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Print

Requested Zoning

Search Street:

CHARLES CROSSING

Property Information:

Amendment No.: 37.001

Current Zoning: POR

Requested Zoning: R-A-15

Tax Account ID.:

Map:

Grid:

Parcel:

Lot:

Acres: 0

Address: ~~5960~~ CHARLES CROSSING

City/State/Zip: , MD **5998**

Owner:

Name: BA WATERLOO TOWNHOMES, LLC

Email:

Phone:

Mailing Address: 7850 WALKER DR. SUITE 400

City/State/Zip: GREENBELT, MD 20770

Representative:

Name: Talkin & Oh, LLP

Email: soh@talkin-oh.com

Phone: 410-964-0300

Mailing Address: 5100 Dorsey Hall Drive

City/State/Zip: Ellicott City, MD 21042

Decision:

Planning Board Decision:

Planning Board Vote:

Council Decision:

Council Vote:

Zoning Map Amendment Request Form

Howard County Comprehensive Zoning Plan Department of Planning and Zoning

[Word 2007 Version]
Before filling out this form, please read the
Instructions section at the end of the form.

A. Property Information

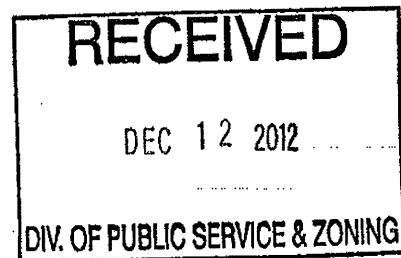
1 Address / Street (Only) 5960 Charles Crossing
 2 Tax Map Number 37 Grld 1
 3 Parcel(s) 4
 4 Lot(s) D2
 5 Tax Account Data: District 01 Account # 321498

6 Size of Property: Acres 6.5901 Square feet

7 The Property is currently zoned: POR
 I request that the Property be rezoned to: R-A-15

B. Owner Information

8 Owner Name BA Waterloo Townhomes, LLC
 9 Mailing street address or Post Office Box 7850 Walker Drive, Suite 400
 City, State Greenbelt, Maryland
 ZIP Code 20770
 Telephone (Main)
 Telephone (Secondary)
 Fax
 10 E-Mail



C. Representative Information

11 Name Talkin & Oh, LLP
 Mailing street address or Post Office Box 5100 Dorsey Hall Drive
 City, State Ellicott City, Maryland
 ZIP 21042
 Telephone (Main)

410-964-0300 (Sang Oh)

C. Representative Information

Telephone (Secondary)

Fax 410-964-2008

E-Mail

soh@talkin-oh.com

12 Association with Owner Attorneys

D. Alternate Contact [If Any]

Name

Telephone

E-Mail

E. Explanation of the Basis / Justification for the Requested Rezoning

13 The subject Property is currently vacant and undeveloped. With its zoning classification of POR, there is presently no viable potential to develop the Property. It would be in the best interests of the Petitioner as well as the surrounding residential community for the Property to be developed in the same manner as the adjacent Shipley's residences.

See attached Continuation Sheet.

F. List of Attachments/Exhibits

14 1. Continuation Sheet. 2. Map of the Property from County's website.

G. Signatures

15 Owner

J. B. Fiddell
Dec 11, 2012

Owner (2)

Date

Date

Additional owner signatures? **X** the box to the left and attach a separate signature page.

16 Representative Signature

[Signature]

Date

12-11-12

DPZ Use Only	<i>[Signature]</i>	Amendment No.	37.001
Notes			

Continuation Sheet

E. Explanation of the Basis / Justification for the Requested Rezoning

- 13 The subject Property is currently vacant and undeveloped. With its zoning classification of POR, there is presently no viable potential to develop the Property. It would be in the best interests of the Petitioner as well as the surrounding residential community for the Property to be developed in the same manner as the adjacent Shipley's residences.

The POR district permits as a matter of right, *inter alia*, office, professional and business. With the Property situated along Route 100, the POR zoning of the Property was most likely to encourage this type of commercial use with high visibility along a major, arterial highway.

The Property, however, does not enjoy direct access to or from Route 100 or any other major arterial or collector road. Aside from Route 100, the Property is surrounded completely by residentially zoned and developed properties. Requiring the Property to maintain its POR zoning classification would force a commercial use to be tucked into the rear of a residential subdivision. Mixed-use developments are optimally designed when the commercial use is on the outskirts of the residential development and is easily accessible off of major roads.

The Property, on the other hand, is accessible only by driving through existing residential communities on small, local roads, which would undoubtedly cause adverse impacts on, and be objectionable to, the already-established residential communities. These circumstances are atypical conditions for most commercially-zoned properties and cause the Property to be unsuitable for the vast majority of uses permitted under the current POR zoning. These conditions render it more logical for the Property to be developed in a residential manner.

The only residential use permitted in the POR District, however, is age-restricted adult housing. At the time of the last Comprehensive Zoning, the senior housing market was prosperous due to the strength of the economy, the strong resale market for existing homes, apparently safe returns on retirement investments, and an overall belief that these trends would continue into the foreseeable future.

The market for age-restricted adult housing has not remained strong, as anticipated, but has instead plummeted. Many reasons exist for this trend, but most revolve around the reversal of the factors that led to the senior housing boom. The strength of the economy is much weaker now than at the time of the last Comprehensive Zoning. Retirement investments that once seemed safe have generally lost large percentages of their value. The recession has removed any confidence in the continuation of the positive economic trends that marked the beginning of the 2000's.

Adding to this lack of demand is the fact that age-restricted housing development has continued in the County. There were 234 age-restricted housing units built in 2011. As of December 31, 2011, 689 age-restricted units were in the planning process but not yet constructed. DEVELOPMENT MONITORING SYSTEM REPORT HOWARD COUNTY, MARYLAND, May 2012, p. 4. Given the high number of units currently available and projected, and the effects of the economy on sales, the construction of additional age-restricted adult housing units on the Property would not be viable. Given these facts, the financing required for the construction of a new age-restricted housing development would be unobtainable.

Instead of the POR District, which subjects the Property to commercial or age-restricted uses that are not viable, the R-A-15 district is a more appropriate zoning district and will ensure a development of the Property consistent with the development that has already occurred within Shipley's Grant.

Additionally, the proposed rezoning of the Property from POR to R-A-15 will be in harmony with PlanHoward 2030 and will not adversely affect the surrounding and vicinal properties. First, the Property is within the "Residential Areas" designation of the Howard County General Plan 2000 Amended Policies Map. The proposed reclassification of the Property to the R-A-15 District will guarantee an appropriate residential use of the Property.

Two important policy goals of PlanHoward 2030 are to continue providing affordable housing opportunities for low and moderate income residents and to preserve existing affordable housing opportunities. PlanHoward 2030, pp. 142-44. The proposed rezoning of the Property to the R-A-15 District is consistent with these goals. Age-restricted adult housing in the POR District requires that at least 10 percent of the dwelling units be moderate-income housing units. The proposed rezoning to the R-A-15 District, which also requires that at least 10 percent of the dwellings in a development be moderate-income housing units, ensures that the moderate income housing opportunities for the Property are being preserved. Moreover, as age-restricted adult housing on the Property is not viable, as explained above, a rezoning to the R-A-15 district consistent with the surrounding Shipley's Grant residences will allow for the development of these moderate income housing units that would most likely not be built under the existing zoning.

The proposed rezoning is also consistent with the County's need to provide a diverse mix of housing opportunities. PlanHoward 2030 provides that housing experts believe that over the next 20 years, more than 60 percent of new housing demand will be for multifamily dwelling units. This projected trend is due both to an increasing ratio of smaller households and to the financial inability of many residents to afford single-family housing. PlanHoward 2030, p. 140.

Between 1990 and 2010, the number of residents living alone increased by 75 percent. "[T]he single-family detached house is no longer preferred by many households. Smaller-sized housing will be in greater demand in the future. The data shows a demographic shift that aligns well with the decreasing availability of land for the traditional single-family detached home and the increased emphasis on planning for more compact higher-density residential development. From this perspective . . . townhome developments will be a greater portion of new homes built in the County in the future." PlanHoward 2030, pp. 140-42.

The County's demographic shift was also noted in a recent Market Analysis and Strategic Implementation Analysis of the Route 1 and Snowden River Corridors by Robert Charles Lesser & Co. commissioned by the County (the "RCLCO Study"). The RCLCO Study found that "the true demand for multifamily units is indeed much higher than historical permitting trends and that there is likely 2X or more demand for multifamily units in the County overall based on the increase in 1- and 2-person households as the primary drivers of housing demand in addition to increased acceptance of and desire for high density housing product types." RCLCO Study, p. 7. The RCLCO Study also recommended that, to reduce residential development pressure on the Route 1 Corridor and to satisfy County demand, "Where feasible, in areas west of I-95, and to further serve the market now being served in the Route 1 corridor, the County should seek opportunities for more housing, especially multi-family housing." RCLCO Study, p. 18.

In addition to the policy reasons supporting the requested rezoning of the Property, the R-A-15 District will be more suitable for the surrounding and vicinal properties than any POR development would be. The Property is bounded to the immediate south and west by properties in the R-A-15 District. Residential development of the Property in the form of additional townhomes, such as those surrounding the Property, would be preferable to the community and would present less adverse effects than a POR development.



Howard County Council

George Howard Building
3474 Court House Drive
Ellicott City, Maryland 21043-4392

COUNCILMEMBERS

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District 3
Mary Kay Sigaty, Vice Chairperson
District 4
Courtney Watson
District 1
Calvin Ball
District 2
Greg Fox
District 5

March 11, 2013

BA Waterloo Townhomes, LLC
7850 Walker Drive, Suite 400
Greenbelt, MD 20770

Dear Sir or Madam:

You are receiving this letter because you filed a Zoning Map Amendment Request Form/Howard County Comprehensive Zoning Plan or a Zoning Regulation Amendment Request Form/Howard County Comprehensive Plan.

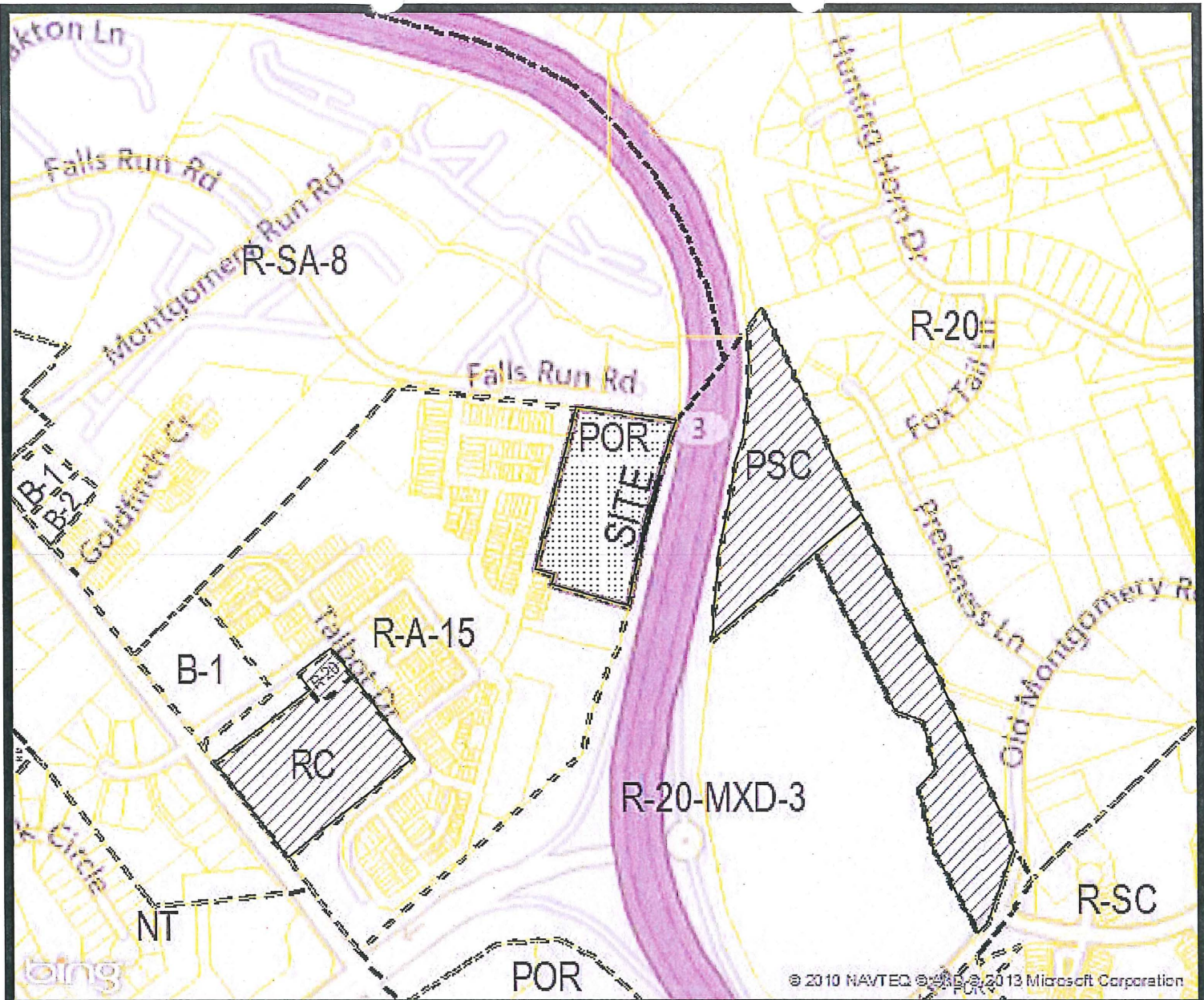
Please be advised that on March 7, 2013, the Howard County Ethics Commission determined that the Zoning Map Request Form needs to be accompanied by certain affidavits and disclosures. The Commission also determined that the Zoning Regulation Amendment Form needs to be accompanied by certain affidavits and disclosures when the Form proposes to "increase the density of the land of the applicant."

The Commission directed me to notify applicants of their obligation to file the affidavit and disclosure. The obligation is set forth in Md. Code Ann., St. Gov't, Sec. 15-849(b), which provides in part, "**the affidavit or disclosure shall be filed at least 30 calendar days prior to any consideration of the application by an elected official.**"

Accordingly, I am enclosing for your use the approved affidavit packet. Completed forms may be mailed to the Administrative Assistant to the Zoning Board at 3430 Court House Drive, Ellicott City, MD 21043.

Very truly yours,

Stephen M. LeGendre
Administrator



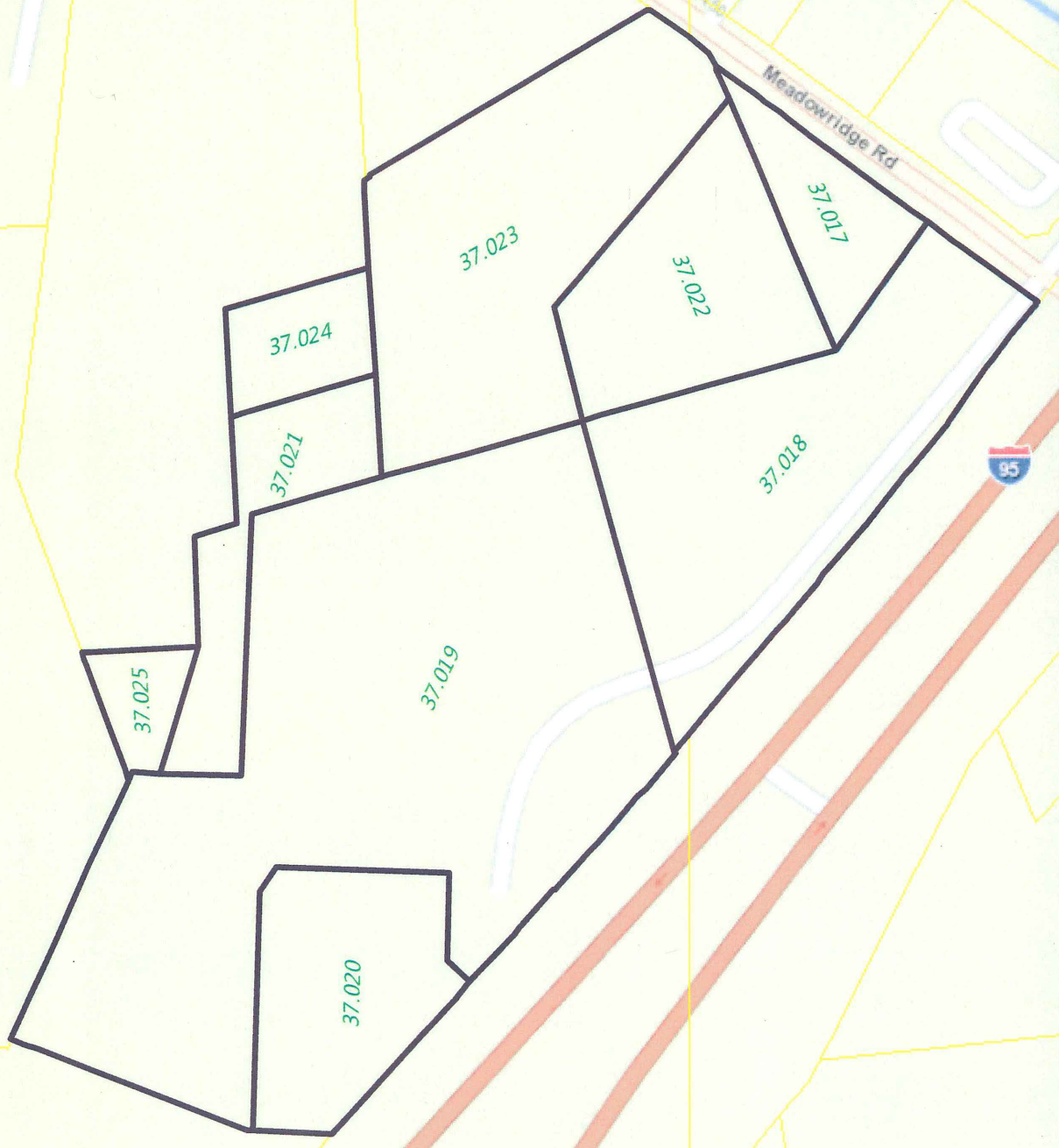
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Zoning Map General Plan Amendment: 37.001 Tax ID: 1401321498
 Current Zoning: POR Council District: 2
 Tax Map: 37 Grid: 1 Parcel: 4 Lot: D2
 Address: 5998 CHARLES CROSSING

37.01, 37.018, 37.022, 37.021, 37.020
37.023, 37.024, 37.025,
37.019



37.028

