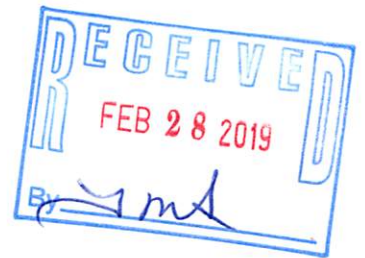


Supplement to Petition to Amend the Zoning Map of Howard County

On behalf of the development team of Erickson Living Properties II, LLC (the “Applicant”), the following Supplement to the Petition to Amend the Zoning Map of Howard County as originally filed on November 6, 2018 (the “Supplement”) is submitted for the purposes of supplementing and amending certain aspects of the original Petition. Revisions to the Petition narrative are set forth in detail below. Revised sheets of the DCP are attached hereto as **Exhibit “A”** and consist of certain revised sheets dated February 25, 2019 and labeled as follows:

- DCP-9 – Development Standards
- DCP-10 – Site Layout Plan
- DCP-11 – Illustrative Site Plan
- DCP-12 – Environmental Buffer Exhibit
- DCP-13 – Site Sections
- DCP-14 – Architectural Character
- DCP-16 – Conceptual Architectural Elevations
- DCP-19 – Conceptual Architectural Elevations
- DCP-26 – Conceptual Landscape Plan
- DCP-28 – Conceptual Lighting Plan
- DCP-29 – Summary of CEF-M District Enhancements
- DCP-30 – Linear Park Enhancements
- DCP-31 – Multi-Use Pathway Enhancements
- DCP-32 – Multi-Use Pathway Enhancements
- DCP-33 – Multi-Use Pathway Enhancements
- DCP-34 – Multi-Use Pathway Enhancements
- DCP-36 – Multi-Use Pathway Enhancements
- DCP-37 – Multi-Use Pathway Enhancements
- DCP-38 – Multi-Use Pathway Enhancements
- DCP-39 – Multi-Use Pathway Enhancements
- DCP-40 – Multi-Use Pathway Enhancements
- DCP-41 – Multi-Use Pathway Enhancements
- DCP-42 – Multi-Use Pathway Enhancements
- DCP-43 – CEF-M District Enhancements vs Non-CEF Comparison



The above described DCP sheets have been revised for the following purposes:¹

- 1.) To update the Development Standards to reflect the permitted use of structured parking.
- 2.) To update Independent Living Building 3 and the Marketing Center & Sales Building (now referred to as the “Welcome Center”) footprint to provide a more efficient building design and internal circulation for residents and prospective residents.
- 3.) To update limits of the garage below the Care Center and the Independent Buildings #3 and #4 based on refinement of the parking layout through the preliminary design process.

¹ The identified revisions to the DCP are carried through and reflected on all impacted sheets.

4.) To adjust the designation for pathway/sidewalk improvements along east side of MD 108 from Great Star Drive to Linden Linthicum Road to be 5' sidewalk or 8' multi-modal pathway, pending availability of right-of-way or easement per coordination with the County's Corridor Plan and County Staff.

5.) To adjust the designation for multi-modal pathway to read 8' per coordination with County's Corridor Plan and County Staff for the segment from Sheppard Lane to Meadow Vista Way as this area is expected to have light pedestrian activity.

In addition, this Supplement is intended to clarify the scope of the Applicant's proposed CEF Enhancements and to reflect certain changes to the DCP intended to enhance the design and operational efficiency of the proposed continuing care retirement community ("CCRC").

The amendments to the original Petition to Amend the Zoning Map of Howard County as set forth in this Supplement do not involve new locations or more intensive zoning classifications.

Any aspect of the original Petition and DCP that is not expressly modified by this Supplement shall remain as originally submitted.

Enhanced Transportation & Paratransit Services²

In addition, to the positive fiscal impacts described above, this proposed Erickson Living CCRC community will convey significant benefits to the County as a result of the robust private transportation services that it offers to its residents and employees. The availability of private transportation services to the residents and employees of the proposed Erickson Living CCRC community will result in a corresponding decrease in the demand for publicly provided transportation services as compared to the expected demand that would be created by a similar sized senior housing complex. Furthermore, Erickson Living communities offer many amenities and services on-campus compared to other senior housing providers including but not limited to several restaurants, fitness centers, pool, hair salon (men and women), library, office, bank, theater room, pharmacy and medical care (full-time geriatric doctors available 24/7 with same day appointments, dentist, podiatrist, ophthalmologist etc.) By reducing the demand for publicly provided paratransit services, this proposed CCRC community on a comparative basis will save Howard County significant expense in the future.

Like all Erickson Living communities, this proposed CCRC community will maintain a fleet of vehicles that will provide private transportation services to its residents and employees, including but not limited to paratransit services. Because of the availability of private paratransit services within the community, it has been the Petitioner's experience that many of our residents and employees will opt to utilize the private Erickson Living paratransit service instead of relying upon the public paratransit services offered by the Regional Transportation Agency of Central Maryland (RTA).

² This section supersedes the original section under the same heading beginning on page 4 of the Narrative in Support of Petition to Amend the Zoning Maps of Howard County filed on November 6, 2018.

At full build-out, it is anticipated that Erickson Living at Limestone Valley will have a shuttle and paratransit service that will run Monday through Saturday between the hours of 9am and 7pm. Private transit service would be offered internally in the Limestone Valley campus as well as to destinations in the larger Howard County community. As described in greater detail below, it is anticipated that likely destinations will include the MD Route 108 commercial corridor in Clarksville, as well as Downtown Columbia as Howard County's shopping, cultural and medical hub. However, other destinations could be added to the anticipated routes based upon resident interest and demand.

The Applicant anticipates that it will provide private transit services to the residents of the proposed CCRC in Clarksville to a similar extent as private transit services are available to the residents of the Charlestown CCRC. An example of the private transportation services available for the residents of the Charlestown CCRC is set forth below. The term "ancillary" as used below indicates that the shuttle bus makes several stops at various locations along its fixed routes. The term "trip" as used below means a roundtrip (to and from the destination).

Charlestown Private Transit Service

- On-campus (weekday) shuttle service 9am-7pm & after hour will call)
- On-campus (weekend) shuttle service (11am-7pm & after hour will call)
- Giant Food Store and Ancillary Fixed Route (Monday, Wednesday, Friday)- 4 trips per day.
- Weis Market & Ancillary Fixed Route (Tuesday, Thursday, Saturday)- 4 trips per day.
- St. Agnes Hospital & Ancillary Fixed Route (Monday-Friday) 9am-5pm- 4 to 5 trips per day
- 716 & 724 Maiden Choice Lane (local doctor offices) & Ancillary Fixed Route Shuttle (Monday- Friday) 9am-5pm- 4 to 5 trips weekly.

As indicated, the private transit data set forth above reflects the private transit utilization at the Charlestown CCRC campus. The Charlestown campus is considerably larger however than the proposed Clarksville CCRC campus, the former having a total of 1784 units (inclusive of both independent living and health care units). The transportation department at the Charlestown CCRC campus operates 7 shuttle buses dedicated to serve the private transit needs of its residents. These shuttle buses provide private transit service along several fixed routes as well as to special destinations upon request.

Based upon the Applicant's experience at the Charlestown campus and at other CCRC campuses around the nation, the Applicant anticipates providing private transit services at the proposed Clarksville CCRC by operating approximately 4 to 5 shuttle buses that will provide both fixed route and special destination private transit services.

While the precise number of shuttle buses needed to service the private transit needs of the proposed Clarksville CCRC is not able to be determined at this point, the Applicant's experience at the Charlestown CCRC campus does provide some guidance. Based on this experience, the Applicant anticipates that it will require approximately one (1) shuttle bus for every 300 independent living units. As such, it is anticipated that the proposed Clarksville CCRC will operate 4 to 5 shuttle buses at full buildout of the community. Of course, the actual number

of shuttle buses will be dependent on resident demand and therefore the number of shuttle buses could be less than or considerably more than 4 or 5. In addition, the Applicant has observed that the demand for transit services can fluctuate over time as a CCRC community matures.

As stated above, the Applicant intends to provide private transit services to the residents of the proposed Clarksville CCRC. The exact routes and frequency of this service will, of course, depend upon resident demand and preferences. At this early stage, however, the Applicant anticipates providing private transit service along the MD Route 108 commercial corridor through Clarksville. In addition, the shuttle bus service would make ancillary stops upon request along the way stopping at various businesses, medical offices and places of worship.

In addition to providing private transit services along the MD 108 commercial corridor, the Applicant also anticipates having additional private transit service to Downtown Columbia where its residents can enjoy the many shops, restaurants and services located in and around The Mall in Columbia as well as the Columbia Lakefront. This private transit service would also provide transportation services to the Mall in Columbia Transit Center; and to The Inner Arbor Trust – Merriweather Park at Symphony Woods and Toby’s Dinner Theater where the Applicant’s residents can enjoy the many artistic, cultural and recreational opportunities offered there. Finally, the Downtown Columbia private transit service could afford the Applicant the opportunity to provide its residents with private transit services to the medical offices in and around the Howard County General Hospital.

* * *

7. The proposed CEF District shall include enhancements as provided in Section 121.0.G. Enhancements shall be proportionate to the scale of the CEF development.³

As set forth above and shown in greater detail on the Plan, the Applicant’s proposed CEF District provides a variety of Community Enhancements under Section 121.0.G, all of which are beneficial to the community, the general public, and the County as a whole and far exceed those which would be required to be provided under the current development standards applicable to the several properties constituting the Site were they to be developed independently of each other. For a detailed description of the proposed CEF-M enhancements see DCP sheets 29 through 43, dated February 25, 2019, attached as Exhibit A.

The Site consists of an existing motor vehicle fueling facility and two undeveloped RC-DEO parcels located along Route 108. Under existing zoning, the RC-DEO parcels are capable of being developed at a residential density of one (1) dwelling per 4.25 acres – a total of approximately 14 residential dwelling units. Alternatively, the RC-DEO parcels could potentially be developed at a density of one (1) dwelling unit per 2 net acres using the density exchange option. Using the density exchange option, a total of approximately thirty (30) residential dwelling units could be developed. Under such a limited scheme of development, the road improvements required under either SHA design standards or the Howard County’s

³ This section supersedes the original section under same heading beginning on page 8 of the Narrative in Support of Petition to Amend the Zoning Maps of Howard County filed on November 6, 2018.

Adequate Public Facilities Ordinance would be limited to nominal frontage improvements or fee-in-lieu payments and would not result in any immediate relief from traffic congestion to the residents of the area. In addition, the development of these parcels independent of each other would drastically limit the potential to present a unified streetscape presence in full conformity with the Clarksville Pike Streetscape Plan and Design Manual.

Under the Applicant's proposed CEF-M District, all of these underutilized subject properties are aggregated and integrated into a single well-connected design which allows for these several properties to be developed to a more appropriate and socially beneficial use while simultaneously allowing the Applicant to provide Community Enhancements under Section 121.0.G far in excess of those which would be possible without the implementation of the flexible standards of the CEF-M District. Specifically, the Applicant is proposing the following as Community Enhancements:

Streetscape Enhancements

- Streetscape enhancements along the entire site frontage of Route 108 in accordance with the Clarksville Pike Streetscape Plan and Design Manual, including, but not limited to, a multi-use pathway with connecting crosswalks, seating areas, and flowering shade trees.
- A multi-use pathway extending from the Site to the northeast along Route 108 and extending to Meadow Vista Way opposite Trotter Road. In addition, a pedestrian crosswalk will be provided at the traffic signal serving River Hill High School and Clarksville Elementary School.
- A multi-use pathway extension from the Site to the southwest connecting to existing multi-use pathways along the frontage of Clarksville Commons near Great Star Drive.
- A multi-use pathway extension along the east side of Route 108 from the River Hill Garden Center extending to Linden Linthicum Lane.
- A sidewalk extension from Linden Linthicum Lane southwest to a point of connection with an existing sidewalk extending to Great Star Drive. Alternatively, the Applicant is willing to provide a multi-use pathway along this section of the MD Route 108 corridor subject to the availability of adequate right-of-way and/or easements.

Transportation Enhancements (subject to SHA and Howard County final approval)

In order to satisfy CEF-M District requirements a substantial road improvement package is proposed. These proposed road improvements extend far-beyond what would be required if this project was a traditional by-right development. The proposed road improvements are detailed in the sections that follow.

Howard County's Adequate Public Facilities Ordinance requires road improvements if intersection analysis undertaken using the simplistic Critical Lane Volume (CLV) Methodology results in an unacceptable level of service during the AM or PM peak hour period. CLV only accounts for traffic volumes and lane configurations. It does not directly consider intersection delay, queuing, or other operational deficiencies that can occur on the road system. In addition,

the analysis is limited to intersections of roadways that feature the classification of major/minor collector or higher. Local roads are excluded from the adequacy test.

APFO Improvements

When considering the Adequate Public Facilities Ordinance (APFO), the only intersection that would require improvements for this development is MD 108 at Sheppard Lane. To satisfy the criteria, a second lane along Sheppard Lane approaching MD 108 could be constructed. The lane could be as short as a few hundred feet in length. While this improvement would lessen delay for drivers turning right from Sheppard Lane onto MD 108, it would not address the larger operational concerns at the intersection that occur on a daily basis.

At the site access point, SHA would require the installation of auxiliary left and right turn lanes as well as an acceleration lane. The lengths of the lanes would be based on the speed limit of MD 108 and would be relatively short, serving the sole purpose of the development's traffic only. In addition, based on the number of daily trips projected for the site, Howard County would require a second access point. Without the construction of Proposed Public Access Road, the access point could potentially be designed as a right-in/right-out only along Sheppard Lane, again only serving the benefit of the property, not the larger community.

CEF-M District Road Network Enhancements

The proposed CCRC community will generate relatively few peak hour trips during the AM and PM peak periods, relative to the number of residents who will ultimately live there. As a result, the proposed road network improvements will serve as a community enhancement and benefit drivers, passengers, pedestrians and bicyclists within the MD 108 corridor by shortening delay, enhancing safety. Below the specific road network improvements are described in detail.

MD 108 at Sheppard Lane

Sheppard Lane currently intersects MD 108 at a 55 degree angle, which is substandard and has a negative impact on intersection operations. In addition, the Sheppard Lane approach features just one single lane for traffic accessing MD 108. This geometric configuration results in additional delay for right turning drivers as they cannot proceed to the intersection if they are blocked by queued left turn traffic.

Finally, the existing left turn lane from eastbound MD 108 to Sheppard Lane is only 175 feet long which results in significant queuing that blocks the through lane and adds delay for drivers headed to the east along the roadway. The following improvements are proposed at this location:

- Realign Sheppard Lane to the west at an angle of a minimum of 70 degrees as acceptable to SHA – *this improvement will be coordinated with the redevelopment of the River Hill Garden Center.*

- Widen the Sheppard Lane approach to provide two lanes onto MD 108, including a separate right turn lane and separate left turn lane.
- Provide a continuous left turn lane along eastbound MD 108, approaching Sheppard Lane.
- Widen the westbound MD 108 approach to provide two thru lanes and a separate right lane.
- Reconstruct the traffic signal and provide pedestrian accommodations as required by SHA.
- Provide interconnection of the traffic signal along MD 108 to MD 32.

Not only do the proposed improvements at MD 108 at Sheppard Lane improve the level of service to acceptable levels as required by the APFO, but queuing is significantly reduced on all approaches. The queuing is an operations issue that is present under existing conditions and the reduction will provide significant benefits to all roadway users.

In the event that the above described MD 108 and Sheppard Lane Road improvements are completed by other developers and/or by Howard County prior to the commencement of the construction of the CCRC contemplated under the Petition, the Applicant commits that it will reimburse Howard County the full cost of the above described MD 108 and Sheppard Lane improvements incurred by Howard County pursuant to any major facilities agreement and/or capital project.

MD 108 at Linden Linthicum Lane/Proposed Public Access Road

The existing intersection of MD 108 and Linden Linthicum Lane features stop control for the minor approach. As a result, significant delays are encountered during the peak period for left turning traffic. Because of the circuitous road system in place on the south side of MD 108, drivers in that area can choose to access MD 108 via the signalized intersection at Great Star Drive which increases traffic volumes on that roadway. Signalization at Linden Linthicum Lane would therefore reduce minor street traffic on Great Star Drive.

The following improvements are proposed to mitigate delays and improve operations at the MD 108 / Linden Linthicum Lane intersection:

- Install traffic signalization once approved by SHA.
- Provide an extension of Linden Linthicum Lane (Proposed Public Access Road) on the north side of MD 108 to provide site access and potential future connections to commercial properties to the west.
- Convert the existing right turn lane along eastbound MD 108 to a shared thru/right lane.

- Convert the westbound MD 108 auxiliary lane to a shared thru/right lane.

The construction of these proposed improvements, including the Proposed Public Access Road on the north side of MD 108, will provide a significant community benefit. The new road will allow property owners on its west side to potentially have signalized access to MD 108. While the elimination of unsignalized access points is not recommended, drivers will have a choice to utilize signalized access to the MD 108 corridor, particularly during peak periods. In addition, the installation of the traffic signal at Linden Linthicum Lane is consistent with elements of the *Clarksville Pike Streetscape Plan* which was adopted by Howard County in 2016. The implementation of the signal will allow for synchronized traffic signals between Sheppard Lane and MD 32, which will significantly enhance operations providing a community benefit.

MD 108 at Site Access

The construction of the five (5) lane section along MD 108 is consistent with the Clarksville Pike Streetscape Plan and will match the section of MD 108 to the west of Linden Linthicum Lane. This construction will provide a significant benefit to roadway users, as queuing for Sheppard Lane will no longer block thru traffic along MD 108.

MD 108 at River Hill High School Entrance

During school arrival and dismissal times, traffic accessing the school property occasionally spills onto MD 108. While this occurrence is limited to a very short time period during school days, it can create an impact to the community as drivers on MD 108 passing by the facility are impacted. To improve the condition, the existing right turn lane is proposed to be lengthened.

Other Public Enhancements

- Public use recreation area (playground).
- Public use outdoor amphitheater adjacent to Route 108.
- Public use covered pavilion.
- Public use of meeting space within the marketing/sales center.
- Public use dog park.
- Public use pickle ball courts.
- Public use 48 space parking lot.

These proposed Community Enhancements provide much needed infrastructure improvements aimed at alleviating existing issues relating to traffic congestion, signalization, and pedestrian safety along this section of the Route 108 corridor. The Community Enhancements set forth above would not be possible but for the implementation of the integrated design proposal set for in the Applicant's proposed CEF-M District and are proportionate to the scale of the development proposed by the Applicant hereunder.

Commitment to Fund Proposed Off-Site CEF Enhancements⁴

In the event the required approvals necessary to construct the proposed off-site CEF Enhancements are not available prior to the occupancy of the first CCRC residential dwelling, the Applicant commits that it will escrow with Howard County the estimated cost of constructing such off-site CEF Enhancements.

Statement Regarding the Provision of Moderate Income Housing⁵

Howard County Zoning Regulation Section 121.0.E provides:

The CEF petition shall comply with the Moderate Income Housing Unit requirements that were in effect for the zoning district for the property immediately before the CEF District was established on the property. If there were no Moderate Income Housing Unit requirements for the previous zoning district, a minimum of 10% of the total number of dwelling units shall be Moderate Income Housing Units.

Accordingly, the Applicant commits itself to providing the requisite number (10%) of Moderate Income Housing Units. Notwithstanding the foregoing, the Applicant has met with the Department of Housing and Community Development (DHCD) and has been informed that in the department's experience the full benefit of the MIHU program is not easily realized when 100% of the dwelling units required under the MIHU program for a CCRC project are provided on-site. As such, the DHCD has requested that the Applicant consider the possibility of satisfying some or perhaps all of its MIHU obligations for this project through an Alternative Compliance mechanism.

Given that the specific details of the MIHU Alternative Compliance proposal are not presently available, the Applicant is not able to evaluate and commit itself to any specific Alternative Compliance proposal. The Applicant is however committed to working in good-faith with the DHCD to finding creative ways in which the proposed CCRC project might satisfy its MIHU obligations through an Alternative Compliance request and in a manner that will permit the community benefits of the MIHU program to be more fully realized.

Changed Location of the Marketing/Sales Center⁶

To enhance the operational efficiency of the proposed CCRC facility, the DCP has been modified such that the marketing/Sales center (now referred to as the "Welcome Center") is no longer proposed to be located within a stand-alone building. Rather, the marketing/sales center

⁴ This section is new and is added to make it clear that the Applicant will fully fund any proposed off-site CEF Enhancements that cannot be constructed by the Applicant in advance of the occupancy of the first CCRC residential dwelling.

⁵ This section is new and is added to document the Applicant's commitment to work with the DHCD in good-faith to ensure that the community benefits of the MIHU program are more fully realized for this proposed CCRC development.

⁶ This section is new and is added to reflect the relocation of the marketing/sales center from a stand-alone building to a location internal to one of the proposed residential buildings. The stand-alone building has been deleted from the plan.

has now been relocated to a location internal to one of the proposed residential buildings. Accordingly, this residential building has been modified to accommodate the incorporation of the marketing/sale center. The stand-alone building previously intended to serve as the marketing/sales center has been deleted from the plan. See attached **Exhibit A**.