

## County Council Of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 13

### Resolution No. 124-2014

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to convey certain real property owned by the County containing approximately 3 acres to the Howard County Housing Commission; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to convey the land if he finds that the land may have a further public use.

Introduced and read first time December 1, 2014.

By order

Jessica Feldmark  
Jessica Feldmark, Administrator

Read for a second time at a public hearing on December 15, 2014.

By order

Jessica Feldmark  
Jessica Feldmark, Administrator

Tabled January 5, 2015

This Resolution was read the third time and was Adopted ☒ Adopted with amendments ☐ Failed ☐ Withdrawn ☐ by the County Council

on February 2, 2015.

Certified By

Jessica Feldmark  
Jessica Feldmark, Administrator

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

1       **WHEREAS**, the County is the owner of real property as described as 8.1041 acres of  
2 land identified on Tax Map 47 as Parcel No. 59, acquired by the deed dated July 25, 2013 and  
3 recorded in the Land Records for Howard County (the "County Property") in Liber 15118, Folio  
4 113; and

5  
6       **WHEREAS**, in order to construct a day resource center and small efficiency apartments  
7 on the property, a portion of the County Property needs to be conveyed to the Howard County  
8 Housing Commission (the "Commission"); and

9  
10       **WHEREAS**, by passage of Council Resolution No. 36-2014, the Council approved the  
11 conveyance of 1.7386 acres of the County Property to the Commission; and

12  
13       **WHEREAS**, based on the County Property's zoning, a minimum of 3 acres is required  
14 for the proposed use of the property and, accordingly, more acreage is needed than what was  
15 approved in CR 36-2014; and

16  
17       **WHEREAS**, in accordance with zoning requirements, the Commission is now requesting  
18 that 3 acres of the County Property shown as Parcel A on the subdivision plat entitled "Day  
19 Resource Center Parcels A-C", as shown in the attached Exhibit A, be conveyed to the  
20 Commission in accordance with Section 4.201 of the Howard County Code; and

21  
22       **WHEREAS**, the Department of Public Works has reviewed and approved the proposed  
23 conveyance of the County Property; and

24  
25       **WHEREAS**, Section 4.201, "Disposition of Real Property," of the Howard County Code  
26 authorizes the County Council to declare that property is no longer needed for public purposes  
27 and also authorizes the County Council to waive advertising and bidding requirements for an  
28 individual conveyance of real property upon the request of the County Executive; and

29  
30       **WHEREAS**, the County Council has received a request from the County Executive to  
31 waive the advertising and bidding requirements in this instance for the conveyance of the real

1 property shown as Parcel A and containing approximately 3 acres to the Howard County  
2 Housing Commission.

3  
4 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
5 Maryland, this 2<sup>nd</sup> day of February, 2014, that the real property shown as  
6 Parcel A on the subdivision plat entitled "Day Resource Center Parcels A-C" and containing  
7 approximately 3 acres is conveyed to the Howard County Housing Commission, as shown on the  
8 attached Exhibit A.

9  
10 **AND BE IT FURTHER RESOLVED** that, having received a request from the County  
11 Executive and having held a public hearing, the County Council declares that the best interest of  
12 the County will be served by authorizing the County Executive to waive the usual advertising  
13 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of  
14 the property to the Howard County Housing Commission.

15  
16 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the land  
17 may have a further public use and that the County Property should not be conveyed he is not  
18 bound to convey the County Property in accordance with this Resolution.

## GENERAL NOTES

- COORDINATES BASED ON NAD 83/91, MARYLAND COORDINATE SYSTEM AS PROJECTED BY HOWARD COUNTY, GEODETIC CONTROL STATION NO. 4775 AND 4848  
4775 N: 538,699.0417, E: 1,386,663.4055  
4848 N: 538,384.4474, E: 1,386,415.7904
- THIS PLAT IS BASED ON A FIELD BOUNDARY SURVEY PERFORMED BY ROBERT H. VOGEL ENGINEERING, INC. DATED MAY 2013.
- IT DENOTES REBAR WITH CAP SET MARKED (PROPMARK 21204).
- IT DENOTES IRON PIPE OR IRON BOLLARD.
- IT DENOTES AN ANGULAR CHANGE IN BEARING OF BOUNDARY OR RIGHT-OF-WAY.
- IT DENOTES STONE OR MONUMENT FOUND.
- AREAS SHOWN HEREON ARE MORE OR LESS.
- THE SUBJECT PROPERTY IS ZONED CE-CU PER THE OCTOBER 6, 2013 COMPREHENSIVE ZONING PLAN.
- FLOODPLAIN STUDY PREPARED BY ROBERT H. VOGEL ENGINEERING, INC. DATED FEBRUARY 2010.
- WETLANDS SHOWN ON-SITE ARE BASED ON A FIELD INVESTIGATION PREPARED BY ESA, INC. DATED DECEMBER, 2007, UPDATED JULY 17, 2014. THERE ARE NO PROPOSED DISTURBANCES TO THE WETLANDS OR ASSOCIATED BUFFERS.
- A NOISE STUDY IS NOT REQUIRED FOR THIS PROJECT.
- WATER AND SEWER SERVICE WILL BE GRANTED UNDER THE PROVISIONS OF SECTION 18.122B OF THE HOWARD COUNTY CODE. PUBLIC WATER IS AVAILABLE UNDER CONTRACT NO. 852-W. PUBLIC SEWER IS AVAILABLE UNDER CONTRACT NO. 225-S.
- THERE ARE NO BURIAL GROUNDS, CEMETERIES, OR EXISTING STRUCTURES (HISTORIC OR NOT) LOCATED ON THE SUBJECT PROPERTY.
- THIS PLAT IS SUBJECT TO THE AMENDED FIFTH EDITION OF THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS, DEVELOPMENT OR CONSTRUCTION ON THIS PROPERTY MUST COMPLY WITH THE SETBACK AND BUFFER REGULATIONS IN EFFECT AT THE TIME OF SUBMISSION OF THE SITE DEVELOPMENT PLAN, WALKER PETITION APPLICATION, OR BUILDING/GRADING PERMIT APPLICATION.
- NO GRADING, REMOVAL OF VEGETATIVE COVER OR TREES, PAVING, AND NEW STRUCTURES SHALL BE PERMITTED WITHIN THE REQUIRED WETLANDS, STREAM(S) OR THEIR BUFFERS, FOREST CONSERVATION EASEMENT AREAS, OR 100 YEAR FLOODPLAIN.
- DEVELOPER RESERVES UNTO ITSELF, ITS SUCCESSORS AND ASSIGNS, ALL EASEMENTS SHOWN ON THIS PLAN FOR WATER, SEWER, STORM DRAINAGE, OTHER PUBLIC UTILITIES, LOCATED IN, ON, OVER AND THROUGH PARCEL N, ANY CONVEYANCES OF THE AFORESAID PARCEL N SHALL BE SUBJECT TO THE EASEMENTS HERIN RESERVED, WHETHER OR NOT EXPRESSLY STATED IN THE DEEDS CONVEYING SAID PARCEL N. DEVELOPER SHALL EXECUTE AND DELIVER DEEDS FOR THE EASEMENTS HERIN RESERVED TO HOWARD COUNTY, UPON COMPLETION OF THE PUBLIC UTILITIES AND THEIR ACCEPTANCE BY HOWARD COUNTY, THE COUNTY SHALL RECORD THE DEED OF EASEMENT IN THE LAND RECORDS OF HOWARD COUNTY.
- PREVIOUS DPZ FILES: AA-14-006, BA-08-027V, BA-10-024V, SDP-96-06B, SDP-10-091, SDP-15-023, & W-15-15.
- THE PROPERTY IS LOCATED WITHIN THE METROPOLITAN DISTRICT.
- TRAFFIC STUDY WAS PREPARED BY THE TRAFFIC GROUP, DATED SEPTEMBER 28, 2014; APPROVED.
- FOREST STAND DELINEATION PREPARED BY ESA, INC. DATED APRIL 2010.
- THE FOREST CONSERVATION OBLIGATION FOR THIS PLAN WILL BE MET BY RETAINING 1.26 ACRES OF FOREST WITHIN TWO FOREST CONSERVATION EASEMENTS. NO SURETY IS REQUIRED FOR THE ON-SITE RETENTION.
- THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 16.124 OF THE HOWARD COUNTY CODE, THE LANDSCAPE MANUAL, AND THE NEW TOWN ALTERNATIVE COMPLIANCE PROVISIONS OF THE LANDSCAPE MANUAL.
- FINANCIAL SURETY FOR THE REQUIRED LANDSCAPING HAS BEEN POSTED AS PART OF THE DEVELOPER'S AGREEMENT FOR THIS SITE IN THE AMOUNT OF \$8,400 FOR THE REQUIRED 18 SHADE TREES AND 28 EVERGREENS, A DRY WELLS CONSISTING OF A GRAVEL INFILTRATION TRENCH (M-S).
- STORMWATER MANAGEMENT FOR THIS PROJECT IS BEING PROVIDED BY ENVIRONMENTAL SITE DESIGN UTILIZING TWO MICRO-BIODIVERSITY FACILITIES AND DRY WELLS CONSISTING OF A GRAVEL INFILTRATION TRENCH (M-S) TO ACCOMMODATE THE TOTAL ESD VOLUME REQUIRED. SWM FACILITIES TO BE PRIVATELY OWNED AND MAINTAINED.

## AREA TABULATION

|                                  |           |
|----------------------------------|-----------|
| NUMBER OF PARCELS TO BE RECORDED | 3         |
| AREA OF PARCELS TO BE RECORDED   | 7.9582 AC |
| AREA OF ROADWAY TO BE RECORDED   | 0.1450 AC |
| AREA TO BE RECORDED              | 8.1041 AC |

**ROBERT H. VOGEL ENGINEERING, INC.**  
ENGINEERS • SURVEYORS • PLANNERS  
ELIJAH CITY, MD 21043 FAX 410.461.5661

**OWNER**  
HOWARD COUNTY, MARYLAND  
DEPARTMENT OF PUBLIC WORKS  
3430 COURTHOUSE DRIVE  
ELIJAH CITY, MD 21043  
410-313-4401

**DEVELOPER**  
HOWARD COUNTY HOUSING COMMISSION  
8751 COLUMBIA GATEWAY DR., 3RD FLOOR  
COLUMBIA, MD 21046  
(410) 313-6330

## OWNER'S CERTIFICATE

HOWARD COUNTY, MARYLAND, OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, ADOPT THIS FINAL PLAT OF SUBDIVISION, AND IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAT BY THE DEPARTMENT OF PLANNING AND ZONING, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND GRANT UNTO HOWARD COUNTY, MARYLAND, ITS SUCCESSORS AND ASSIGNS: 1) THE RIGHT TO LAY, CONSTRUCT AND MAINTAIN SEWERS, DRAINS, WATER PIPES AND OTHER MUNICIPAL UTILITIES AND SERVICES IN AND UNDER ALL ROADS OR STREET RIGHTS-OF-WAY AND THE SPECIFIC EASEMENT AREAS SHOWN HEREON; 2) THE RIGHT TO REQUIRE DEDICATION FOR PUBLIC USE OF THE BEDS OF THE STREETS AND/OR ROADS, THE FLOOD PLAINS AND OPEN SPACE WHERE APPLICABLE AND FOR GOOD AND VALUABLE CONSIDERATION, HEREBY GRANT THE RIGHT AND OPTION TO HOWARD COUNTY TO ACQUIRE THE FEE SIMPLE TITLE TO THE BEDS OF THE STREETS AND/OR ROADS AND FLOOD PLAINS, STORM DRAINAGE FACILITIES AND OPEN SPACE WHERE APPLICABLE; 3) THE RIGHT TO REQUIRE DEDICATION OF WATERWAYS AND DRAINAGE EASEMENTS FOR THE SPECIFIC PURPOSE OF THEIR CONSTRUCTION, REPAIR AND MAINTENANCE; 4) THAT NO BUILDING OR SIMILAR STRUCTURE OF ANY KIND SHALL BE ERECTED ON OR OVER THE SAID EASEMENTS AND RIGHTS-OF-WAY.

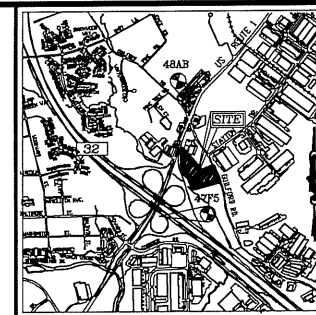
WITNESS OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

HOWARD COUNTY, MARYLAND

WITNESS

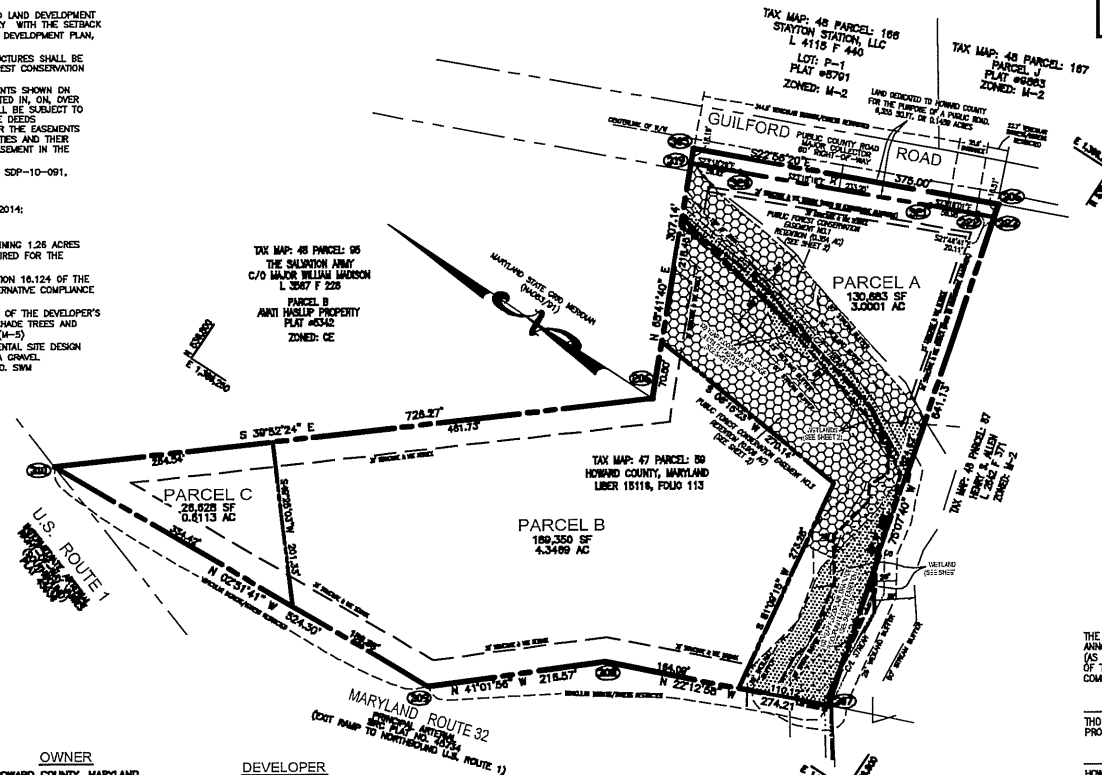
## COORDINATE TABLE

| NO. | NORTH       | EAST         |
|-----|-------------|--------------|
| 205 | 536907.2367 | 1368665.8067 |
| 206 | 537005.5558 | 1368545.5231 |
| 207 | 536988.5102 | 1367091.8784 |
| 208 | 536524.7559 | 1365472.0258 |
| 209 | 536777.5036 | 1368368.4453 |
| 210 | 536940.9710 | 1368226.1715 |
| 211 | 537454.5216 | 1368189.8984 |
| 212 | 537026.1674 | 1368626.8422 |
| 213 | 536971.1345 | 1368592.8519 |
| 214 | 536756.9192 | 1367044.9289 |
| 215 | 536702.7456 | 1367068.2610 |
| 216 | 536684.0727 | 1367075.7214 |



## VICINITY MAP

SCALE: 1"=2000'  
ADC MAP: 20 E6



## LEGEND

- 100 YEAR FLOODPLAIN, DRAINAGE & UTILITY EASEMENT
- PUBLIC FOREST CONSERVATION EASEMENT (RETENTION)
- EXISTING WETLANDS

THE REQUIREMENTS §3-108, THE REAL PROPERTY ARTICLE, ANNOTATED CODE OF MARYLAND, 1988 REPLACEMENT VOLUME (AS SUPPLEMENTED) AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH.

THOMAS M. HOFFMAN, JR. DATE  
PROPERTY LINE SURVEYOR, MD. REG. NO. 267

HOWARD COUNTY, MARYLAND DATE

## SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF THE LAND CONVEYED BY TSO/ROUTE 32, LLC, TO HOWARD COUNTY, MARYLAND BY DEED DATED JULY 25, 2013 AND RECORDED AMONG THE LAND RECORDS OF HOWARD COUNTY, MD, IN LIBER 15118, FOLIO 113. I ALSO CERTIFY ALL MONUMENTS ARE IN OR WILL BE IN PLACE PRIOR TO THE ACCEPTANCE OF THE STREETS IN THE SUBDIVISION BY HOWARD COUNTY AS SHOWN, IN ACCORDANCE WITH THE ANNOTATED CODE OF MARYLAND, AS AMENDED AND BOUNDARY SURVEY IS IN ACCORDANCE WITH THE HOWARD COUNTY SUBDIVISION REGULATIONS. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROPERTY LINE SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 267, EXPIRATION DATE JULY 28, 2018.

THOMAS M. HOFFMAN, JR. DATE  
PROPERTY LINE SURVEYOR, MD. REG. NO. 267

RECORDED AS PLAT No. \_\_\_\_\_ ON  
AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

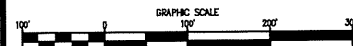
PLAT OF SUBDIVISION  
DAY RESOURCE CENTER  
PARCELS A-C

A SUBDIVISION OF T.M. 47, PARCEL 59  
LIBER 15118, FOLIO 113

ZONED CE-CU

TAX MAP 47, BLK: 12, PARCEL 59  
SIXTH ELECTION DISTRICT HOWARD COUNTY, MARYLAND

SCALE 1" = 100' OCTOBER 10, 2014



SHEET 1 OF 2

F-14-130