

1 LAND DESIGN & DEVELOPMENT, * BEFORE THE
2 PETITIONER * PLANNING BOARD OF
3 ZRA 111 * HOWARD COUNTY, MARYLAND

4 * * * * *

5 MOTION: *To recommend denial of ZRA 111 in accordance with the Department of*
6 *Planning and Zoning recommendation.*

7 ACTION: *Recommended Denial; Vote 4 to 0.*

8 * * * * *

9 On October 23, 2008, the Planning Board of Howard County, Maryland, considered the petition of
10 Land Design & Development for an amendment to the Zoning Regulations to amend Section 128.L.3.
11 concerning Density Exchange for Neighborhood Preservation Parcels to add a new provision whereby
12 residential development rights derived from Neighborhood Preservation Sending Parcels may be received as
13 bonus density for Conditional Use Age-restricted Adult Housing developments, and to amend Section
14 131.N.1.a.(3) concerning the maximum density in Conditional Use Age-restricted Adult Housing
15 developments to add a new provision whereby except in the RR and RC districts, an Age-restricted Adult
16 Housing development may be developed as a receiving parcel in association with Neighborhood Preservation
17 Parcel Sending Parcels at a bonus of up to 30% more dwelling units than would be achieved based on the
18 Section 131.N.1.a.(3) density chart.

19 The petition, the Department of Planning and Zoning Technical Staff Report and Recommendation,
20 and the comments of reviewing agencies, were presented to the Board for its consideration. The Department
21 of Planning and Zoning recommended denial of the petition based on findings that the current density bonuses
22 for Age-restricted Adult Housing are appropriate, and should not be further increased.

23 The Petitioner was represented by Sang Oh. Mr. Oh stated that the result of the Neighborhood
24 Preservation Parcel amendments in ZRA 95 were that there are owners of many properties that would like to
25 send density, but there are few owners who have an interest in, or are eligible for receiving any density. He
26 explained that the Petitioner believes another viable option for receiving density is in Age-restricted Adult
27 Housing developments.

28 Grace Kobofchik testified that the League of Women Voters opposes ZRA 111, because it would
29 apply to too many potential zoning districts, and that it could increase densities to too great a level in
30 established neighborhoods. She noted that petitioner had the opportunity to request an increase in density for
31 this purpose during the hearing process for ZRA 95 which was recently enacted. As such, the potential
32 increase in density for this type of conditional use in combination with ZRA 95 could mean a 40% increase in
33 density for a receiving parcel. She concluded that it would be more prudent to allow the Neighborhood

1 Preservation Parcel amendments of ZRA 95 to operate for a while before making any major changes like this.

2 Joan Lancos stated that the petition did not make sense since age-restricted housing already receives a
3 10% density bonus. Ms. Lancos also noted that an increased density for this conditional use would only move
4 a density problem from one district to another.

5 Bridget Mugane testified that the Howard County Citizens Association opposes ZRA 111 and agrees
6 with the Department of Planning and Zoning recommendation for denial. She said that the current density
7 limits allowable for Age-restricted Adult Housing developments are sufficient.

8 The Board members unanimously agreed that there was insufficient time or information to evaluate or
9 judge whether this type of regulation was needed to ensure full implementation or success of ZRA 95.

10 Petitioner's proposal did not present any compelling reasons to justify the significant increase in density for a
11 conditional use category that already receives a density bonus. Accordingly, and for the reasons clearly stated
12 in the Technical Staff Report, the Board fully support's DPZ's recommendation of denial.

13 Mr. Yelder made the motion to recommend denial of the petition in accordance with the Department
14 of Planning and Zoning recommendation of denial. Mr. Rosenbaum seconded the motion. The motion passed
15 by a vote of 4 to 0.

16 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 26th day of
17 January, 2009 recommends that ZRA 111, as described above, be **DENIED**.

18
19 HOWARD COUNTY PLANNING BOARD,

20 David Grabowski Jm
21 David Grabowski, Chairman

22 Gary Rosenbaum Jm
23 Gary Rosenbaum, Vice-Chair

24 ABSENT

25 Linda A. Dombrowski

26 Tammy J. Citara Jm
27 Tammy J. Citara, M.A.

28 Paul Yelder Jm
29 Paul Yelder

30
31 ATTEST:

32 Marsha S. McLaughlin
33 Marsha S. McLaughlin, Executive Secretary