

1 **DEMIREL PLAZA, LLC** \* **BEFORE THE**  
 2 **PETITIONER** \* **PLANNING BOARD OF**  
 3 **ZRA-208** \* **HOWARD COUNTY, MARYLAND**

4  
 5 \* \* \* \* \*

6 **MOTION: Recommend approval of ZRA-208.**

7 **ACTION: *Approved; Vote 5-0.***

8 \* \* \* \* \*

9 **RECOMMENDATION**

10 On May 16, 2024, the Planning Board of Howard County, Maryland, considered the petition of  
 11 Demirel Plaza, LLC (Petitioner) to amend Section 117.3.C of the Howard County Zoning Regulations to  
 12 permit Commercial Schools as a matter of right within the Office Transition (OT) Floating Zoning District.

13 The Planning Board considered the petition and the Department of Planning and Zoning’s (DPZ)  
 14 Technical Staff Report.

15 **Testimony**

16 Mr. Christopher DeCarlo, Esq., of Whiteford, Taylor and Preston, LLP, representing Demirel Plaza,  
 17 LLC (Petitioner), provided additional background on this proposed zoning regulation amendment and the  
 18 circumstances for the petitioner. Mr. DeCarlo asserted that the Commercial School use is compatible with the  
 19 existing permitted uses within the OT District. Mr. DeCarlo stated that his client owns the only OT zoned  
 20 parcel in the County. Mr. DeCarlo stated that the Petitioner has had previous tenant interested in an after-  
 21 school test preparation and tutoring business. Mr. DeCarlo contends that the OT District already permits child  
 22 day care centers, personal service establishments, and other uses that are similar in intensity. Mr. DeCarlo  
 23 explained that although the use name is Commercial School, the proposed use would be a test preparation  
 24 center with tutoring designed to supplement the County school system curriculum. Mr. DeCarlo asserted that  
 25 the proposed text amendment is consistent with the districts purpose – “to be a transitional district between  
 26 residential and commercially zoned properties”. Mr. DeCarlo explained that Commercial Schools have a  
 27 higher parking ratio, which requires 5 spaces per 1,000 sf compared to Child Day Care Centers which requires  
 28 3 spaces per 1,000 sf. He added that the required parking for Commercial Schools is similar to other uses  
 29 already permitted within the OT Zoning District. Mr. DeCarlo further explained that parking requirements for  
 30 new OT District proposals would be evaluated during the Preliminary Development Plan or Redline Site  
 31 Development Plan review stage to ensure sufficient parking is provided on the parcel.

32 Mr. Cecil asked if this ZRA would impact the future approval process for other properties seeking the  
 33 OT Floating District designation. He expressed a preference that the protections in place for the creation of

1 the OT District be maintained. Mr. Coleman asked if the Petitioner applied for a Conditional Use or for any  
2 other Zoning approval to include this use in the OT District, to which Mr. DeCarlo stated he had not and that  
3 this would be the first step in adding the use. Mr. DeCarlo provided examples of uses that had similar parking  
4 requirements such as Personal Service Establishments, which he asserted was an establishment already  
5 located within Demirel Plaza. Ms. Mosier asked which other Zoning Districts already permitted the use of  
6 Commercial Schools. Mr. DeCarlo stated that many other Districts such as Planned Office Research (POR),  
7 Business: Local (B-1), Business: General (B-2) and Historic: Office (HO) permit the use as a matter of right  
8 and the use is common in various shopping centers throughout the County.

9 There was no public testimony during the hearing.

10 Board Discussion and Recommendation

11 In work session, Board members shared concerns related to parking on future OT developed sites.  
12 However, the Board Members recognized that parking is evaluated at the Planning Board review during the  
13 Preliminary Development Plan process and that this review process would not be changed.

14 Mr. Cecil motioned to recommend approval of ZRA-208 while expressing the understanding that the  
15 review process to establish an OT Floating District designation or amend the approved PDP or SDP is  
16 maintained. Mr. Godsey seconded the motion. The motion passed 5-0.

17 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 19th day of  
18 June 2024, recommends that ZRA-208, as described above, be APPROVED.

23 HOWARD COUNTY PLANNING BOARD

DocuSigned by:

24 *Edward T. Coleman*

25 Ed Coleman, Chair

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26 *Kevin McAliley*

27 Kevin McAliley, Vice-chair

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28 *James Cecil*

29 James Cecil

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30 *Barbara Mosier*

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32 *Mason Godsey*

33 Mason Godsey

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2 ATTEST:

DocuSigned by:

*Jessica Bellah*

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4 Jessica Bellah, Acting, Executive Secretary