



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.us

FAX 410-313-3467

TDD 410-313-2323

May 15, 2015

TECHNICAL STAFF REPORT

*Petition Accepted on March 31, 2015
Planning Board Meeting of May 21, 2015
County Council Hearing to be scheduled*

Case No./Petitioner: ZRA-153 – Michael L. Buch

Request: Zoning Regulation Amendment to revise Section 112.1 R-APT (Residential: Apartments) District to delete the maximum building length limitation.

Department of Planning and Zoning Recommendation:

APPROVAL

I. DESCRIPTION OF PROPOSAL

- The Petitioner proposes one amendment to the Zoning Regulations. In the R-APT (Residential: Apartments) regulations, Section 112.1.D.1.c. sets a maximum building length limitation of 120 feet, with a provision that allows the Director of the Department of Planning and Zoning to approve a maximum building length of 300 feet, if it is decided that the building design will "...mitigate the visual impact of the increased length."

This maximum building length limitation for an apartment building in the R-APT District is identical to the apartment building length limitation in the R-A-15 District regulations.

- The Petitioner proposes to delete Section 112.1.D.1.c. entirely. In the Supplement to the petition, the Petitioner explains that for an apartment development with structured parking, to achieve the higher residential density intended for the R-APT District it is "nearly impossible" to do this with a maximum building length of 300 feet because a "...structured parking facility to support a density of 25 units per acre is, by itself, approximately 300 feet in length."

The Petitioner notes that current apartment developments with structured parking typically have the residential portion of the building enclose the structured parking in some way, so it becomes problematic to design a building which can only have a maximum length of 300 feet.

- In response to Section 5 of the petition which asks for a justification statement demonstrating how the proposed amendment will be in harmony with the General Plan, the Petitioner explains how the Housing section of PlanHoward 2030 emphasizes that in the future, a large proportion of the housing demand will be for multifamily dwelling units.

I. DESCRIPTION OF PROPOSAL

The Petitioner cites the diminishing amount of land for single-family detached homes and the trend for more dense residential development as factors, and quotes a statement in PlanHoward 2030 that "...condominium and rental apartments and townhome developments will be a greater portion of new homes built in the County in the future."

- **The proposed amendment to Section 112.1.D.1 is as follows (Text in [[brackets]] indicates text to be deleted):**

1. For all uses, the following maximum limitations shall apply:

- a. Height
 - (1) Structure with minimum setback65 feet
 - (2) Structure with an additional 1 foot in height for every 2 feet of setback above the minimum80 feet
- b. Density 25 dwelling units per net acre
- [[c. Building length120 feet

However, the Director of the Department of Planning and Zoning may approve a greater length, up to a maximum of 300 feet, based on a determination that the design of the building will mitigate the visual impact of the increased length.]]

II. EXISTING REGULATIONS

- **The R-APT District regulations were originally proposed by the Department of Planning and Zoning as the R-A-25 District in the 2013 Comprehensive Zoning Plan (the "2013 CZP"), and these proposed regulations were essentially just a copy of the R-A-15 regulations, but with a revised Purpose statement and an increased maximum residential density.**

The principal purposes of the proposed new district were to establish certain sites adjoining arterial highways and in appropriate transitional locations between more intense uses and lower density residential areas, to allow an opportunity for higher density residential development that would help support nearby retail and service uses.

Two locations for such a district were designated on the proposed 2013 CZP Zoning Maps; the Petitioner's property on the west side of US 29 just to the north of the Cherrytree Shopping Center, and southwest of a residential area of the Maple Lawn Farms Mixed Use Development; and a site of multiple properties on the north side of MD 108 to the northeast of the intersection with Columbia Road. The proposed text was slightly revised and adopted as the R-APT District, and the two proposed sites were zoned as that district.

III. BACKGROUND INFORMATION

A. Scope of Proposed Amendment

- Since there are only two current sites zoned R-APT as noted above, the proposed amendment would only be applicable to those sites.

B. Agency Comments

- There were no agency comments available at the time of the preparation of this Technical Staff Report. If any substantive comments are received they will be presented to the Planning Board at its public meeting.

IV. EVALUATIONS AND CONCLUSIONS

A. Relation to the General Plan

- The Department of Planning and Zoning agrees with the Petitioner that PlanHoward 2030 highly recommends the future development of higher density residential developments. As the proposed amendment will make it possible to achieve the type of higher density residential development intended with the R-APT District, the proposed amendment is fundamentally in harmony with Policy 9.1 of PlanHoward 2030 to "Increase public awareness of how combined housing and transportation costs affect housing affordability, traffic patterns, resource consumption, and pollution, to promote support for compact, mixed income, and mixed-use communities that meet the diverse housing needs."

It is also stated in the Housing section of PlanHoward 2030 that "In order to both provide better options for the County's diverse households and foster the robust workforce needed to maintain the County's economy and County services, a shift toward housing policies that encourage the construction of well-designed and sustainable apartments will be critical."

B. Relation to the Zoning Regulations

- Although the purpose and intent of the originally proposed text for what became the R-APT District in the 2013 CZP were expressed with good intentions, there was perhaps somewhat less consideration given at that time to how the proposed regulations could actually achieve the purpose and intent for higher density residential development in an actual development proposal on the two proposed district sites.

In hindsight, it is clear that by merely duplicating the R-A-15 bulk regulations for maximum building height and maximum building length, the level of higher residential density envisioned by the new district could not be achieved; either the maximum building height should have been increased or the maximum building length should have been increased. Since the trend for contemporary apartment development design generally is for four-story buildings with structured parking, the building length regulation becomes the main issue.

IV. EVALUATIONS AND CONCLUSIONS

A relatively close existing example of such a four-story apartment development is the Archstone development off of Little Patuxent Parkway southeast of the Columbia Mall. Although this development has a much higher residential density than 25 dwelling units per net acre, it has two internal structured parking garages, the largest of which is relatively close to 300 feet in length, and the building length exceeds 500 feet even though the building design has multiple apartment "wings" extending out from the face of the building.

- **Based on a preliminary elevation of the apartment development proposed for the Petitioner's property, the building would be a similar four-story development, but due to the shape of the property, and probably also for noise mitigation purposes as well, the structured parking is not completely internal but is placed adjoining US 29 with the residential portions of the building along its three other sides.**

This results in a building length of greater than 500 feet when measured along the US 29 side of the property, with several residential wings extending out from the northwest side of the building.

V. RECOMMENDATION

APPROVAL

For the reasons noted above, the Department of Planning and Zoning recommends that ZRA-153 as noted above, be APPROVED.

 5/5/15
Marsha S. McLaughlin, Director Date

MM/JRL/jrl

NOTE: The file on this case is available for review at the Public Service Counter in the Department of Planning and Zoning.