

**MAP AMENDMENT APPLICATION**  
**PETITIONER STATEMENT (Section 7)**

**JANOSKE PROPERTY**

This Petitioner Statement is being provided as Section 7 of the Map Amendment Application (“Application”) submitted by Gary and Cecilia Janoske (collectively, “Owner”) and Ribera Development, LLC (“Petitioner”) for the subject properties identified in Section 1 of the Application. This statement is attached to and made part of the Application.

This zoning map amendment sought by Owner and Petitioner pursuant to the Application is being requested to implement the City of Laurel’s current Master Plan for the subject properties. The subject properties were annexed into the City in 2014 and placed in the R-5 zone (the City’s lowest density residential zone at the time of the annexation). (See Charter Annexation Resolution No. 163, First 2014 Annexation.) It is usual and customary for annexation properties to be placed in the City’s R-5 zone, if such properties were zoned R-R in the County at the time of the annexation. Such properties typically seek rezoning from the City in accordance with the City’s Master Plan after the “five-year hold” period expires, which it has for the subject properties. Simultaneously with this Application, the Petitioner has submitted a conceptual site plan (“CSP”) for the subject properties identifying a proposed single-family residential townhome community, which is an allowed use in the requested R-T Zoning district.

**R-T ZONING**

As stated in the City’s Master Plan, the Residential Land Use Category is established for the purpose of providing and preserving areas of predominantly single-family, multi-family, and high density residential development. The Petitioner is proposing to retain the existing Residential Land Use Category for the subject properties.

The subject properties’ existing zoning and the requested R-T zoning are both classified by the City as “Single Family Residential,” which means the area is appropriate for the development of 2.9 – 16.2 maximum dwelling units per acre served by public water and sewer

facilities. As depicted on the CSP simultaneously filed with this rezoning application, the subject properties are expected to have an approximate density of 9 dwelling units per gross acre, which is well below the 16.2 maximum dwelling units allowed for properties in the Single Family Residential land use category. Petitioner intends to design the community in accordance with the City's Neo-Traditional Overlay Zone (N-TO), which is in addition to the land uses and restrictions contained within the base zoning of the R-T Zoning District. The N-TO overlay will allow Petitioner to cluster density to preserve existing environmental features on the properties and have more attractive streetscapes to be consistent with the newly-built Avery Place townhouse community that is located in close proximity near the intersection of Van Dusen and old Contee Road.

The subject properties are included in "Neighborhood No. 13," as identified in the City's current Master Plan as follows:

***Neighborhood No. 13***

The property delineated as Neighborhood No. 13 includes Laurel Cove and Contee Crossing Subdivisions, both single-family detached developments, Laurel Ridge, a 40-unit single-family subdivision that should begin construction in 2006, are within this neighborhood. The Greater Laurel Professional Park, office buildings, is also located in the neighborhood as well as a church.

Recommended land use is the continuation of residential developments. There are no Revitalization Overlay Areas within the neighborhood.

Petitioner's proposed residential townhome use is consistent with the Master Plan designation and is entirely compatible and consistent with the mixed-use transit oriented re-development that has already occurred in this area of the City. The proposed R-T zoning would allow for a greater variety of newer, quality housing types reflecting the trend toward smaller household sizes that has occurred throughout this region for the past several years. As noted in the current Master Plan, the City's household size "continues to be considerably lower than in surrounding counties and the State as a whole, which reflects a continual downward trend since 1970."

The subject properties also are in close proximity to the University of Maryland Medical System's state-of-the-art health and wellness campus, which has broken ground and is under

construction. The new campus is expected to bring numerous high-skilled jobs and ancillary uses to the region. The proposed townhomes on the subject properties are expected to be well-suited and desirable for the population growth expected for this area of the City.

### **JUDGEMENT CRITERIA**

Petitioner is intending to retain the existing Residential land use classification of the subject properties and is requesting a rezoning to an R-T zoning designation, which is a permitted zoning designation within the existing Residential land use classification.

For a rezoning, Petitioner must satisfy the following Judgment Criteria:

“(a) Generally; findings for reclassification. . . . Where the purpose and effect of the proposed amendment is to change the zoning classification, the local legislative body shall make findings of fact in each specific case including, but not limited to, the following matters: population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development for the area, the recommendation of the Planning Commission, and the relationship of such proposed amendment to the jurisdiction’s plan; and may grant the amendment based upon finding that there was a substantial change in the character of the neighborhood where the property is located or that there was a mistake in the existing zoning classification.”

Petitioner satisfies the judgment criteria for this requested Map Amendment as follows:

1. Availability of Public Facilities. The conceptual site plan submitted simultaneously with this Application identifies a proposed R-T use of the subject properties. The subject properties have access to water, sewer, road and drainage public facilities. While adequacy cannot be confirmed until applications are made to WSSC during their standard required process, based on preliminary analysis, the capacity for these available utilities is expected to be adequate to accommodate the proposed R-T use for the subject properties. There is an existing 24-inch water line along the property frontage, and the sewer infrastructure that will serve the subject properties was recently upgraded in connection with the Anderson’s Corner project, which have been taken into consideration in the preliminary analysis. A Traffic Impact Study for the proposed use will be prepared and submitted with the final site plan application submitted to the City. Based on preliminary analysis and an understanding

of the redesigned road network in the vicinity of the subject properties, Petitioner anticipates that the Traffic Impact Study will conclude that the key study intersections will operate with acceptable levels of service after development of the subject properties under the proposed R-T use.

2. Present and Future Transportation Patterns. The subject properties have frontage on old Contee Road and will be designed to properly function with the new Contee Road extension. The surrounding area has undergone significant road network enhancements and improvements related to the Konterra development, Anderson's Corner, and Westside. It is also worth noting for the Planning Commission's consideration that a portion of the subject properties was relinquished to allow for the new Contee Road construction. The proposed R-T use on the subject properties would be compatible with the present and future transportation patterns. It is anticipated that the proposed R-T use would have minimal vehicle impact at the key intersections, and such intersections are believed to be able to accommodate such impact.

3. Compatibility with Existing and Proposed Development for the Area. A development pursuant to R-T zoning on the subject properties will be compatible with existing and proposed developments in the surrounding area. The subject properties are in close proximity to Anderson's Corner, a mixed-use approved development of 344 residential apartment units and a commercial pad site, and the development known as Westside (on the Strittmatter property). The newly-built Avery Place townhouse community of over 50 dwelling units is located about 1,000 feet away (as the crow flies), and is a similar community to the townhouses proposed on the subject properties. The northeastern boundary of the mixed-use Konterra Town Center East is located in close proximity to the proposed development.

4. The Recommendation of the Planning Commission. An R-T zoning designation for the subject properties is entirely consistent with the Planning Commission's prior recommendations and actions in the City's Master Plan and in prior approvals of neighboring projects, *e.g.*, Anderson's Corner, Westside, Avery Place.

5. The Relationship of the Proposed Amendment to the Master Plan. As stated above in great detail, the R-T zoning designation pursuant to this Application would be entirely consistent with the City's Master Plan.

6. Change in the Character of the Neighborhood. There has been significant change in the areas identified as Neighborhood Numbers 13 and 14 in the City's current Master Plan. (The subject properties are located in Neighborhood 13.) This change includes the completion of new Contee Road, and the Anderson's Corner, Westside and Avery Place developments, and the commencement of construction of the University of Maryland Medical System's health and wellness campus. A rezoning of the subject properties to R-T would be compatible with this change in character of the neighborhood and consistent with pace of development in the surrounding area. The requested R-T zoning is also entirely consistent with the rezoning anticipated for the subject properties as a result of its annexation into the City in 2014 after expiration of the five-year holding period.

Based on the foregoing, the Petitioner respectfully submits the Application and this Petitioner Statement, including all exhibits and materials presented by Petitioner now or hereafter, as support for the requested Map Amendment to change the zoning of the subject properties from R-5 to R-T. The Petitioner submits that all relevant criteria set forth in the City of Laurel Unified Land Development Code for approving this Application are satisfied hereby.