL)
B728406	BUILDING (COMMERCIAL)
B731832	GRADING (COMMERCIAL)
B746593	SIGN
B746591	SIGN
B746603	SIGN
B87966	BUILDING (COMMERCIAL)
B876319	BUILDING (COMMERCIAL)
B883433	BUILDING (COMMERCIAL)

LINE TABLE

LINE	BEARING	DISTANCE
L-1	S 67°59'13" E	24.99'
L-2	S 72°31'48" E	415.69'
L-3	S 75°56'46" E	151.23'
L-4	S 72°36'44" E	135.60'
L-5	S 65°16'33" E	101.24'
L-6	S 20°35'15" E	28.67'
L-7	S 23°25'43" W	660.42'
L-8	S 70°24'46" W	40.98'
L-9	N 65°17'30" W	79.02'
L-10	N 20°17'30" W	104.96'
L-11	N 29°36'08" W	49.08'
L-12	N 36°27'22" W	218.44'
L-13	N 33°31'22" W	187.19'
L-14	N 22°56'50" E	14.79'
L-15	N 26°51'39" E	132.07'

CURVE TABLE

CURVE	ARC	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD
C-1	30.99	89.00'	19°56'53"	15.65	N62°33'19"W	30.83'
C-2	36.65	111.00'	19°56'53"	19.52	S62°33'20"E	38.45'
C-3	50.15	841.00'	3°25'00"	25.08	S74°14'16"E	50.14'
C-4	48.82	839.00'	3°20'02"	24.42	N74°16'45"W	48.81'
C-5	117.07	903.64'	7°25'22"	58.82	N66°54'03"W	116.99'
C-6	222.61	270.67'	47°07'24"	118.04	N46°59'25"E	216.39'
C-7	70.10	1965.00'	5°22'00"	70.10	N2°44'03"W	70.09'
C-8	29.82	111.00'	20°58'15"	28.66	N18°55'44"W	29.66'
C-9	242.37	1977.00'	7°02'30"	121.64	N32°56'07"W	242.82'
C-10	94.35	1843.00'	2°55'59"	47.19	S34°59'21"E	94.34'
C-11	49.81	389.00'	7°20'09"	24.94	S29°51'17"E	49.77'
C-12	104.88	1855.00'	3°14'22"	52.46	S24°34'01"E	104.87'

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REFERRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 34479, EXPIRATION DATE: 06/21/2012.

OWNER
TOWSON VF L.L.C.
888 7TH AVENUE, 29TH FLOOR
NEW YORK, NY 10019
CONTACT: ANAEN OLSEN
(201)-587-1000

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MRA
MARYLAND REGISTERED PROFESSIONAL ENGINEER
No. 24479

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801-803 GOUCHER BOULEVARD
TOWSON, MD

PLAN TO ACCOMPANY
PETITIONS FOR SPECIAL EXCEPTION
AND SPECIAL HEARING

POSITION: N-W
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

KEY: 36.37-NE-6
36-NE-7

5TH COUNCILMANIC DISTRICT

DATE	REVISIONS	JOB NO.:
		14993
		SCALE: 1" = 50'
		DATE: 01/10/2011
		DRAWN BY: J.T.S.
		DESIGN BY: J.T.S.
		REVIEW BY: M.G.C.
		SHEET: 1 OF 1