MOTION: To recommend approval of the petition to rezone 0.316-acre from the R-20 District to the B-1 District with an additional recommendation that the Site Development Plan address both properties owned by the Petitioner.

ACTION: Recommended approval; Vote 3-0.

RECOMMENDATION

On February 15, 2018, the Planning Board of Howard County, Maryland, considered the petition of Caltabiano Family, LLC for a Zoning Map Amendment to rezone a 0.316-acre parcel from the R-20 District to the B-1 District pursuant to Section 100.0.G.2 site plan documentation for a 2,000-square foot addition to the Chatham Plaza retail center, a new entrance driveway, parking spaces, and retaining walls.

The Planning Board considered the petition, the Department of Planning and Zoning Technical Staff Report and Recommendation, and the comments of reviewing agencies. DPZ recommended approval of the petition, citing that the current zoning of the property qualifies as a Mistake in zoning and the rezoning complies with applicable General Plan policies.

The Petitioner was represented by Sang Oh. Mr. Oh explained that the rezoning proposal includes a site plan to ensure implementation of the development as shown. He referenced a private party agreement between the Petitioner and the neighboring homeowners association and clarified that any pending legal matters are not issues for the Planning Board to consider.

Testimony

Lonnie Swiger, Don Abicht, Bob Doyle, Cathy Mailander, Mary Sue Paulis, Stu Kohn, Charles Burch and Tao Ding all spoke in opposition to the petition. They requested that the Planning Board postpone the case until the legal matters related to the agreement are resolved. Also, they stated that erosion and runoff is a problem in the area and developing the property may exacerbate it. Additionally, a speaker suggested that only the northern half of the property be rezoned to B-1 and the southern half remain as landscaped open space.

Board Discussion and Recommendation

In work session, the Planning Board stated that the legal matter related to the agreement is not a Planning Board issue. The Board also stated that the proposed development of the property may improve the
current environmental impacts in the neighborhood. The Board found that the current R-20 zoning of the
property is not appropriate and that it should be used for commercial uses. Mr. Coleman made the motion to
recommend approval of the petition according to the Department of Planning and Zoning recommendation,
with an additional recommendation that the Site Development Plan for the proposed development should
address both properties owned by the Petitioner. Mr. McAliley seconded the motion. The motion passed by a
vote of 3 to 0.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 15th day of
March 2018, recommends that Zoning Board Case No. ZB-11114M, as described above, be APPROVED.