

IN THE MATTER OF ZB 1118M ERICKSON AT LIMESTONE VALLEY
BEFORE THE ZONING BOARD

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PROPONENT RESPONSE

As a party to the case independent from the Petitioner's Case-in-Chief, please accept my written summation in favor of the Petitioner's request. I have attended all Zoning Hearings related to this case. I have heard and reviewed all the testimony both for and against the proposal to overlay a CEF-M (Community Enhancement Floating—Mixed Use) zone on property zoned RC-DEO (Rural Conservation—Density Exchange Option) and a small B-2 (Business: General) parcel located directly adjacent to MD 108 right in the heart of Clarksville.

After many nights of testimony both for and against the proposal, I still believe that approving the CEF zone on this parcel is (1) good use of the land, (2) meets CEF criteria, (3) conforms to the General Plan, and (4) advances the County Council approved Clarksville Pike Streetscape Plan and Design Guidelines.

The Zoning Board heard from a wide range of community residents and commercial entities who were in favor of the project. In fact, more people testified in favor of the project than opposed to it. Gayle Annis-Forder, the pastor of Linden Linthicum Church, spoke about her many meetings with representatives from Erickson and how Erickson worked with the church to design the best plan possible. Buildings were moved back from MD 108 and a park was added in response to suggestions. Her congregation is already visualizing Easter Sunrise services at the amphitheater. She expressed excitement about the proposed pathways adjacent to the roadway which will connect the various businesses along MD 108. The church is very worried about safety at the intersection with Linden Linthicum Lane. They are also worried that providing the safest 90-degree intersection would cause the loss of the cheapest gas in Howard County. Pastor Annis-Forder stated that she wants the best solution for both the church and the community.

Renee' DuBois provided a letter (Petitioner's Exhibit 11) and spoke on behalf of the River Hill Community Association. She stated that Erickson had met with the Village Board and its various committees, and that Erickson had been responsive to them and made modifications based on community requests. Many of the amenities proposed by Erickson including enhancing views, extending the pathways, and providing a linear park that includes a playground, a dog park, pickleball courts, and the amphitheater all came from community discussions. The Village Board believes that the proposed Continuing Care Retirement Community is a compatible transition zone between nearby residential, commercial, and more rural uses to the west. Of particular importance to the Village Board are the improvements to MD 108 and the implementation of the Clarksville Streetscape Plan. Ms. DuBois reminded the Zoning Board that the relocation of the gas station is critically important to the final design and safety of the Linden Linthicum Lane intersection. Finally, the Village Board valued the provision of housing options for seniors in the River Hill community.

Emily Kendall stated to the Zoning Board that her family has been living in and serving the residents in the Clarksville community for 73 years. She spoke about the many friends and neighbors who have moved out of the community because their retirement needs are not met in Howard County. She spoke highly of the already completed improvements at Shepherd Lane and looked forward to the many additional improvements, both roadway and streetscape, that would be made to the MD 108 corridor as part of the CEF project. She also expressed the importance of relocating the Linden Linthicum Lane intersection and extending the road on the west side of MD 108. She appreciated the way Erickson had reached out to all parts of the community for input. She thought that a county-owned park would be a great amenity for the Clarksville community. She particularly appreciated the layout of the proposed buildings which will protect the view of the valley.

Neighbor Richard Smith who lives in the nearby Clearview community supported the project. He appreciated all the dialog that Erickson held with community groups and noted that enhancements and development plans had been modified based on conversations. He believed that a CCRC is a much better community asset at that location than retention of a few acres of farmland. He further stated that a slight increase in traffic would be far outweighed by the significant traffic improvements, particularly at Linden Linthicum Lane, that Erickson has proposed as part of the project.

Rosemary Mortimer, M.S., M.S.ED, R.N., spoke about her years of educating nurses and how the project will provide both internships for student nurses from Howard Community College and employment for nurses, culinary arts, and other professions which speaks to PlanHoward 2030 Policy 8.9. She felt that the project would be a significant benefit to the Howard County economy increasing both available jobs and the tax base as noted in Policy 5.1. She also looked forward to becoming a resident of Erickson at Limestone Valley.

My own testimony (Petitioner's Exhibit 12) focused on compliance with the policies of PlanHoward 2030. Specifically:

- Policy 5.8—enhancement of village centers
- Policy 6.5—well designed and complete communities
- Policy 7.6—reduction of highway congestion
- Policy 8.5—pedestrian and bike connection improvements
- Policy 9.2—full spectrum housing for various incomes and lifestyles
- Policy 9.4—expanding senior housing options
- Policy 10.1—protect and enhance established communities through compatible infill, sustainability improvements and strategic investment in public infrastructure

The CEF criteria is directly tied to many policies stated in the General Plan. The classification was created to encourage thoughtful, overall planning and design. The plan for Erickson at Limestone Valley is a textbook example for implementation of a CEF.

I am particularly drawn to section 121.0:G Enhancements. The level of enhancements proposed by Erickson far exceeds the requirements of the section. The proposed plan of a park, a gathering space, a playground, pickleball courts, and a dog park, all open to the public includes one of every example provided in section G.1. Erickson has offered to work with Recreation and Parks to build to their specifications and provide an amenity that would otherwise not be available to Clarksville residents. After

conversations with Recreation and Parks, Erickson provided Option B related to the location of the park and the gas station which addressed concerns brought up in Opposition testimony. Environmental protections are enhanced by the gas station improvements since the relocated station will need to adhere to the current standards for fueling stations rather than the standards of 30 years ago. Meanwhile, the stream will be protected and the view shed will remain.

The largest enhancements provided for in the plan are the significant improvements proposed for MD 108. Adding more turn lanes and through lanes and adding a traffic signal at the realigned Linden Linthicum Lane, all paid for by the developer, is a huge improvement and cost savings to the County and State. The road package alone is well beyond any improvements that would be required under normal development standards. Completing nearly the entire Clarksville Streetscape Plan design package far exceeds development requirements and creates an asset not only for nearby residents but also for the businesses along MD 108.

Much of the Opposition testimony came from people affiliated with one of the two other CCRCs in the County. They appear to want to create a controlled marketplace where their products are the only options available. They would prefer that the Zoning Board not allow a project that would enhance the County's tax base if it means that there is competition for the CCRC where they live.

Others in opposition brought up many arguments that are premature. The level of detail requested by some is part of subsequent reviews including the Site Development Plan stage of the project. The Zoning Board Decision and Order will list all the promises made by the Petitioner and a requirement to complete those promises and be held accountable for them. You will reiterate the scope of the road improvements. Howard County Department of Public Works and the State of Maryland will sign off on the details of how those improvements are constructed. You will state that an amphitheater, a playground, a dog park, parking for the community and other improvements will be designed and built and turned over to Howard County. Recreation and Parks will make the final decisions regarding orientation of the amphitheater and number of seats, size of the dog park, equipment in the playground, number of needed parking spaces, etc. The Department of Planning and Zoning and the Department of Public Works will approve the specifics of the pathways and other amenities related to the Clarksville Streetscape Plan. Maryland Department of the Environment will make sure that the relocated gas station is built to the current standards for fueling stations.

The role of the Zoning Board is to review the criteria in Section 121.0 of the Zoning Regulations and answer the following questions: Does this use on this particular parcel make sense? Does the plan put forth by Erickson Senior Living provide greater flexibility and a broader range of development alternatives than the existing zone? Are features and enhancements which are beneficial to the community provided by this plan? Is the quality of site design and amenities greater than what would normally be possible under standard provisions of the existing zone? Does the plan sensitively arrange features and amenities on the property? Does this use serve as a transitional area by providing a mix of uses compatible with the surrounding area? I believe the answer to all those questions is "yes." This project makes sense for Clarksville and for Howard County. The Petitioner has made its case for approval. Erickson worked with the community to develop a plan and design that Clarksville has embraced. ZB 1118M will be an asset for the community and should be approved.