

1 **THE WEINMAN COMPANY** * **BEFORE THE**
 2 **PETITIONER** * **PLANNING BOARD OF**
 3 **ZRA-209** * **HOWARD COUNTY, MARYLAND**

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6 **MOTION: Recommend approval of ZRA-209.**

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

8 * * * * *

9 **RECOMMENDATION**

10 On June 6, 2024, the Planning Board of Howard County, Maryland, considered the petition of The
 11 Weinman Company (Petitioner) to amend the Corridor Activity Center (CAC) zoning district (Section 127.5)
 12 as follows:

- 13 • To permit self-storage facilities as a matter of right;
- 14 • To reduce the 50% first floor retail or service use requirement to 20%; and
- 15 • To remove the prohibition of residential uses on the 1st floor of buildings adjacent to the Route 1
 16 right-of-way.

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

19 **Testimony**

20 Mr. Tom Coale, Esq., of Perry, White, Ross & Jacobson, representing the petitioner, stated that his
 21 client desires to redevelop the Route 1 Flea Market, located at 7540 Washington Blvd/Route 1 and with the
 22 CAC zoning district, into a new mixed-use development featuring residential and commercial spaces, including
 23 a self-storage facility. He noted that the market operates only two days a week, leaving it vacant and devoid of
 24 pedestrian activity for the remainder of the time.

25 Mr. Coale asserted that the mandatory commercial square footage requirement in the CAC zoning for
 26 mixed-use developments along the Route 1 Corridor has often led to "compulsory commercial" spaces that
 27 ultimately become vacant. Mr. Coale explained that the objective of this Zoning Regulation Amendment (ZRA)
 28 is to address the challenges that developers and property owners have faced in filling the required commercial
 29 spaces in CAC mixed use developments.

30 Mr. Coale indicated that his client is interested in incorporating more commercial elements into the
 31 redevelopment; however, achieving the 50% retail and service use requirement is impractical. He contended
 32 that the existing regulations necessitate that, if the property were redeveloped with a mixed-use residential
 33 structure, the leasing office and other amenity areas would be relegated to the rear of the building instead of
 34 facing Route 1. Allowing these amenity and leasing areas to front Route 1 would enhance pedestrian interest

1 and walkability. Mr. Coale emphasized that incorporating a self-storage facility within a mixed-use project,
2 comprising retail, commercial, and residential uses, aligns with the overarching redevelopment goals for Route
3 1.

4 Ms. Mosier inquired whether specific uses along the Route 1 Corridor are due to the area's economic
5 conditions. Mr. Coale responded that, in many cases, the competition for commercial tenants is not about
6 securing the "best" tenant but about filling the space to prevent vacancy. Mr. Cecil asked about the economic
7 vibrancy challenges along the Route 1 Corridor and their impact on existing commercial spaces. Mr. Coale
8 suggested that the proposed amendments would facilitate more deliberate retail and service uses along the
9 building's frontage. Without this ZRA, the lobby and other amenity areas would be positioned at the back of
10 the building, thereby hindering pedestrian access and interest.

11 Mr. McAliley questioned why the term "indoor" was omitted from the proposal for self-storage
12 facilities. Mr. Coale indicated that "indoor" could be incorporated into the proposed use, assuring that the
13 petitioner has no intention of constructing outdoor storage facilities, as this would impede the redevelopment.
14 Mr. Godsey inquired about the community benefit of introducing another self-storage facility, given the
15 presence of an adjacent one. Mr. Coale asserted that a mixed-use development with self-storage, residential,
16 and commercial spaces would be more advantageous than the current flea market, which operates only
17 intermittently. He highlighted the high demand for additional storage due to factors such as downsizing or the
18 need for extra storage space.

19 Mr. Godsey also sought clarification on the rationale behind the 20% reduction in commercial space
20 designation. Mr. Coale explained that the restricted number of permitted retail and service uses informed the
21 decision for a 30% reduction in commercial space design. Mr. Coleman sought clarity on the distinction
22 between residential uses and residential units. Mr. Coale clarified that spaces designed to support residential
23 uses (such as mail rooms, lobbies, and leasing areas) would not be permitted on the first floor. However, he
24 stated that no residential units would be proposed; only residential uses such as amenity areas and leasing offices
25 would be included if the ZRA was approved.

26 Public Testimony

27 A nearby resident testified that although self-storage facilities are not typically intended for activity centers
28 within the county, he supported the proposal after reviewing the development layout. He recommended that the
29 regulations explicitly prevent stand-alone self-storage facilities . A local business owner testified that many
30 existing businesses along the Route 1 Corridor are thriving and that the flea market is not the sole generator of
31 business in the area.

32 Board Discussion and Recommendation

33 In work session, Ms. Mosier asked what constitutes "service uses" in Section 127.5.E.2.a.1. DPZ staff
34 indicated that service uses include restaurants, service agencies and personal service establishments, and is a

1 less broad collection of commercial uses than the term “commercial uses” and confirmed that there is a 50%
2 first floor designation for service use. Ms. Mosier further asked for clarification on the amendments and Mr.
3 Cecil spoke about the connectivity of the area and more sustainable spaces for this portion of the County. Mr.
4 Coale stated that this ZRA will collectively be more intentional about what retail and service use will be located
5 along the front of the structures and allows for a more cohesive design of the proposed structure. Mr. Godsey
6 inquired about similar self-storage uses within the vicinity of the Property and if this proposed use would be a
7 viable use within this community. Mr. Coale stated that presently, the Property only operates two days a week
8 and indicated that self-storage uses are filling up quickly due to downsizing of seniors and due to the need for
9 increased residential storage space. Mr. Coleman asked if this would be better suited as a Conditional Use, and
10 the impact of this ZRA with the other CAC zoned parcels. Mr. Coleman also discussed the possibilities of
11 adding conditions of approval to the self-storage use if permitted as a matter of right. Mr. McAliley suggested
12 adding “indoor” before self-storage.

13 Mr. Coleman motioned to recommend approval of ZRA-209 with amendments. Mr. McAliley seconded
14 the motion. The motion passed 5-0.

15 These amendments are:

- 16 1. Amend 127.5.B. to permit self-storage facilities as a matter of right but as part of a mixed-use
17 development that includes commercial, retail, and residential uses within an activity center. In
18 addition, to include the word “Indoor” as part of the use category for self-storage facilities
- 19 2. Amend 127.5.E.2.a, to state that at the discretion of the Department of Planning and Zoning,
20 the 50% requirement for first floor service use space may be reduced to no less than 20%.
- 21 3. Amend Section 127.5.E.3.b. to allow residential uses on the first floor by striking the
22 prohibition on residential “uses” and replacing this term with “units”.

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24 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 27th day of
25 June 2024, recommends that ZRA-209, as described above, be APPROVED WITH
26 AMENDMENTS.

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29 HOWARD COUNTY PLANNING BOARD

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Edward T. Coleman

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31 Ed Coleman, Chair

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Kevin McAliley

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33 Kevin McAliley, Vice-chair

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James Cecil

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Barbara Mosier

Barbara Mosier

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Mason Godsey

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ATTEST:

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Jessica Bellah

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Jessica Bellah, AICP, Acting Executive Secretary