

November 14, 2009

The Honorable Mary Kay Sigaty, Chair  
Howard County Maryland  
3430 Court House Drive  
Ellicott City, MD 21043

Dear Chairperson Sigaty,

In reviewing CB 58 and 59, the County Council has been and will be asked to make decisions impacting the residents of Columbia and Howard County for many years to come. The General Plan Amendment and accompanying Zoning Regulations, in the many forms that they have been presented and studied, have been many months in the making and have gone through a number of changes since their original presentations.

When faced with legislation that contemplates massive changes in land uses, significant impacts on the transportation network, and the potential for large-scale impacts on the existing infrastructure, people have many concerns and many questions. While plans are intended to present the breadth and scope of proposals to meet these development-related concerns, no piece of paper, map or other form of media showing what the development area could look like can address all of those concerns.

Just like every issue or challenge, or in this case development that is to be spread over a 30-year period, legislation and Plan Amendments cannot foresee all of the potential changes that will most definitely impact Columbia and Howard County. The Columbia Association fully understands that the pending legislation before the County Council will have to be amended many, many times to reflect changes in lifestyles, land use patterns, density ratios, and other impacts that aren't even on the radar screen. While everyone would like to see exact quantitative analysis of the impacts of growth, the very term planning or plan makes the process nebulous at best.

With this in mind, rather than get into the several impacts that will no doubt be vetted by our fellow residents on the specifics of the bill, the Columbia Association would like to talk about using this legislation to consider our mission and what we believe to be the purpose of Columbia's founder, James Rouse.

To refresh your memory about CA's mission and vision statements, I would like to provide those statements for you and then tie them to how we hope that the County Council will consider the legislation before you today, but more importantly, how this legislation will morph into the needs and wants of the future of Columbia and Howard County.

## **Mission Statement**

- *The mission of the Columbia Association is to enhance the quality of life for people living or working in Columbia and to ensure that Columbia remains an open, integrated, and caring community.*

## **Vision Statement**

- *We are Columbia—the legacy of James Rouse.*

*Columbia is a place of choice. People choose to visit, live, work, play and age in place, taking advantage of desired programs and services, wide-ranging cultural activities, state-of-the-art facilities, infrastructure and public forums that provide intellectual and artistic expression fostering a socially conscious citizenry. Businesses choose to locate in Columbia for our stimulating, sustainable and creative economic environment.*

*As stewards of Columbia—and through a combination of respect for diversity of all kinds, environmental sustainability, sound financial practices, advocacy for and involvement with our residential and business community—we have created a thriving, vibrant and robust community. Inspired by a commitment to the values and vision of our founder, we continually re-create and afford a quality of life to our residents and workforce of unparalleled value anywhere in the country.*

*Columbia is a destination of choice.*

In terms of specifics we urge the County Council to use CB 58 and 59, or any other legislation that could result from discussions by and between the citizens of Howard County and their elected representatives to form a plan for the future that will address:

1. Affordable housing
2. Residential and business population sizes that stay within the County's and CA's capacities and abilities to serve.
3. Housing densities that meet the changing styles of the times and changes in lifestyles, but that don't overstress infrastructure networks.
4. Stormwater mitigation and holding measures that don't overburden receiving streams or lakes.

5. Building designs that complement community character and that assist in meeting Columbia's sustainability commitment.
6. A true "people place" where residents and visitors can safely go to enjoy the human experience of social interaction, quality housing, good restaurants and other amenities that meet Columbia's vision and mission.
7. Good access by all modes of transport, but with specific import given to mass transit, in order to give people choices that also meet Columbia's mission of human and environmental sustainability.
8. Recreational opportunities that help to keep people healthy and fit.
9. A place where people feel safe and are safe and opportunities for crime are kept to a minimum.

The highest priorities on this list of considerations of what Columbia wants from this development include:

**Transportation Issues** - we urge the County Council to consider plans that fall within the capacity of existing infrastructure, and that call for internal transportation networks in the redevelopment area that accommodate estimated increases in the number of vehicles coming to and leaving the development area. We urge the Council to stress alternatives to normal vehicle uses and concentrate on mass transit, and other forms of non-fossil fuel transportation modes such as bicycle and pedestrian uses. We urge the Council to adopt provisions where all roads shall accommodate bicycle and pedestrian traffic either on or adjacent to the road.

The Community Enhancements Programs and Public Amenities chart (CEPPA) should include new transit and road projects that are feasible and can support the amount of development proposed for each phase and for the ultimate amount of development. The CEPPA should be based on the results of a new County-sponsored transportation study that utilizes an advanced regional travel demand model, as recommended by the County's traffic consultant, and developed by the Baltimore Metropolitan Council of Governments. In the CEPPA, any projects involving US29, MD175, or their interchanges must also be analyzed and confirmed as feasible by the State Highway Administration.

The GPA and ZRA should state that the current Adequate Public Facilities Ordinance level of service standard for roads will not deteriorate to a worse standard. Level of Service D (1450 CLV) should be maintained and the current concept of "constrained intersections" should expire. Traffic will need to be monitored and found acceptable in each phase before proceeding to the next phase.

**Housing Density** - we urge the County Council to work with the developers and all interested parties to consider not only the number of dwelling units proposed for construction, but just as important, household sizes, parking requirements, and lifestyle and tenant/user needs that encourage people to live where they work and provide transit-oriented developments. We also urge the Council to give strong consideration to ensuring that dwelling units in the development area include a sufficient amount of affordable housing units. Planning trends call for higher density and developments that take full advantage of transit. Density, household size, transportation

preferences and changing demographics and lifestyles should be considered together to come up with the most efficient use of space with the lowest impact on natural resources.

The ZRA should state that density rights will be allotted incrementally over 6 phases rather than 3, as opposed to granting the full rights up front. The CEPPA, which specifies the infrastructure and amenities that are necessary to support the proposed land development in each phase, should be adopted in Phase 1 by the Zoning Board after the County completes the new transportation study.

CA agrees with the DPZ Key Recommendation that each phase shall include a list of infrastructure, restoration and amenity projects to be completed before the next phase can commence and we would like this language placed in the ZRA because we believe this phasing should be enforceable.

**Housing Design** - CA urges the County to create a provision to require the developer to submit proposed projects to the Town Center Covenant Advisors for review and approval. To make Downtown Columbia a special place from the standpoint of environmental sustainability the highest construction standards need to be met, such as LEED Platinum for new buildings and LEED Gold for renovated buildings.

**Public Safety** - Design and development plans should be fully vetted by public safety agencies to ensure that residents and patrons know that their lives and property are protected to the highest degree possible.

**Public Infrastructure and Amenities Plan** – we believe the County in Phase 1 should prepare this GPA which would identify the public infrastructure projects and amenities, such as transportation facilities, environmental projects, schools, playgrounds, expanded library, new fire station (developer should provide land), satellite police station, and other enhancements, that should be required by legal instrument and be included in the Phasing Program, a document that would be adopted by the Zoning Board. The Transit Center, new transit system and parking systems should also be identified as part of the Public Infrastructure and Amenities Plan.

**Development Process** – The ZRA should indicate that each phase should be approved through the County's existing 4-step process: Preliminary Development Plan, Comprehensive Sketch Plan, Final Development Plan, and Site Development Plan. Before a subsequent phase can begin, the County will determine that all public infrastructures and amenities are in place, traffic levels are shown to meet the existing level of service standard of D, and at least  $\frac{3}{4}$  of each use type has been built for the current phase.

**Columbia Mission** - most of all, we understand that growth will occur, but we have strong feelings that this development should provide as many benefits as is possible without destroying the original mission of our community. We are deeply concerned that huge amounts of retail and other uses that don't conform to Columbia's mission could create severe impacts on Columbia's Village Centers, especially those that are in close proximity to the development. In light of this we urge

the County Council to work with CA to assist each of the Columbia Villages to develop Village Center Community Plans that help Villages to chart their path to the future.

**Recreational Facilities** - we urge that plan development assist CA in providing recreational opportunities to residents and patrons of the development that fall within CA's current and future capacities and capabilities. Those capabilities should include new revenues that will assist CA in providing facilities and services.

**Symphony Woods** – CA recognizes development impacting Symphony Woods will have cumulative guidance from various positions. However, acre-for-acre replacement of parkland would only be acceptable if it is consistent with CA's vision and plan for Symphony Woods. Of primary importance to CA is the future of Symphony Woods. CA plans to protect the woodlands and create a park setting that is more user-friendly. CA is concerned that the two large buildings, underground parking, and several roads that have been proposed for Symphony Woods are in direct contradiction to CA's vision. Because CA is very concerned about the removal of many trees in Symphony Woods and wants to preserve the integrity of the parkland, CA does not agree with exchanging existing land in the heart of Symphony Woods for other land. CA agrees with the proposal for an attractive connection between The Mall and Merriweather Post Pavilion. However, a proposed cultural arts center should be included in the Lakefront neighborhood. Delineate a "Downtown Arts and Entertainment Park" in the Lakefront Core Neighborhood. Rather than impose a "cultural district" in Symphony Woods, CA recommends creating such a district in the Lakefront Core Neighborhood. The district could include CA's outdoor amphitheater and developable land that is currently used for parking between Little Patuxent Parkway and the existing buildings.

Remove text in the proposed GPA that is inconsistent with CA's long-range plan for Symphony Woods. The text that CA recommends be removed from the proposed GPA and ZRA is attached to this letter.

**Lakefront Preservation** – Ensure that CA's Lakefront Promenade and the earliest buildings in Downtown (the former Rouse Company Headquarters, former Visitor Center, Teachers Building, and American City Building) will be maintained and enhanced for future generations, possibly within a new Lakefront Historic District.

**Annexation** – CA strongly recommends the developer must enter into a declaration of annexation with CA and the appropriate Village. We ask the County to support this request and ensure compliance within the ZRA.

In conclusion, the Columbia Association appreciates how critical this plan can and could be to Howard County. We urge the Council to look at the real impacts of growth and development and make a decision that is based on how well the proposed development matches the principles of

smart growth, community and environmental sustainability and most of all, how the development can and will add value to life and property.

Thank you for this opportunity to comment, and thank you for your service to our residents and the county.

For the Columbia Association Board of Directors

Philip W. Kirsch  
Chair

Cc: Columbia Association Board of Directors  
Ken Ulman, County Executive  
Greg Hamm, Vice President, General Growth Properties

## Attachment

### **Remove the following specific text in the GPA and ZRA and any other related text that is inconsistent with CA's long-range plans for Symphony Woods**

#### **GPA -**

p. 6: "Merriweather will be a new kind of cultural park where the landscape becomes a setting for arts, cultural and civic uses. . . .Civic and cultural uses, such as a new Columbia Association headquarters, library, museum, galleries, and sculpture garden could be located along the northern edge of Merriweather. These civic and cultural uses may have compatible commercial uses such as a café in the park or museum shop. Buildings will be set back from roads with tree canopies framing the cultural buildings as a way to integrate those uses into the natural landscape."

"The streets of Merriweather that connect to the civic and cultural uses will be designed as park drives compatible with the topography. These drives can be closed during performances and other events."

p. 13: "This Plan recommends that a new Central Library be built downtown, preferably within the new cultural district in the Merriweather neighborhood."

"General Growth Properties has begun discussions with library officials to structure and facilitate a land and building partnership to allow for this new facility. The potential for a land swap could be explored as a means of facilitating construction of a new library complex and redevelopment of the existing library site."

p. 15: "Considering the popularity of Toby's Dinner Theater, opportunities are being explored for a new and improved facility for the dinner theater as well as a new children's theater within the cultural district."

p. 29: ". . .and Symphony Woods should remain a principle amenity space of Downtown Columbia with multiple purposes and functions from natural to cultural."

p. 30: "Limited enhancements that are consistent with this Plan and consistent with the space's functionality should be permitted. However, the character of these. . ."

p. 31: ". . . existing open spaces should be retained with the one exception discussed below."

"With respect to the recorded open space within the Merriweather Neighborhood known as Symphony Woods, implementing legislation should require that new parkland or environmentally enhanced open space be provided to replace any recorded open space that is disturbed to accommodate development of significant facilities. Improvements such as playgrounds, walks, gardens, and fountains and minimal structures such as gazebos, pavilions, cafes, outdoor stages and kiosks will not require replacement space to be provided. However, the construction of more significant facilities or structures within Symphony Woods will require the disturbed area to be replaced."

“Finally, if development occurs within Symphony Woods that requires replacement of existing Symphony Woods parkland, the adequacy of the replacement space will be determined under the legislation regulating revitalization in Downtown Columbia as discussed above.”

- p. 35: “As discussed above, this Plan recommends selective development of arts, cultural and community uses within Symphony Woods to provide an anchor and destination at the southern ends of the new landscaped promenade that will extend into Symphony Overlook and to the Mall.”

“As discussed above, this Plan recommends the creation of a cultural district in the Merriweather Neighborhood. Creation of a cultural district in the Merriweather Neighborhood including pedestrian and multi model linkages to the Lakefront and Symphony Overlook neighborhoods would complement the renovation of Merriweather Post Pavilion, activate and enhance Symphony Woods and create a cultural destination by bundling different cultural opportunities for residents and visitors.”

- p. 47: “29. ...after mutual agreement between the Columbia Association and the owner of Merriweather Post Pavilion, on a plan to redevelop the area and connection between the Merriweather neighborhood and Symphony Overlook neighborhood as further defined in this Plan.”

Exhibit F: Replace the “up to 4 stories” height limit in Symphony Woods to “up to 1 story” height limit.

**ZRA** –pp. 17-18 “(A) IN EXCHANGE FOR THE USE OF DOWNTOWN PARKLAND FOR ANY OTHER USE, INCLUDING OTHER OPEN SPACE USES, EACH ACRE OF DOWNTOWN PARKLAND OR PORTION THEREOF BEING DEVELOPED MUST BE REPLACED WITH ONE ACRE OF NEWLY DESIGNATED DOWNTOWN PARKLAND, OR SHALL REQUIRE THE DOWNTOWN ENVIRONMENTAL ENHANCEMENT OF EITHER:

(I) ONE-HALF ACRE OF NEWLY DESIGNATED DOWNTOWN PARKLAND; OR

(II) TWO ACRES OF NON-DOWNTOWN PARKLAND THAT IS DESIGNATED OPEN SPACE ON A FINAL DEVELOPMENT PLAN RECORDED PRIOR TO (EFFECTIVE DATE).

(B) ANY AREA NEWLY DESIGNATED AS DOWNTOWN PARKLAND IN EXCHANGE FOR EXISTING DOWNTOWN PARKLAND MUST CONSIST OF AT LEAST ONE CONTIGUOUS ACRE.

(C) DOWNTOWN ENVIRONMENTALLY SENSITIVE LAND AREA RECORDED AFTER (EFFECTIVE DATE) MAY NOT BE EXCHANGED TO REPLACE DOWNTOWN PARKLAND.”