

1 MAPLE GROVE AT ST. JOHNS, LLC * BEFORE THE
2 AND UPTON PROPERTIES, LLC * PLANNING BOARD OF
3 ZONING BOARD CASE NO.: ZB-1111M * HOWARD COUNTY, MARYLAND

4 * * * * *

5 MOTION: *To recommend denial of the petition to rezone 10.84 acres from the R-20, R-12 and*
6 *POR Districts to the R-A-15 District for a 115-unit townhouse development.*

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

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9 On September 7, 2017, the Planning Board of Howard County, Maryland, considered the petition of
10 Maple Grove at St. Johns, LLC and Upton Properties, LLC to amend the Zoning Map to rezone 10.84 acres
11 from the R-20, R-12 and POR Districts to the R-A-15 District, according to a site plan for a 115-unit
12 townhouse development. Sang Oh represented the Petitioner. Also present for the Petitioners were Rob Vogel
13 and Mickey Cornelius.

14 The Planning Board considered the petition, the Department of Planning and Zoning (DPZ) Technical
15 Staff Report and Recommendation, public testimony, and comments of reviewing agencies. DPZ's
16 recommendation to approve the petition was based upon findings that the rezoning request is justified under
17 the Mistake Rule, complies with the Site Plan Documentation Factors in Section 100.G.2.d. of the Zoning
18 Regulations, and is consistent with *PlanHoward 2030* policies concerning the Route 40 Corridor.

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20 Testimony

21 Mr. Oh explained that during the 2013 Comprehensive Zoning Plan (2013 CZP), County Council
22 established the current zoning based on the assumption that the properties could not be assembled into a
23 unified development. He stated that this assumption was incorrect since the Petitioner has assembled the
24 properties and is proposing a single unified townhouse development, therefore, the rezoning is justified under
25 the Mistake Rule.

26 Lisa Markovitz testified on behalf of The People's Choice, that there is a substantial difference
27 between what was proposed for the Upton Road properties in the 2013 CZP and the current proposal, which
28 also will have a significant impact on the neighborhood.

29 John Nichols, president of the St. John's Elementary PTA, stated that he is opposed to the petition
30 because of school overcrowding. He noted that the proposed development has the potential to add at least 230
31 children.

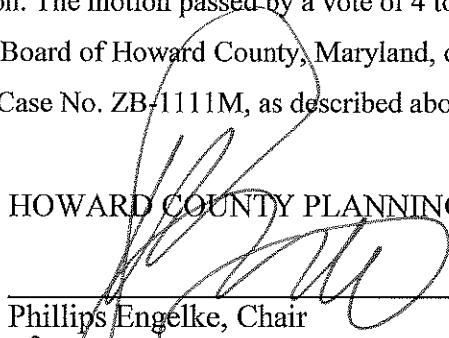
32 Others that testified in opposition to the petition were Michael Thompson, Caroline Bodziak, Brandon
33 Thurson, Peter Fahery, Carolyn Weibel, Brian Scully, William Nichols, Lisa Soto, Stacey Williams, Breeanne
34 Chadwick, David Lenz, Jerry Jrany, Jodi Cosgrove, Melissa Metz, Sara Schroeder, and Mark Leibowitz.

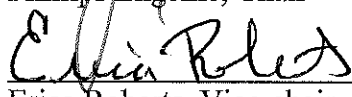
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2 Board Discussion and Recommendation

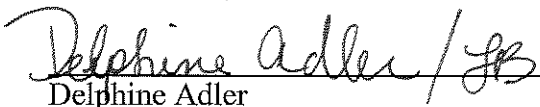
3 In work session, the Planning Board expressed concerns about the potential impact of the proposal,
4 conformance with *PlanHoward 2030*, and justification under the Mistake Rule. They stated that the potential
5 impacts of the proposed development were significantly greater than the Age-restricted Adult Housing project
6 previously proposed on the property and the other rezoning proposals of the 2013 CZP. The Board
7 determined that the County Council did not make a mistake in establishing the current zoning of the
8 properties during the 2013 CZP. Additionally, they stated that the proposal was not envisioned in
9 *PlanHoward 2030*. They recommended that any development on the property should include a gradual
10 transition from the residential neighborhood to the north. Ms. Roberts made the motion to recommend denial
11 of the petition. Mr. Coleman seconded the motion. The motion passed by a vote of 4 to 0.

12 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 19th day of
13 October, 2017, recommends that Zoning Board Case No. ZB-1111M, as described above, be DENIED.

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15 HOWARD COUNTY PLANNING BOARD

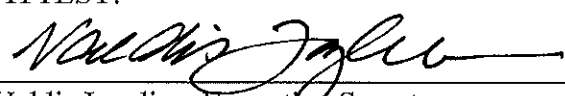
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Phillips Engelke, Chair

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Erica Roberts, Vice-chair

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Delphine Adler

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Ed Coleman

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27 ATTEST:

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29 Valdis Lazdins, Executive Secretary
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