10 11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33



RECOMMENDATION

On November 19, 2020, the Planning Board of Howard County, Maryland, considered the petition of Harris Teeter, LLC to amend Section 126.0.B.2. and 126.0.E. to permit Motor Vehicle Fueling Facilities in the PGCC Multi-use Subdistrict subject to Planning Board approval provided the general standards and specific criteria under Section 131.0 applicable to a Motor Vehicle Fueling Facility conditional use are met.

The Planning Board considered the petition and the Department of Planning and Zoning (DPZ) Technical Staff Report and Recommendation. DPZ recommended approval of ZRA-194 citing that proposal is consistent with the Legislative Intent of the Zoning Regulations, since it has the potential to reduce vehicle trips and traffic congestion. Additionally, DPZ concluded that a Motor Vehicle Fueling Facility in the Turf Valley Town Center is consistent with other large planned developments in Howard County that have Motor Vehicle Fueling Facilities within their commercial centers.

Sang Oh testified on behalf of the Petitioner. Mr. Oh indicated that any proposed Motor Vehicle Fueling Facility in the PGCC zoning district would be required to hold a quasi-judicial hearing in front of the Planning Board to determine whether the criteria in Section 131.0 are met. He agreed with most of the comments made in DPZ's presentation and added that allowing a Motor Vehicle Fueling Facility in Turf Valley would allow for one-stop shopping. Additionally, he stated that at 812-acres, Turf Valley is one of the largest mixed-use developments in the county and it does not have a Motor Vehicle Fueling Facility, nor is one currently permitted by right or as a conditional use. Furthermore, he asserted that an auto-oriented, suburban shopping center should have a Motor Vehicle Fueling Facility and that exclusion of the Motor Vehicle Fueling Facility use was likely an oversight.

One Planning Board member questioned why a proposal to allow a Motor Vehicle Fueling Facility by right would require compliance with the conditional use criteria. Mr. Oh explained that the conditional use criteria for Motor Vehicle Fueling Facilities were ideal for the use and that the conditional use criteria are also used for Motor Vehicle Fueling Facility uses in the NT district where conditional uses are not permitted. He

added that this is the same process for Motor Vehicle Fueling Facilities in the NT district. He explained that
the NT and PGCC districts are similar, as they are both planned zoning districts where Site Development
Plans and Final Development Plans are approved by the Planning Board.

Two members of the public provided testimony. One member suggested that an electric vehicle charging station should be added to the proposal and expressed concern that the site had an insufficient footprint to accommodate the square footage required for a Motor Vehicle Fueling Facility use. One member of the public testified that a Motor Vehicle Fueling Facility use is contrary to the purpose of the Turf Valley PGCC district, which was established to permit mixed uses and integrate recreational uses with residential development. Additional testimony included concerns that; the use would attract traffic to Turf Valley from Interstate 70, commercial and retail needs are sufficiently served by the Route 40 commercial corridor, and the proposal is not in harmony with PlanHoward 2030.

Board Discussion and Recommendation

In work session, the Board discussed the proposed amendment and concurred that a Motor Vehicle Fueling Facility is an appropriate use in the Turf Valley Town Center. The Board agreed that the location and appearance of any future Motor Vehicle Fueling Facility should be addressed when the Site Development Plan comes before the Planning Board. The Board determined that the proposal was well thought out and that a Motor Vehicle Fueling Facility was a necessary service for Turf Valley due to the size of development.

Ms. Adler motioned that the Planning Board recommend that ZRA-194 be approved. Mr. Engelke seconded the motion, which passed 4-0.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this <u>27</u> day of December 2020, recommends that ZRA-194 be **APPROVED**.

1	HOWARD COUNTY PLANNING BOARD DocuSigned by:
2	Edward T. Coleman
3	Ed Coleman, Chair
4	
5	Kevin Mcaliley Kevin Mcaliley
6	Delphine Adter
7	Delphine Adler Docusigned by:
8	Phil Engelke
9	Philips Engeenteeseeree
10	ABSENT
11	Erica Roberts
12	
13	ATTEST:DocuSigned by:
14	Any Gonan
15	Amy Gowan, Executive Secretary
16	
17	