

County Council Of Howard County, Maryland

2017 Legislative Session

Legislative Day No. 9

Resolution No. 99-2017

Introduced by: The Chairperson at the request of the County Executive
and cosponsored by Greg Fox

A RESOLUTION declaring that certain real property containing approximately 7.71 acres located at 8775 Cloudleap Court, Columbia, Maryland and acquired by the County pursuant to the urban renewal project initiated by Council Resolution No. 22-2014 is no longer needed by the County for public purposes; authorizing the County Executive to sell the property to Orchard Development Corporation or its subsidiary affiliate; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; providing that the County Executive is not bound to sell the property if he finds that it may have a further public use.

Introduced and read first time June 5, 2017.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

Read for a second time at a public hearing on June 19, 2017.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council

on July 3, 2017.

Certified By

Jessica Feldmark
Jessica Feldmark, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, the County’s Urban Renewal Law is codified at Title 13, Subtitle 11 of the
2 County Code; and

3
4 **WHEREAS**, pursuant to the Urban Renewal Law, on March 5, 2014 the County Council
5 approved County Council Resolution No. 22-2014 which, among other things, declared that
6 certain properties in the Long Reach Village Center constituted a blighted area that needed to be
7 rehabilitated or redeveloped through an Urban Renewal Project, authorized the County Executive
8 to acquire certain real property in connection with the Project, and declared that the Project is
9 necessary in the interest of the public health, safety and welfare of the residents of the County;
10 and

11
12 **WHEREAS**, under the authority granted by Resolution No. 22-2014, the County
13 acquired property in the Village Center from Long Reach Village Associates, LLC, by deed
14 dated October 1, 2014, and recorded among the Land Records of Howard County, Maryland in
15 Liber 15841, Folio 184, and by deed dated February 20, 2015, and recorded among the Land
16 Records of Howard County, Maryland in Liber 16036, Folio 227 (the “Property”), containing
17 approximately 7.71 acres shown as shaded in the attached Exhibit A; and

18
19 **WHEREAS**, the County has worked with the local community to develop the ReImagine
20 Long Reach Village Center Plan and is now ready to move forward with the Urban Renewal
21 Project for the Long Reach Village Center; and

22
23 **WHEREAS**, in December of 2016, the County issued a Request for Proposals (RFP)
24 inviting offerors to redevelop and purchase the Property; and

25
26 **WHEREAS**, in response to the RFP, four proposals were submitted and Orchard
27 Development Corporation was selected; and

28
29 **WHEREAS**, immediately prior to passage of this Resolution, the County Council has
30 passed Council Resolution No. 98-2017 that approves the urban renewal project, the plans for
31 which include redevelopment of the Property; and

1
2 **WHEREAS**, the plans for the Urban Renewal Project require that the developer, Orchard
3 Development Corporation or its subsidiary affiliate, take ownership of the Property; and
4

5 **WHEREAS**, Section 4.201 "Disposition of real property" of the Howard County Code
6 authorizes the County Council to declare that property is no longer needed for public purposes
7 and authorizes the County Council to waive advertising and bidding requirements for an
8 individual conveyance of property upon the request of the County Executive and after a public
9 hearing that has been duly advertised; and
10

11 **WHEREAS**, the County Council has received a request from the County Executive to
12 waive the advertising and bidding requirements in this instance for the sale of the Property to
13 Orchard Development Corporation or its subsidiary affiliate.
14

15 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
16 Maryland, this 3rd day of July, 2017, that the Property, shown as shaded
17 in the attached Exhibit A, is no longer needed by the County for public purposes.
18

19 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
20 Executive and having held a public hearing that was duly advertised, the County Council
21 declares that the best interest of the County will be served by authorizing the County Executive
22 to waive the usual advertising and bidding requirements of Section 4.201 of the Howard County
23 Code for the sale of the Property to Orchard Development Corporation or its subsidiary affiliate.
24

25 **AND BE IT FURTHER RESOLVED** that, the terms and conditions of the sale of the
26 Property shall require that a petition for a Major Village Center Redevelopment consistent with
27 the Proposal for the Redevelopment of the Long Reach Village Center included in Exhibit B of
28 Council Resolution 98-2017 obtain Zoning Board approval before the sale of the Property goes
29 to closing.
30

1 **AND BE IT FURTHER RESOLVED** that, the authorization of the sale of the Property
2 subject to these terms does not require, dictate, preordain, or imply any decision or action by the
3 Zoning Board.

4
5 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the
6 Property may have a further public use and that the County's Property interest should not be
7 terminated, he is not bound to sell the Property in accordance with this Resolution.

EXHIBIT A



Amendment 1 to Council Resolution No. 99-2017

BY: Calvin Ball
Greg Fox
Mary Kay Sigaty
Jennifer Terrasa
Jon Weinstein

Legislative Day No: 10

Date: July 3, 2017

Amendment No. 1

(This amendment clarifies that there must be Zoning Board approval for a Major Village Center Redevelopment before the closing for sale of the Long Reach Village Center).

1 On page 2, immediately following line 24, insert the following:

2 “AND BE IT FURTHER RESOLVED that, the terms and conditions of the sale of the
3 Property shall require that a petition for a Major Village Center Redevelopment consistent with
4 the Proposal for the Redevelopment of the Long Reach Village Center included in Exhibit B of
5 Council Resolution 98-2017 obtain Zoning Board approval before the sale of the Property goes to
6 closing.

7
8 AND BE IT FURTHER RESOLVED that, the authorization of the sale of the Property
9 subject to these terms does not require, dictate, preordain, or imply any decision or action by the
10 Zoning Board.

11 ”.

12
13
14
15
16
ADOPTED as amended 7/3/17
FAILED _____
SIGNATURE Jessica Feldman

Amendment 1 to Amendment 1 to Council Resolution No. 99- 2017

BY: Mary Kay Sigaty

Legislative Day No. 10

Date: July 3, 2017

Amendment No. 1

(This amendment adds co-sponsors.)

1 Add to the list of sponsors Greg Fox and Jon Weinstein.

ADOPTED 7/3/17
FAILED _____
SIGNATURE Jessica Feldman

Amendment 2 to Council Resolution No. 99-2017

BY: The Chairperson at the
request of the County Executive

Legislative Day No. 10
Date: July 3, 2017

Amendment No. 2

(This amendment changes terminology to use the word "affiliate" instead of "subsidiary".)

- 1 Strike "subsidiary" and substitute "affiliate" in the following instances:
2 1. In the fifth line of the title;
3 2. On page 2, in line 3;
4 3. On page 2, in line 13; and
5 4. On page 2, in line 23.
6

ADOPTED 7/3/17
FAILED _____
SIGNATURE Jessica Edmark