

1 **HOWARD COUNTY DEPT.** * **BEFORE THE**
 2 **OF PUBLIC WORKS** * **PLANNING BOARD OF**
 3 **CASE NO: ZB-1126M** * **HOWARD COUNTY, MARYLAND**
 4 **8360 COURT AVE, 1 PARK AVE, AND 3716 COURT PL**

5
 6 * * * * *

7 **MOTION:** *To recommend approval of the request to rezone four properties totaling 6.16 acres*
 8 *located at 8360 Court Ave, 1 Park Ave, and 3716 Court Place from H-O to HC.*

9 **ACTION:** *Recommend Approval; Vote 5-0.*

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 12 On May 6, 2021, the Planning Board of Howard County, Maryland, considered the petition of
 13 Howard County Department of Public Works to amend the Zoning Map to rezone four properties totaling
 14 6.16 acres located at 8360 Court Ave, 1 Park Ave, and 3716 Court Place from HO to HC.

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 16 The Planning Board considered the petition and the Department of Planning and Zoning (DPZ)
 17 Technical Staff Report. DPZ determined that the petition is in harmony with PlanHoward2030 policies
 18 including the Ellicott City Watershed Master Plan that was adopted as a General Plan Amendment in 2020.
 19 During the DPZ presentation, staff agreed with the Petitioner’s assertion that a mistake occurred during the
 20 2013 Comprehensive Zoning regarding the application of HO zoning to the Ellicott City Courthouse
 21 properties, which was based on the assumption that the courthouse would remain in the existing location.
 22 However, this assumption has proven invalid as the courthouse will be vacated in July of 2021. Additionally,
 23 DPZ concurred that a substantial change in the commercial character of the neighborhood has occurred since
 24 the 2013 Comprehensive Zoning due to the cumulative effects of the 2016/2018 floods, the planned removal
 25 of multiple buildings on Main Street, the vacating of the courthouse, and the adoption of the Ellicott City Safe
 26 and Sound Plan/Ellicott City Watershed Master Plan. Given these facts, DPZ concluded that HC is the most
 27 appropriate zoning district, since it will provide more opportunity for replacement of the lost commercial
 28 floor space and the flexibility needed to adaptively reuse of the courthouse properties.

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 30 The Petitioner was represented by David Moore, an attorney with the Howard County Office of Law,
 31 and Mark Stromdahl and Robert Hollenbeck of the Department of Public Works. Mr. Moore concurred with
 32 the findings in the DPZ Technical Staff Report and reiterated the Petitioner’s assertion that a mistake occurred
 33 during the 2013 Comprehensive Zoning and that the character of the neighborhood has changed as outlined in

1 the Petition. Mr. Stromdahl provided a timeline and history of the Courthouse renovation plans and budget
2 decisions, which started in 2003 and ended in 2015, and indicated that the County Council intended to keep
3 the courthouse at the current location during the 2013 Comprehensive Zoning, but renovation of the
4 courthouse was later deemed infeasible. Mr. Hollenbeck provided an overview of the changes to the
5 commercial character of neighborhood, specifically on Main Street, including the loss of commercial
6 buildings, including valuable space with large commercial floorplates, caused by the 2016/2018 floods.

7 8 Testimony

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10 Seven members of the public testified in favor of rezoning the properties to HC as a catalyst for
11 economic activity to combat the devastating effects that the 2016/2018 floods have had on the commercial
12 character of the neighborhood. Members of the public testified to their knowledge of the County Council's
13 intent to keep the courthouse in the current location during the 2013 Comprehensive Zoning and their belief
14 that a mistake in zoning has occurred. A representative of the Ellicott City Partnership testified that Main
15 Street has seen a significant adverse economic impact as a result of the flooding and impending loss of
16 structures and the organization is concerned this will lead to an increase in crime. Additionally, he stated that
17 the Ellicott City Partnership wants to support small, strong businesses and preserve the heritage of the historic
18 district. One member testified about the history of lynching on the jailhouse property and suggested that the
19 former jail should be converted to a museum rather than a commercial use.

20 21 Board Discussion and Recommendation

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23 In work session, the Planning Board agreed that the request is in harmony with PlanHoward2030
24 policies, including the recently adopted Ellicott City Watershed Master Plan, and concurred that the rezoning
25 to HC is justified based on a mistake in the 2013 Comprehensive Zoning and substantial change in the
26 character of the neighborhood subsequent thereto. Several members stated the need for adaptive reuse of the
27 courthouse properties to address the economic needs of the historic district and indicated that the HC zoning
28 district provides the best opportunity for this to occur.

29
30 Mr. Engelke made a motion to recommend approval of the petition, ZB-1126M, to rezone the four
31 properties totaling 6.16 acres located at 8360 Court Ave, 1 Park Ave, and 3716 Court Place from HO to HC.
32 Mr. McAliley seconded the motion. The motion passed by a vote of 5 to 0.
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1 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 12 day
2 May, 2021, recommends that Zoning Board Case No. ZB 1126M, as described above,
3 be **APPROVED**.

7 HOWARD COUNTY PLANNING BOARD

8 DocuSigned by:
9 Edward T Coleman
10 Ed Coleman, Chair

11 DocuSigned by:
12 Kevin Melliley
13 Kevin McArdley, Vice-chair

14 DocuSigned by:
15 Tudy Adler
16 Delphine Adler

17 DocuSigned by:
18 Erica Roberts
19 Erica Roberts

20 DocuSigned by:
21 Phil Engelke
22 Phillips Engelke

23 ATTEST:

24 Amy Gowan
25 Amy Gowan, Executive Secretary