



2024 AUG 15 P 2:46

Zoning Regulation Amendment Petition

Zoning Regulation Amendment Request:

Amend the Corridor Employment (CE) zone under Section 127.2.B to add 'Warehousing, within a flex space' as a permitted use.

Petitioner Information

Name: Aaron Tomarchio

Trading As: Tradepoint Atlantic, LLC

Address: 6995 Bethlehem Blvd., Sparrows Point, MD, 21219

Phone:: 4107091289

Email: atomarchio@tradepointatlantic.com

Petitioner's Interest in the Property: Contract Purchaser

Representative Information

Name: Mandee Heintz

Address: 1001 Fleet Street, Baltimore, MD, 21202

Phone: 4437973076

Email: mandee.heintz@saul.com

Profession: Attorney

Property Information

Property Address: 9299 Washington Blvd. N., Savage, MD, 20763

Total Site Area: 37 acres Tax Map: 47 Grid: 18 Parcel: 145

County Council District: 3 Zoning District: CE-CLI

Subdivision Name: The Cedars SDP #:

Zoning Regulation Amendment Information

1. Explain the reason the requested amendment is being proposed.

The Petitioner has an agreement to purchase the real property in Howard County (the "County") located at 9299 Washington Boulevard N (the "Property"). The Property is zoned as Corridor Employment – Continuing Light Industrial (CE-CLI), which is intended to encourage the development and redevelopment of employment land near the Route 1 Corridor (the "Corridor"). The Petitioner desires to purchase and redevelop the Property to creatively meet the evolving needs of the industrial economy while creating hundreds of jobs in the County

As written, the County zoning regulations (the "Regulations") do not provide enough flexibility to attract companies that want to come to, remain in, or expand in the County. Indeed, as described in this Petition to Amend the Zoning Regulations of Howard County (this "Petition"), the existing Regulations and permitted uses in the Corridor Employment district (the "CE District") are limiting and contrary to the most recent Howard County General Plan, HoCo by Design, and the Route 1 Corridor Plan.

The Petitioner respectfully seeks an amendment to the Regulations to permit by right an additional use within the CE District of warehousing within a flex space. As described in this Petition, such use is consistent with the County's goals to increase the number of middle-income jobs in the warehousing sector, build and strengthen the County's economic diversity and to ensure the long-term viability and sustainability of the County's industrial economy.

2. The Legislative Intent of the Zoning Regulations in Section 100.0.A. expresses that the Zoning Regulations have the purpose of ...preserving and promoting the health, safety and welfare of the community. Provide a detailed justification statement demonstrating how the proposed amendment will be in harmony with this purpose and the other issues in Section 100.0.A.

The Amendment will preserve and promote the health, safety, and welfare of the community because it preserves industrial land, creates hundreds of much-needed middle-income jobs, and helps to ensure the long-term viability of the County's industrial economy. The Amendment also would update the Regulations to be consistent with the objectives and goals of HoCo By Design, and allow the Corridor to evolve as intended with current economic trends.

3. Does the amendment, or do the amendments, have the potential of affecting the development of more than one property?

If the number of impacted properties is less than or equal to 12, explain the impact on all properties affected by providing a detailed analysis of all the properties based upon the nature of the changes proposed in the amendment. If the number of properties is greater than 12, explain the impact in general terms.

This amendment would apply to all CE zoned properties and is expected to impact more than 12 properties. This amendment would encourage the development and redevelopment of critical employment land, allowing the Corridor to evolve as intended and with the aforementioned economic trends.

4. Provide the address, Tax Map, and Parcel Number for any parcel of land known to be affected by the amendment that the Petitioner owns or has a legal or equitable interest in.

Petitioner has an interest in the Property at 9299 Washington Blvd. N Savage, Maryland 20763.

Zoning Regulation Amendment Criteria

1. The compatibility, including potential adverse impacts and consequences, of the proposed zoning regulation amendment with the existing and potential land uses of the surrounding areas and within the same zoning district.

The purpose of the CE District is to encourage the development and redevelopment of employment land near U.S. Route 1 "while reducing the spread of strip commercial development and encouraging consolidation of fragmented parcels."

Currently, the Regulations permit flex and industrial uses in the CE District but do not permit warehousing. Flex and industrial uses often align with and are compatible with related warehousing uses, requiring greater flexibility within the Regulations to ensure sustainability and viability for companies with both.

This amendment is compatible with the purpose of the zoning district and would encourage the development and redevelopment of critical employment land.

2. The properties to which the zoning regulation amendment could apply and, if feasible, a map of the impacted properties.

All CE zoned properties.

3. Conflicts in the Howard County Zoning Regulations as a result of the zoning regulation amendment.

This amendment is not expected to create conflicts in the Howard County Zoning Regulations.

4. The compatibility of the proposed zoning regulation amendment with the policies and objectives, specifically including the environmental policies and objectives, of the Howard County General Plan.

HoCo By Design, Chapter 5: Economic Prosperity specifically addresses the need to enact policies and regulations to ensure the long-term viability of the industrial economy in the County, consistent with the proposal in this Petition, as follows:

EP-22 – Route 1 Corridor

“The success of this industrial Corridor hinges on key economic trends, consumer preference, and the changing retail climate. One trend is industrial space expansion from manufacturing to distribution and warehousing in submarkets along the Corridor...”

EP- 29 – Retaining Industrial Lands

“Industrial jobs, particularly the manufacturing, distribution, and warehousing sectors, not only supply the region with goods but also address wage inequality by providing middle-income wages and jobs that do not require advanced education. ... With only three percent of land in Howard County available for industrial uses and a limited supply of large industrial zoned properties, the county must enact policies and regulations to make thoughtful planning decisions to ensure the long-term viability of the industrial economy.”

EP-2 – Policy Statement

“Retain and expand the use of industrial land to support employment opportunities that pay a living wage.”

HoCo By Design specifically recognizes the shifts in economic trends and the need to make a corresponding adjustment from manufacturing to distribution and warehousing along the Corridor. The Proposal addresses these trends by providing greater flexibility to create cohesive and transformative developments rather than fragmented parcels. At the same time, the Proposal limits warehousing in a way that is consistent with the County’s goals for the Corridor by permitting warehousing only within a flex space.

In addition, HoCo By Design calls for the enactment of policies and regulations to address wage inequality and to ensure the long-term viability of the Corridor. Petitioner’s intended project would

create approximately five hundred (500) new, middle-income jobs at the Property alone.

5. If the zoning regulation text amendment would impact eight (8) parcels of land or less:

- (i) A list of those impacted parcels;
- (ii) The address of each impacted parcel;
- (iii) The ownership of each impacted parcel; and
- (iv) The contact information for the owner, if an individual, or resident agent or owner, if a corporate entity, of each impacted parcel.

N/A - This amendment is expected to impact more than 12 properties.

Signatures

The undersigned hereby affirms that all of the statements and information contained in, or filed with this petition, are true and correct.



Petitioner's Signature _____ **Date 08/12/24**



Property Owner's Signature _____ **Date 08/12/24**

Process information and submittal requirements can be found on the [ProjectDox website](#)



AFFIDAVIT AND DISCLOSURE OF CONTRIBUTION

**For Petitions to Amend the Zoning Regulations, Zoning Maps
and Preliminary Develop Plans of Howard County**

Zoning Matter: _____

**AFFIDAVIT AS TO CONTRIBUTIONS TO CANDIDATES AND BUSINESS
ENGAGEMENTS WITH ELECTED OFFICIALS**

**As required by the Maryland Public Ethics Law Annotated Code of Maryland, General
Provisions Article Sections 5-852 through 5-854**

ALL BOLDED TERMS ARE DEFINED BY SECTION 5-852 MARK EACH PARAGRAPH AS
APPLICABLE

- I, Aaron Tomarchio on behalf of Tradepoint Atlantic, LLC, the **Applicant** filing an **Application** in the above zoning matter, to the best of my information, knowledge, and belief HAVE / HAVE NOT made a **Contribution** or contributions having a cumulative value of \$500 or more to the treasurer of a **Candidate** or the treasurer of a **Political Committee** during the 48-month period before the **Application** was filed; and I AM / AM NOT currently **Engaging in Business** with an **Elected Official**.
- I, the **Applicant** or a **Party of Record** in the above referenced zoning matter, acknowledge and affirm that, if I or my **Family Member** has made a **Contribution** or contributions having a cumulative total of \$500 or more during the 48-month period before the **Application** was filed or during the pendency of the **Application**, I will file a disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was made, the amount, and the date of the **Contribution**; and that a **Contribution** made between the filing and the disposition of the **Application** will be disclosed within 5 business days after the **Contribution**.

3. I, the **Applicant**, acknowledge and affirm that, if I begin **Engaging in Business** with an **Elected Official** between the filing and the disposition of the **Application**, I will file this Affidavit at the time of **Engaging in Business** with the **Elected Official**.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY and upon personal knowledge that the contents of this Affidavit are true.

Aaron N. Tomarchio

(Print Full Name)



08/12/24

(Sign full name & indicate legal capacity, if applicable)

Date

Zoning Matter: _____

DISCLOSURE OF CONTRIBUTION

As required by the Maryland Public Ethics Law Annotated Code of Maryland, General Provisions Article Sections 5-852 through 5-854

ALL BOLDED TERMS ARE DEFINED BY SECTION 5-852

If the **Applicant** or a **Party of Record** or their **Family Member** has made a **Contribution** or contributions having a cumulative value of \$500 or more during the 48-month period before the **Application** is filed or during the pendency of the **Application**, the **Applicant** or the **Party of Record** must file this disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was made, the amount, and the date of the **Contribution**.

For a **Contribution** made during the 48-month period before the **Application** is filed, the **Applicant** must file this disclosure when they file their **Application**, and a **Party of Record** must file this disclosure within 2 weeks after entering the above zoning matter.

A **Contribution** made between the filing and the disposition of the **Application** must be disclosed within 5 business days after the **Contribution**.

Any person who knowingly and willfully violates Sections 5-852 through 5-854 of the General Provisions Article of the Annotated Code of Maryland is subject to a fine of not more than \$5,000. If the person is not an individual, each officer and partner who knowingly authorized or participated in the violation is subject to the same penalty.

Applicant or Party of Record: Tradepoint Atlantic, LLC
(Print Full Name)

RECIPIENTS OF CONTRIBUTIONS:

NAME	DATE	AMOUNT
The Calvin Ball Team	12/9/2022	\$1000
	12/9/2022	\$1000
	12/9/2022	\$1000
	8/30/23	\$2500
Friends of Opel Jones	5/31/22	\$2000
Committee to Elect David Yungmann	5/31/22	\$2000

I acknowledge and affirm that any **Contribution** I make between the filing of this disclosure and the disposition of the **Application** must be disclosed within 5 business days of the **Contribution**.

Aaron N. Tomarchio

(Print Full Name)



08/12/24

(Sign full name & indicate legal capacity, if applicable)

Date

This Affidavit must be signed, scanned and uploaded through the ProjectDox Zoning Petition Application process at <https://howard-md-us.avolvecloud.com/ProjectDox/>

For more information or questions, contact DPZ at (410) 313-2350.



Property Owners Authorization for Zoning Petitions

Any Zoning Petition not submitted and otherwise signed by the Property Owner shall be submitted with written authorization from the Property Owner authorizing the Petitioner to act on behalf of the Property Owner.

I (we): Sherman-Allied, LLC
 (Print Property Owner(s) Name / Firm / Organization)


Hereby Authorize: Aaron Tomarchio, Tradepoint Atlantic, LLC
 (Print Petitioner Name/Organization)

For Subject Property: 9299 Washington Blvd. N, Savage, Maryland 20763
 (Print Subject Property Address)

To apply for the following Zoning Petition:

- | | |
|--|---|
| <input type="checkbox"/> Administrative Adjustment | <input type="checkbox"/> Non-Conforming Use (Hearing Examiner) |
| <input type="checkbox"/> Nonconforming Use Confirmation (Division) | <input type="checkbox"/> Amend the Zoning Map of Howard County |
| <input type="checkbox"/> Temporary Use Permit | <input checked="" type="checkbox"/> Amend the Zoning Regulations of Howard County |
| <input type="checkbox"/> Non-Residential Variance | <input type="checkbox"/> Preliminary Development Plan in a MXD District |
| <input type="checkbox"/> Residential District Variance | <input type="checkbox"/> Amended Preliminary Development Plan |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Other (Explain): |

The undersigned property owner does further authorize the Petitioner to make applications for any and all site plans and/or permits necessary to implement its plan in relation to the aforementioned conditional Zoning Petition.

<u>Sherman-Allied, LLC</u> Name	By:  Property Owners Signature David A. Sherman, Manager	<u>August 13, 2024</u> Date
<u>dsherman9299@gmail.com</u> Property Owners Email	<u>c/o 4416 East West Hwy, 4th Floor</u> Property Owners Address Bethesda, MD 20814 Attn: H. Mark Rabin, Esq.	<u>301-704-3619</u> Property Owners Phone



Property Owners Authorization for Zoning Petitions

Any Zoning Petition not submitted and otherwise signed by the Property Owner shall be submitted with written authorization from the Property Owner authorizing the Petitioner to act on behalf of the Property Owner.

I (we): TD Sherman, L.L.C.
 (Print Property Owner(s) Name / Firm / Organization)


Hereby Authorize: Aaron Tomarchio, Tradepoint Atlantic, LLC
 (Print Petitioner Name/Organization)

For Subject Property: 9299 Washington Blvd. N, Savage, Maryland 20763
 (Print Subject Property Address)

To apply for the following Zoning Petition:

- | | |
|--|---|
| <input type="checkbox"/> Administrative Adjustment | <input type="checkbox"/> Non-Conforming Use (Hearing Examiner) |
| <input type="checkbox"/> Nonconforming Use Confirmation (Division) | <input type="checkbox"/> Amend the Zoning Map of Howard County |
| <input type="checkbox"/> Temporary Use Permit | <input checked="" type="checkbox"/> Amend the Zoning Regulations of Howard County |
| <input type="checkbox"/> Non-Residential Variance | <input type="checkbox"/> Preliminary Development Plan in a MXD District |
| <input type="checkbox"/> Residential District Variance | <input type="checkbox"/> Amended Preliminary Development Plan |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Other (Explain): |

The undersigned property owner does further authorize the Petitioner to make applications for any and all site plans and/or permits necessary to implement its plan in relation to the aforementioned conditional Zoning Petition.

<u>TD Sherman, L.L.C.</u>	By: 	<u>August 13, 2024</u>
Name	Property Owners Signature David A. Sherman, Manager	Date
<u>dsherman9299@gmail.com</u>	<u>c/o 4416 East West Hwy, 4th Floor</u>	<u>301-704-6319</u>
Property Owners Email	Property Owners Address Bethesda, MD 20814 Attn: H. Mark Rabin, Esq.	Property Owners Phone

Petitioner's Proposed Text
CE (Corridor Employment) Zoning Regulation Amendment

Amend Section 127.2.B to add:

45. WAREHOUSING, WITHIN A FLEX SPACE.

Example of How Text of Section 127.2.B Would Appear if Adopted:

45. Warehousing, within a Flex space.

Petitioner	ZRA	Applicant	Form	Name	Date Affidav	Have	Have Not	Recipients of Cont	Date of Contribution	Amount	Am	Am Not
Tradepoint Atlantic, LLC	210	Aaron Tomarchio o	Affidavit of Contribution	Aaron N. Tomarchid	8/12/2024	X						
Tradepoint Atlantic, LLC	210	Aaron Tomarchio o	Affidavit Engaging in Business	Aaron N. Tomarchid	8/12/2024							X
Tradepoint Atlantic, LLC	210	Tradepoint Atlantic,	Disclosure of Contribution	Aaron N. Tomarchid	8/12/2024			The Calvin Ball Tear	12/9/2022	1,000		
Tradepoint Atlantic, LLC	210	Tradepoint Atlantic,	Disclosure of Contribution	Aaron N. Tomarchid	8/12/2024				12/9/2022	1,000		
Tradepoint Atlantic, LLC	210	Tradepoint Atlantic,	Disclosure of Contribution	Aaron N. Tomarchid	8/12/2024				12/9/2022	1,000		
Tradepoint Atlantic, LLC	210	Tradepoint Atlantic,	Disclosure of Contribution	Aaron N. Tomarchid	8/12/2024				8/30/2023	2,500		
Tradepoint Atlantic, LLC	210	Tradepoint Atlantic,	Disclosure of Contribution	Aaron N. Tomarchid	8/12/2024			Friends of Opel Jond	5/31/2022	2,000		
Tradepoint Atlantic, LLC	210	Tradepoint Atlantic,	Disclosure of Contribution	Aaron N. Tomarchid	8/12/2024			Committee to Elect David Y	5/31/2022	2,000		
Tradepoint Atlantic, LLC	210	Tradepoint Atlantic,	Disclosure of Contribution	Aaron N. Tomarchid	8/12/2024							