

1 MDG COMPANIES, AGENT * BEFORE THE
2 FOR THE OWNER * PLANNING BOARD OF
3 ZRA 118 * HOWARD COUNTY, MARYLAND

4 * * * * *

5 MOTION: *To recommend approval of the amended proposal including the withdrawal*
6 *of the original Amendment No. 1, Amendment No. 4, and Amendment No.*
7 *5, and the revised text for Amendment No. 2 and Amendment No. 3 as*
8 *recommended by DPZ.*

9 ACTION: *Recommended Approval; Vote 4 to 0.*

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11 On December 3, 2009, the Planning Board of Howard County, Maryland, considered the petition of
12 MDG Companies, Agent for the Owner for five proposed amendments to the CE District regulations in
13 Section 127.2 of the Zoning Regulations.

14 The petition, the Department of Planning and Zoning Technical Staff Report and Recommendation,
15 and the comments of reviewing agencies, were presented to the Board for its consideration. The Department
16 of Planning and Zoning recommended a partial approval of the petition to include Amendment No. 2 and
17 Amendment No. 3 with recommended revised text, but recommended denial for Amendment No.1,
18 Amendment No. 4 and Amendment No. 5.

19 The Petitioner was represented by Patrick McCuan. Mr. McCuan stated that this proposal was related
20 to a joint development with Howard County on US 1 at Montevideo Road. He stated that the CE District
21 regulations need to provide more flexibility because currently the regulations are not practical for
22 development, and emphasized that one needed change is for the district regulations to provide more
23 opportunity for retail and commercial services on the first floor of buildings. Mr. McCuan declared that the
24 proposed amendments noted in the Technical Staff Report as Amendment No.1, Amendment No. 4 and
25 Amendment No. 5 are withdrawn. There was no testimony in opposition to the petition.

26 The Board expressed some concern that the Greater Elkrige Citizen Association ("GECA")
27 is not directly involved in this case because GECA was an important participant in the original proposal for
28 the US Route 1 zoning districts including the CE District. It was noted, however, that after the withdrawal of
29 the three amendments ZRA 118 becomes much less controversial and GECA can be involved at the County
30 Council level with sufficient notification. The Board acknowledged that this case perhaps adds further
31 credence to many previous comments that the CE District regulations are not workable, but also gave
32 consideration to the fact that the CE District is still relatively new, and perhaps only more time may be needed
33 for it to function as envisioned. The Board did note that the pending update of the General Plan may be able

1 to incorporate some review of the zone. Otherwise, a comprehensive reevaluation of the CE District
2 regulations should be accomplished in the near future.

3 The Board also expressed its appreciation for the withdrawal of the three amendments, adding that the
4 proposal is not supportable if those amendments were still to be included. Since they have been withdrawn,
5 the Board had no major objections to the remaining two proposed amendments as they are relatively minor
6 revisions and do not alter the fundamental purpose of the CE District in any significant way. Additionally,
7 the Board considers the changes to be reasonable.

8 With respect to process, the Board strongly emphasized that petitioners for Zoning Regulation
9 Amendments need to make a greater effort to involve the public and organizations like GECA in such
10 proposals.

11 Ms. CitaraManis made the motion to recommend approval of the amended proposal including the
12 withdrawal of the original Amendment No.1, Amendment No. 4, and Amendment No. 5, and including the
13 revised text for Amendment No. 2 and Amendment No. 3 as recommended by the Department of Planning
14 and Zoning. Mr. Grabowski seconded the motion. The motion passed by a vote of 4 to 0.


15 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 21st day of
16 January, 2010, recommends that ZRA 118, as described above, be APPROVED, as noted above.

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18 HOWARD COUNTY PLANNING BOARD.

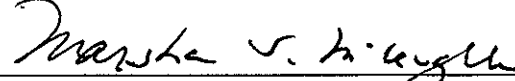
19 
20 Linda A. Dombrowski, Chairman

21 
22 David Grabowski, Vice-Chair

23 
24 Tammy J. CitaraManis

25 
26 Paul Yelder

27
28 ATTEST:

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30 Marsha S. McLaughlin, Executive Secretary