

BEFORE THE HOWARD COUNTY PLANNING BOARD
FOR HOWARD COUNTY, MARYLAND

IN THE MATTER OF *
HOWARD RESEARCH AND *
DEVELOPMENT CORPORATION * CASE NO. PB 455
* Amended FDP-DC-L-2A
Petitioner *
*

* * * * *

OFFICIAL TRANSCRIPT OF PROCEEDINGS

HEARING HELD April 11, 2023

HOWARD COUNTY PLANNING BOARD:

Ed Coleman, Chair
Kevin McAliley, Vice-Chair
James Cecil
Barbara Mosier

BOARD COUNSEL: DAVID MOORE

COUNSEL FOR THE PETITIONER: TODD BROWN

COUNSEL FOR THE OPPOSITION: NICOLE CAMPBELL

Transcribed from digital audio recording by:

Alison Mathieson
Official Court Reporter and Transcriber

INDEX OF TESTIMONY

| WITNESS | Testimony Begins On Page |
|----------------------------------|-------------------------------------|
| Jill Manion (Staff Presentation) | 2 |
| Petitioner's Case in Chief | 21 |
| Gabe Jung | 28 |
| Cecily Bedwell | 42 & 131 |
| Brandon Biederman | 70 |
| Valerie Lopez | 89 |
| Greg Fitchett | 97 |
| Dan Sweeney | 114 |
| Michael Wachowski | 141 |

1 **April 11, 2023 - Howard County Planning Board**

2 **PB 455 - Howard Research and Development Corporation**

3

4 **The proceedings began on the record at 6:39 p.m.**

5 **Chairman Coleman:** Welcome to the April 11, 2023,
6 Howard County Planning Board meeting. We ask for your
7 patience as we try to conduct this meeting both in person
8 as well as virtual. If you are here via WebEx please
9 speak clearly in your phone or your computer microphone.
10 If you are experiencing technical issues, you may send an
11 email to PlanningBoard@HowardCountyMD.gov and that is
12 monitored during this meeting.

13 Do I hear approval of the WebEx meeting minutes of
14 the past meeting?

15 **Board Member McAliley:** Motion to approve.

16 **Board Member Cecil:** Second.

17 **Chairman Coleman:** All in favor?

18 **All Members:** Aye.

19 **Chairman Coleman:** So, tonight the case is PB 455,
20 FDP-DC-L-2A, Howard Research and Development Corporation.

21 Before we get started, I just wanted to make a
22 preliminary announcement that during Barbara's nomination
23 process there had been questions raised about possible
24 conflicts of interest because of her work. She sought an
25 additional ruling from the Ethics Commission, specifically

1 for this case, and she is cleared to participate tonight.

2 So, with that out the way we will begin with the --

3 And, also, this is a quasi-judicial hearing and for
4 members of the public that might not be familiar with what
5 that is, it's kind of a backwards format for everybody.
6 But there's a couple of places where the public gets to
7 participate. First what happens is there's statements by
8 the staff, statements by the petitioner. If there is
9 formal opposition they can make an opening statement which
10 is just a brief summary of what they intend to talk about
11 and then the petitioner will present witnesses and you
12 have the opportunity to cross-examine those witnesses, but
13 that cross-examination is limited only to what those
14 witnesses testified at that time. Then the opposition
15 presents their case and their witnesses, and the same
16 questioning goes for them. Then after that there's a
17 place for public testimony.

18 So, sometimes when you first come up with your
19 questions that's not the only chance you get to speak.
20 Your topics at that time during questioning have to be
21 limited to what was presented by that witness. So, with
22 that we will begin with Jill.

23

24 **Technical Staff Report Presented by Jill Manion**

25 **Jill Manion:** Thank you Chairperson Coleman, members

1 of the Board, my name is Jill Manion. I am presenting the
2 Technical Staff Report for the Department of Planning and
3 Zoning for PB Case 455, or for Amended FDP-DC-L-2A for the
4 Lakefront neighborhood.

5 The purpose of this FDP Amendment is to revise the
6 use configuration for the FDP area. It is to adjust the
7 block and street configuration somewhat to reflect updated
8 designs that they have for the FDP area. That includes
9 adjusting the configuration and size of the amenity areas
10 or downtown community commons. There is also with this a
11 request to increase the maximum number of stories
12 permitted for some blocks in the FDP area. And then there
13 is also with this request an adjustment to increase the
14 maximum number of dwelling units permitted within phase 1
15 of the downtown revitalization phasing chart in the
16 Downtown Columbia Plan.

17 For the public hearing legal advertisements were
18 published in the Baltimore Sun and Howard County Times on
19 March 9, 2023. The property was posted on March 10, 2023,
20 with two posters. And, also, pursuant to the Planning
21 Board's rule of procedure the following reports and
22 official documents pertaining to the petition are
23 incorporated by reference into the record of this hearing
24 and they are the final development plan, FDP-DC-L-2A; the
25 Lakefront Neighborhood concept plan; the Lakefront

1 Neighborhood Design Guidelines; the Lakefront Neighborhood
2 implementation plan; the certification of advertising; the
3 certification of posting of the property; the Howard
4 County Code; the Downtown Columbia Plan, Amended; a
5 General Plan Amendment; Howard County Zoning Regulations;
6 the Downtown-Wide Design Guidelines; the Adequate Public
7 Facilities Act; the Howard County Sign Ordinance; the FDP-
8 DC-L-2A Application, correspondence and file; and the
9 Technical Staff Report of the Department of Planning and
10 Zoning.

11 This is an aerial of the FDP area. It is the same
12 boundaries that were approved with the original FDP-DC-L-
13 2, and it extends and includes Sterrett Place, and the
14 surface parking areas that come off of Sterrett Place in
15 this area, including two building sites -- they were
16 previous building area sites. Then it extends down a
17 drive aisle to Wincopin Circle and also includes an
18 existing parking garage.

19 As stated previously, a portion of this amendment is
20 to revise the use configuration that will be part of this
21 FDP area. Originally there was 150 *sic*) square foot of
22 net new retail, 44,088 square foot of net new office and
23 that accounts for a demolition that they had for other
24 office in the neighborhood, and 775 residential units and
25 that is represented here in this top table.

1 In the lower table is the Amended FDP area and that
2 reduces the retail area to 85,000 square feet. There is
3 also no net new office, and the 775 residential units are
4 retained. And just in case there is any confusion, the
5 parcels here were the original configurations on the
6 plats. These just represent what the reconfigured parcels
7 would be. It's not a reduction in the FDP area.

8 In addition, there is a land use tabulation. I
9 apologize, it says L1 up here, L1 is for Lakefront Core,
10 this is L2, which is for the Lakefront overall
11 neighborhood, phase 1 of the Lakefront overall
12 neighborhood, so I apologize for that typo there.

13 So, the use configuration between the existing
14 approved final development plan and the amended FDP also
15 vary slightly and you will see that most in the downtown
16 community commons and downtown mixed-use area. There was
17 originally 1.05 acres of downtown community commons
18 acreage that was proposed. This is reduced to .83 which
19 is still .2 acres above the minimum required they needed
20 for their FDP requirements. This reduction does not
21 include some off-site, off-FDP area improvements that are
22 going to be provided, that will provide a connection from
23 the immediate FDP area to the Lakefront trail network. As
24 I'll explain a little bit in further detail it really
25 comes down to the difference in the overall configuration

1 of the Warfield promenade.

2 Just to provide a little bit more familiarity, this
3 is what an FDP plan actually looks like. It's not the
4 prettiest, but it provides some good information including
5 the street and block configuration. You will see we have
6 parcel A up here, this is just the northern most extent
7 here. Unfortunately, we can't fit it all in one sheet.
8 This thick black line is used to indicate a major
9 pedestrian route. There is another road that will be
10 provided up and around the parcel areas and that extends
11 down. And just to provide the end of the FDP area, then
12 that is where this garage is located and the connection to
13 Wincopin Circle which is envisioned as part of the overall
14 neighborhood to provide connection from north to south.

15 Here was the original configuration of the downtown
16 community commons approved with FDP-DC-L-2 and pulled this
17 from the original design guidelines. Here you would see
18 the promenade that extends from Little Patuxent Parkway.
19 Ultimately in the Downtown Columbia Plan there would be an
20 extension to this on the Mall side property as well to do
21 a full connection, but for this neighborhood it extends
22 from Little Patuxent Parkway east towards the Lakefront to
23 a neighborhood square. Then there were two little,
24 smaller amenity areas that were proposed in this block
25 area.

1 The reconfiguration, you will still see the
2 promenade. It actually would extend from Little Patuxent
3 Parkway still and go in front of the buildings to provide
4 a full connection from Little Patuxent Parkway to a
5 neighborhood square. Then, again, we would have the
6 Wincopin green here centralized at this location increased
7 a bit in size to provide some useability between what
8 would be -- well the neighborhood square would not be
9 between two buildings and the Wincopin green would add an
10 additional amenity area just to the southern end of the
11 overall FDP area.

12 Again, I apologize for not the best graphics here,
13 but to give our viewers a sense of what a neighborhood
14 concept plan looks like, this includes the extent of the
15 entire Lakefront neighborhood. Anything in black is part
16 of the Lakefront neighborhood. The other blocks are part
17 of other neighborhoods.

18 This area here is what we call the Lakefront core
19 which has its own Neighborhood Design Guidelines and its
20 own FDP area.

21 So, part of the Lakefront neighborhood is actually
22 west of Little Patuxent Parkway, some of it is south of
23 the Lakefront core area and there is actually beyond this
24 actual FDP area another portion of Lakefront north here.

25 The purpose of the neighborhood concept plans are to

1 provide an overall vision of what the block and street
2 configuration could be for the overall neighborhood, but
3 the documents are binding only to the FDP area itself.

4 So, you will see lots of symbols here. These symbols
5 designate differences in building heights. You will see a
6 reference to different street types and that is what the
7 ultimate designs are intended to be for those streets.
8 They correspond with the Neighborhood Design Guidelines.

9 And I just wanted to point out, here you will notice
10 these blocks have a different hatch than what you would
11 see in these more southern blocks of the FDP area and this
12 designates areas that would remain the nine stories. As
13 part of the height adjustment request these blocks could
14 increase to thirteen stories should that be approved by
15 the Planning Board.

16 In speaking to the building height adjustment, it
17 essentially piggy backs on a linear building height
18 increase to 145 feet for nine stories that was approved
19 with FDP-DC-L-1 and for FDP-DC-L-2, that's the Lakefront
20 core and the original FDP for this FDP area.

21 The petitioner is requesting an increase of a maximum
22 height of certain blocks to thirteen stories, but to stay
23 within that 145 foot limit. Again, that is just for
24 certain blocks identified in the neighborhood as
25 identified on the neighborhood concept plan and in the

1 Neighborhood Design Guidelines.

2 As part of the original Neighborhood Design
3 Guidelines and retained and expanded on with the
4 Neighborhood Design Guidelines submitted with this FDP
5 amendment, there would be certain building massing and
6 architectural features to help breakup the variety of the
7 heights and the overall massing of the buildings. Those
8 would be addressed with the site development plans.

9 And last the adjustment to the phasing request, or
10 the adjustment to the downtown revitalization phasing
11 chart that is within the Downtown Columbia Plan. This is
12 a request for an adjustment. I want to make sure I have
13 my notes here.

14 What you see up here is essentially the existing - I
15 hope it doesn't look as blurry as it's looking to me right
16 now. I don't know if it's because I don't have my glasses
17 on. But this here is the downtown revitalization phasing
18 progression chart that is in the Downtown Columbia Plan
19 and it provides a minimum and maximum threshold for the
20 four use categories within downtown Columbia. That is
21 retail, office conference, hotel rooms and residential.
22 The idea is that new use can go beyond the maximum
23 threshold unless the rest of the uses at least reach the
24 minimum designation. There is a provision where a
25 applicant can request an adjustment to the phasing

1 progression and that is for specific reasons that include
2 - I'll just read this out aloud - "the Planning Board may
3 approve such adjustment if such approval would not be
4 detrimental to the overall vision for downtown Columbia
5 expressed in the Downtown Columbia Plan, does not create
6 an adverse community or economic impact and establishes a
7 reasonable schedule for completion of any requested
8 comparable alternative" -- it says CEPPA in my write-up
9 here, but I believe that is because this comes under the
10 same section for both revitalization phasing and CEPPA's
11 in the zoning code itself.

12 So, the overall request is to increase the number of
13 maximum dwelling units possible under phase 1 from 2,296
14 units to 2,921 units. Of that, that would account for,
15 let's see here, the dwelling units that would be permitted
16 with this FDP area. In addition of that, that would also
17 provide a buffer to allow for affordable housing to be
18 constructed elsewhere in the downtown Columbia area.

19 As of right now, we have a total of 1,671 residential
20 units approved with building permits. We have 2,570
21 square foot of net new retail, 480,577 square feet of
22 office and conference, but that accounts for demolition
23 credits of other office buildings and we do not have any
24 net new hotel units at this time. I'll go over this a
25 little bit more as we get into the actual Planning Board

1 criteria.

2 Neighborhood Design Guidelines with the final
3 development plans provide exhibits and narratives in this
4 amended Neighborhood Design Guidelines to reflect the
5 revised Lakefront North layout. The amenity area
6 guidelines are amended to expand on the connectivity
7 elements that are proposed with the revised layout. There
8 is information regarding below grade parking and access to
9 garages that are part of the overall design intent of this
10 FDP area. It reflects the height changes, the masses of
11 buildings and permits a street type that has alternative
12 paving for certain blocks.

13 The amended neighborhood implementation plan
14 identifies the changes to the phasing progression proposed
15 with this FDP amendment. It shows the elimination of the
16 office reduced retail area for this FDP area and it
17 provides some updates on the phasing of the FDP area
18 improvements and utilities.

19 I apologize for the wordiness of these following
20 slides but some of our criteria for downtown are a bit
21 long, but I wanted to represent them all.

22 So, in evaluating the FDP amendment, the first FDP
23 criteria to the Planning Board is to determine that the
24 neighborhood concept plan, the specific design guidelines,
25 and the specific implementation plan, what we call the

1 neighborhood documents, conform with the downtown-wide
2 design guidelines, the Downtown Columbia Plan, all its
3 exhibits that are listed here as well as changes for the
4 exhibits themselves to be identified.

5 In our evaluation we found that the neighborhood
6 layout was consistent with the Downtown Columbia Plan
7 exhibits and that the modifications from the original
8 approved FDP were minor and overall consistent. The
9 adjustment to the downtown revitalization was evaluated
10 for the phasing and seemed to be consistent with the - let
11 me make sure I have that in the right place here, sorry
12 about that. Adjustment to the downtown revitalization
13 phasing, information was provided to be consistent with
14 what the criteria to review those changes would be.
15 Again, I will go over that in one or two more slides a
16 little bit more. To ensure that the building height
17 adjustments do not exceed twenty stories and that the
18 Neighborhood Design Guidelines are consistent with the
19 downtown wide design guidelines.

20 Criteria B is to ensure that the Neighborhood Design
21 Guidelines provide sufficient detail to guide the
22 appearance of the neighborhood over time and to provide
23 design features that are achievable and appropriate for
24 downtown revitalization. As stated previously, the
25 Neighborhood Design Guidelines are largely similar to what

1 was previously approved with the FDP-DC-L-2 as well as
2 with the Downtown Columbia Plan. The exhibits were
3 updated for the layout and that there continues to be
4 sufficient detail required by the Zoning Code to guide the
5 appearance of the neighborhood over time.

6 The third criteria is that the final development plan
7 conforms with neighborhood documents, the revitalization
8 phasing plan, the downtown community common enhancements
9 programs and public amenities, also known as CEPPAs, as
10 well as all of the exhibits. So, this is now specific to
11 the FDP itself.

12 So, we found that the neighborhood documents and the
13 FDP were all updated concurrently to reflect the revised
14 layout. The phasing chart itself will be implemented at
15 building permit but, the tabulation, again of the
16 residential units currently at 1,671 residential units,
17 205,770 square feet of net new retail, the existing
18 480,577 square feet of office and conference and the hotel
19 units at this time shows that there is certainly work that
20 still needs to be done with the other use categories.

21 In part of our evaluation, we wanted to ensure that
22 should they meet the maximum permitted under the downtown
23 phasing progression chart, that there would still be the
24 ability to construct up to 475 affordable housing units in
25 the Downtown Columbia Community Housing Program. That

1 includes within the new cultural center as well as other
2 future housing developments.

3 So, one of our concerns in our evaluation was that if
4 we were just to limit them to the maximum permitted in
5 phase 1, we could still end up having a detriment of those
6 affordable housing projects that have not yet reached
7 building permit, while the other new sectors were catching
8 up.

9 We had also identified office buildings that are in
10 the pipeline that would help them regain from their
11 development demolition credits for their office so that
12 they could reach the minimum 1 million proposed under the
13 phase 1 of the Downtown Columbia Plan, as well as the
14 300,000 square feet of the minimum retail within phase 1
15 of the downtown revitalization phasing chart.

16 There is an approved hotel for the Crescent
17 neighborhood known as the Merriweather District. Due to
18 lagging market factors they have not yet come to building
19 permit, but that hotel is already approved by the Planning
20 Board. We do have an extension for that hotel to be
21 extended to get building permits by the end of 2024.

22 And the last section under the Planning Board
23 criteria is to show that the CEPPAs required to date have
24 been met and that this FDP does not create any new CEPPA
25 requirements.

1 For criteria D, to provide a balanced mix of housing,
2 employment, commercial, arts and cultural uses throughout
3 the FDP phase. Again, as this criteria indicates this is
4 in context of the overall neighborhood area. This FDP
5 area would certainly be an increased use of dwelling units
6 to provide more dense and (*inaudible*) environment for this
7 overall Lakefront District area and compliments the hotel,
8 the office and retail already existing and operating in
9 the neighborhood.

10 Regarding affordable housing requirements, most of
11 this FDP area is subject to the downtown rights and
12 responsibilities agreement with the developer to provide
13 middle income units and very low-income units. For
14 properties outside of the DRRA boundary, they are also
15 subject to a 15% MIHU requirement and they would be
16 required to a payment of fees to the Downtown Columbia
17 Community Housing Fund as part of CEPPA 25 which is an
18 ongoing CEPPA requirement. And this would all be further
19 evaluated with the site development plans for this FDP
20 area.

21 In terms of reviewing for bicycle, pedestrian and
22 transit network to provide connections within the subject
23 area and connecting to the outside neighborhood, there is
24 certain elements that I propose including a multi-use
25 pathway. There is, it's hard to see here, but there is a

1 multi-use pathway that does exist on the FDP to be
2 constructed along Little Patuxent Parkway, along the FDP
3 area.

4 Then we have the Warfield Promenade which would
5 connect Little Patuxent Parkway to the Lakefront trail
6 network to the east. That would include a future
7 boardwalk to the lake trail system. The Neighborhood
8 Design Guidelines provides adequate sidewalks identified
9 in the Neighborhood Design Guidelines.

10 The overall FDP area avoids streams, wetlands,
11 buffers, flood plains and steep slopes. Any encroachments
12 to the adjacent environmental features to the street and
13 block network is limited to providing trail connections
14 and utility hookups. The pedestrian bicycle and vehicular
15 connections are major features to the FDP layout, which
16 I'm sure is going to be shown in a much more lovely format
17 than my staff report provides with the petitioner's
18 presentation.

19 In terms of required Downtown Community Commons
20 required under Section 125.0.A.9 which requires a minimum
21 of 5 percent of the FDP area to be designated as Downtown
22 Community Commons, as previously specified, .63 acres are
23 required to meet that 5 percent requirement based on the
24 land area within the FDP. The total 0.83, that's supposed
25 to be 0.83 acres are provided plus additional off-site.

1 The Warfield Promenade, again, which is a primary
2 amenity as identified in the Downtown Columbia Plan is
3 being provided as initially envisioned in the Downtown
4 Columbia Plan between Little Patuxent Parkway eastwardly
5 toward the Lakefront. The neighborhood square will
6 provide a connection between the Promenade to the
7 Lakefront trail network. There is an additional green
8 area centralized within the FDP area.

9 The final development plan is in harmony with
10 existing and plan vicinal uses and in making that
11 determination the Planning Board is to evaluate the
12 landscape features on the boundary of the plan area, and
13 that includes existing vegetation or grade changes. The
14 Planning Board may also consider the size of buildings
15 along the edges of the plan through limits on building
16 height or other requirements. The use and design of
17 nearby properties and the adopted Downtown Columbia Plan
18 recommendations for height, building mass and scale and
19 neighborhood connectivity.

20 As previously mentioned, this is a primarily
21 residential neighborhood proposed with limited retail.
22 Again, we have the adjacent existing office, hotel and
23 retail to provide diverse uses within the overall
24 neighborhood.

25 The proposed building heights and massing in use with

1 the design considerations and Neighborhood Design
2 Guidelines will provide harmony with existing and planned
3 vicinal land uses. That includes the future planned
4 development of the overall neighborhood, both on this side
5 of Little Patuxent Parkway and on the opposite side of
6 Little Patuxent Parkway that will ultimately have up to
7 twenty story buildings.

8 The connectivity within the neighborhood and to areas
9 beyond the Lakefront and Lakefront core are shown to be a
10 feature within the FDP area.

11 In terms of meeting adequate public facilities, there
12 are 775 existing tentative allocations. The phasing has
13 been redistributed and that is based on the planning year
14 within the Board of Education charts. All allocations
15 have passed the open schools test, so no age restricted
16 dwellings are required within this neighborhood.

17 The traffic study indicates that transportation
18 facilities are adequate with the transitional critical
19 lane volume intersection standards adopted for Downtown
20 Columbia in the ordinance. And there will be phasing of
21 traffic improvements that are addressed further with the
22 site development plan.

23 As a reminder, the final development plan has an
24 initial traffic study that is further expounded on with
25 the site development plan when the actual improvements and

1 buildings are being proposed.

2 As stated again, in terms of protecting
3 environmentally sensitive features, the site and block
4 layout will avoid the environmentally sensitive features
5 at the northeast area of the FDP area and off site.
6 Again, any limited disturbances would be for utility
7 upgrades and trail connections and that is just based on
8 existing utility alignments in the neighborhood and
9 beyond, as well as where the trail connections would be
10 possible.

11 As this site is not part of any existing stormwater
12 management regime, this was all existing surface parking
13 space. As we evaluate with all of our FDPs for downtown
14 revitalization acknowledgement that the 2010 stormwater
15 management requirements will be upheld with the site
16 redevelopment as designated for redevelopment in the State
17 Code which provides additional environmental benefit.

18 In terms of criteria L, we don't have any existing
19 historic or culturally significant sites, buildings or
20 structures or existing public art within the FDP area.
21 Art in the community will be designated at the 1 percent
22 requirement, either through the provision of providing
23 public art with the site development plans and buildings
24 or through a fee-in-lieu and that's just generally
25 covering the FDP area. We generally receive additional

1 information for public art during the site developments
2 plan and with building permits.

3 There is a general requirement in terms of providing
4 a general note provided in terms of providing maintenance
5 of reciprocal easement agreements for any property owned
6 or maintained as a common quasi-public amenity use.

7 Again, specific mechanisms will be identified with the
8 site development plan.

9 In terms of conformance with the community
10 enhancement programs and public amenity provisions, the
11 FDP provides notes regarding that it is subject to the
12 CEPPA 25 or CEPPA 27 for the downtown partnership. I'll
13 just verify that for you. Nope, I'm sorry, it is CEPPA 25
14 for the downtown partnership. If I had mentioned CEPPA 25
15 for the affordable housing, that would have been CEPPA 27.

16 I just wanted to note that the slide said CEPPA 25,
17 that would have been CEPPA 27 for payment to the Downtown
18 Columbia Community Housing Fund and CEPPA 25 is for
19 payments to the downtown partnership.

20 The initial fees for actually both of those are
21 provided with the use and occupancy at the time of the
22 building permits.

23 With that, the Planning Board may approve, approve
24 with modification or deny the Amended FDP-DC-L-2A,
25 Lakefront Neighborhood Phase 1, Amended Neighborhood

1 Concept Plan, Amended Neighborhood Design Guidelines and
2 Amended Neighborhood Implementation Plan.

3 **Chairman Coleman:** Thank you. Does anybody have any
4 questions for staff right now? Okay. So, with that, we
5 will begin with the Petitioner's opening statement.

6

7 **PETITIONER'S CASE IN CHIEF**

8 **Todd Brown:** Thank you very much. My name is Todd
9 Brown, I'm an attorney with Shulman, Rogers representing
10 the petitioner. I am very happy to be here this evening.
11 It's been a while since we've been in front of the Board.
12 We've had an interesting and eventful three years, and I'm
13 very glad to see the Board members that were here
14 previously and to welcome the new Board members here.
15 This is my first time presenting to you so I'm glad to be
16 here this evening and hope you enjoy this evening's
17 presentation.

18 Just a couple of brief comments, this is an amendment
19 to an existing approved FDP which the Board approved back
20 in January of 2020. The number of residential units in
21 the FDP is not being changed. It's 775, that's what was
22 approved before and that is what is proposed in the
23 amendment. So, there is no change to the number of
24 dwelling units.

25 The non-residential density has been reduced from

1 350,000 square feet to 85,000 square feet and the major
2 consequence of that will be a reduction in traffic impacts
3 which we will have a witness to go through that with you
4 later on in our presentation.

5 We are adjusting the open spaces as well. We are
6 consolidating them. We think we have got an improved
7 layout for these open spaces that will make them more
8 useable and in locations that will encourage their use
9 compared to the FDP that was approved back in 2020.

10 We also have an adjustment to the street network that
11 I think fulfills a major objective of the Downtown
12 Columbia Plan and of the Downtown wide design guidelines
13 and that is the create a primary pedestrian street through
14 the lakefront neighborhood that will extend from Lakefront
15 North, which is the area we are talking about tonight, all
16 the way down to the South Lake medical office building
17 which you approved recently and is under construction. So
18 that will be a major pedestrian, bicycle friendly street
19 that will extend the entire length of the lakefront and
20 provide an alternative to Little Patuxent Parkway. We
21 think it's a very major improvement that is going to occur
22 with this FDP and with the SDP that is going to come to
23 you next week. That's the schedule currently.

24 The other benefit that we have that we want to talk
25 about extensively tonight is we are using the site

1 topography to a greater extent than was used initially.
2 The property as you will hear slopes down towards Lake
3 Kittamaqundi and rather than having above grade garages
4 underneath all of the buildings as was originally proposed
5 with the FDP that's been approved, we are actually going
6 to use the topography and do some additional grading and
7 place parking, the volume of parking space, underneath the
8 buildings and underneath the main street, Wincopin Circle
9 extended, and under Wincopin Green. You will see some
10 interesting exhibits on that tonight which we hope you
11 will find informative.

12 Lastly, as your staff had mentioned, the request
13 involves an adjustment to the downtown phasing
14 progression. That was the chart that Jill showed that was
15 from the Downtown Columbia Plan.

16 What we are requesting for the Lakefront North
17 development is 150 units increase for the Lakefront North
18 development to accommodate the 775 units that have been
19 previously approved in the FDP. So, we are not asking to
20 add any units to this development. We are not asking to
21 add any units to the Downtown Columbia Plan overall. That
22 number stays the same. It's just a question of when they
23 are going to be able to go forward.

24 There is also a request for 475 additional units
25 which are for low-income tax housing credit projects that

1 are a part of the development, the DRA, that the County
2 signed and the County Council approved with Howard
3 Research and Development. Those 475 units will not be
4 located in the Lakefront North area. At present they are
5 intended to be located in the Merriweather District under
6 the Crescent FDP. Those units are part of the number of
7 units that has already been approved for the Crescent. So,
8 there is no increase in units in Crescent either as a
9 result of this request to increase the amount of units
10 that can be built under phase one of the Downtown Plan.

11 The affordable units that are going to be built in
12 Lakefront North are determined by the 775 units that have
13 been already approved in the FDP and we are going to
14 remind you of tonight. That will include low-income units
15 and middle-income units as part of the DRA calculation
16 because a portion of the property lies outside of the DRA
17 boundary and that portion of the property will be subject
18 to the County's moderate income housing unit requirements.
19 So, we will have a full spectrum of housing which is a
20 major objective of the Downtown Columbia Plan within the
21 Lakefront North neighborhood that will include market rate
22 housing, very low-income housing, low-income housing and
23 middle-income housing. So, we think it's a fabulous plan
24 and we are very happy to bring it to you tonight.

25 I do have a couple of preliminary matters. I know

1 that Jill had indicated that the certificate of posting
2 and advertising was already in the record and was
3 incorporated into the record. I do have a copy of that.
4 I won't bother giving that to her since it's my
5 understanding that it's already been placed in the record.

6 Also, I understand that the DPZ file has been placed
7 in the record. There is a letter that I would like to put
8 in which addresses the APF status of the project. This is
9 a letter dated March 28, 2023 that confirms, it's two
10 sided here, it confirms that the FDP retains the status of
11 passing APFO allocations and adequate public schools tests
12 for 775 total units. So, we wanted to make sure that this
13 letter was in the record. With the Board's permission I'd
14 like to give it to your staff.

15 **Board Counsel Moore:** I'm sorry Mr. Brown, you're
16 offering exhibits during your opening statement?

17 **Todd Brown:** Yes. This is actually something that
18 was referred to by staff in her comments so we wanted to
19 make sure that the document was in the record.

20 **Chairman Coleman:** And did you previously submit
21 this?

22 **Todd Brown:** This is part of the DPZ file.

23 **Chairman Coleman:** Okay.

24 **Todd Brown:** It was incorporated by reference by your
25 staff.

1 **Chairman Coleman:** Okay, thank you.

2 **Todd Brown:** I'd like to also incorporate, if I
3 could, by reference the Board's decision and order from
4 the FDP that was approved back in 2020 along with those
5 neighborhood documents that were approved back in 2020.
6 Those are recorded at Plat 25-391 *sic* for the final
7 development plan and the neighborhood concept plan and the
8 design guidelines are recorded in Liber 19237 at folio 240
9 *sic* and the neighborhood implementation plan is 19227 at
10 folio 480.

11 In addition, I'd like to incorporate the approved
12 Crescent FDP which is also a recorded document which I
13 just referred to. That's recorded as Plat numbers 24102
14 through 24110.

15 Then, lastly, for incorporating by reference the DRA
16 that was assigned by the Executive on February 3, 2017,
17 and approved by County Council resolution 103-2016. So,
18 we'd like to incorporate those by reference.

19 **Chairman Coleman:** I'd prefer that you did that
20 during your presentation, as the first part of your
21 presentation.

22 **Todd Brown:** Okay.

23 **Chairman Coleman:** And just refer back as you
24 referenced before.

25 **Todd Brown:** Okay.

1 **Chairman Coleman:** But there technically should be, I
2 believe there should be, an opportunity if there was
3 opposition if they wanted to object.

4 **Todd Brown:** And we would have no problem with that.

5 I would like to go ahead and put in a copy - I do
6 have a copy of the staff presentation which was presented
7 tonight. We'd like to make sure that a copy of that is in
8 the record. I'm not sure whether that was done or not.

9 **Chairman Coleman:** It's already in the record.

10 **Todd Brown:** Okay, as long as it is, because of the
11 nature of the digitized format of it I wanted to make sure
12 that it would be available. So, we do have paper copy for
13 you. And then we have a copy of our PowerPoint which we
14 will put in once we finish that.

15 Lastly, we have seven witnesses which are going to
16 present tonight. They include urban designers,
17 architects, a civil engineer, a transportation planner and
18 also representatives of HRD. I have their CVs which we
19 can put in either now collectively or when they come up.

20 **Chairman Coleman:** Whenever we get to it.

21 **Todd Brown:** Okay. That's all we have for opening
22 remarks. Again, we are very excited to bring this to you
23 because we think it's a terrific plan.

24 **Chairman Coleman:** Thank you. Is there opposition
25 who wish to make an opening statement at this point?

1 Again, remember this is not testimony. You have a chance
2 to testify after the witnesses and things. But if there
3 is opposition that would like to make an opening statement
4 now?

5 Okay, seeing none we will begin with the petitioner
6 presentation.

7 **Todd Brown:** Thank you very much. I'd like to refer
8 back to my previous comments about incorporating documents
9 into the record. Unless there is some objection, we would
10 ask that they be admitted.

11 **Chairman Coleman:** We will accept those documents.
12 Thank you.

13 **Todd Brown:** Thank you very much.

14 Our first witness is Gabe Jung with Howard Research
15 and Development.

16 Mr. Chairman, we do have a number of witnesses.
17 They will all be referring to the PowerPoint. We can stop
18 after each one and offer them for questions or we can go
19 through all whichever the Board prefers.

20 **Chairman Coleman:** Okay.

21 **Todd Brown:** Mr. Talkin, I'll try to speak up louder.

22

23 **TESTIMONY OF GABE JUNG**

24 **Gabe Jung:** Good evening. My name is Gabe Jung,
25 Senior Vice President of Development of the Howard Hughes

1 Corporation, HRD. I've been with the Columbia team since
2 1008 and it is always a real pleasure to be in front of
3 the Planning Board because that usually means that we get
4 advance development so we are very happy to be here to
5 present this to you all.

6 So, the Howard Hughes Corporation has been working on
7 fulfilling the vision of the Downtown Columbia Plan for
8 over a dozen years now, since it's passage in 2010. By
9 all measures this is a very ambitious multi-decade process
10 and it includes 14 million square feet of new density
11 within 400 acres that you see on the screen.

12 So, for a commercial program we have delivered just
13 under 700,000 square feet of new class A office in the
14 Merriweather District. We are also reinvesting and
15 enhancing the office employee's experience by adding new
16 amenities throughout the string of office assets south of
17 the Mall that we call 10 through 70 Merriweather Road.
18 I'm circling this area right now.

19 Next to our newest trophy office building, 6100
20 Merriweather, we are also advancing new design and
21 actively marketing a new Class A office tower totaling
22 over 300,000 square feet. For our residential program we
23 have delivered the Metropolitan, the Tenam and M-Flats on
24 the west side of the Mall and south of the Merriweather
25 Post Pavilion Juniper and Marlow, altogether totaling just

1 over 1,600 units. Activating the public realm we have
2 delivered several dozen retail stores including
3 destination restaurants such as Busboys and Poets, Cured,
4 Dok Kao, Peter Chang and Food Market. Quick service
5 restaurants include Toastique, Charmery and the list just
6 really goes on and on. It's truly, truly exciting, with
7 many more to come.

8 With all the wonderful food options, we can't forget
9 our fitness options offerings as well such as F45, Yoga 6,
10 and soon to be opened Merriweather Boxing. In total, all
11 of this will add to the wonderful amenity package for our
12 community, residents, as well as office employees in the
13 region. Merriweather District has truly become a highly
14 desirable live, work, play neighborhood.

15 So, turning our focus onto the Lakefront side of
16 Downtown Columbia, we have restored the old Rouse Company
17 headquarters in the Whole Foods Market. In the parcel
18 south of the Whole Foods building, we recently started
19 construction of the new 86,000 square foot medical office
20 building bringing new healthcare options for the community
21 in a beautiful lakeside setting.

22 The former Clyde's and Sundry spaces have been
23 leased and will open the doors next month. And Columbia
24 Association also has increased it's art and entertainment
25 offerings bringing more activity to the Lakefront

1 neighborhood.

2 Of course, many have heard that last week Howard
3 County Executive Calvin Ball announced he has included
4 funds in his fiscal year '24 budget for a beautiful
5 Lakefront library. The concept is designed by world
6 renowned architect Thomas Heatherwick. This signature
7 building would draw residents and visitors to the
8 Lakefront and put Downtown Columbia on the map. The
9 Lakefront District is in prime position to take its
10 rightful place as the heart of the community, just as the
11 Downtown Plan had intended.

12 So, on this slide the yellow outline is the Lakefront
13 neighborhood with Little Patuxent Parkway and the Mall and
14 Columbia to the west and Lake Kitimikundi to the east.

15 This slide shows the Lakefront neighborhood from the
16 east looking west. The configuration of the neighborhood
17 is linear in nature and one of the objects of the Plan is
18 to create not only the northside connections, but also to
19 enhance the quality and access east-west as well.

20 So, here is a great shot of today's condition. This
21 is an aerial photography from the north looking south with
22 Lakefront North neighborhood in the foreground closest to
23 us and the Whole Foods building and the medical office
24 building in the distance.

25 As you know, the Planning Board has already approved

1 an FDP for Lakefront North to replace the existing surface
2 parking area. We are here tonight to ask for an amendment
3 to the previously approved FDP. We are seeing a change
4 that will allow us to respond to the current market
5 conditions and reflect Downtown Columbia's continuing
6 evolution and growth as the County's Urban Center.

7 Besides realignment of the street networks, my
8 colleagues will also present what we believe to be an
9 enhanced public amenity package. We will also discuss the
10 rationale behind the increase of the number of stories
11 from nine stories to thirteen stories for a particular
12 parcel but keep the current permitted building heights the
13 same at 145 feet maximum.

14 Contrary to most developers' position in maximizing
15 density, we are also right sizing the density program
16 here, decreasing commercial density from 350,000 square
17 feet as currently approved to 85,000 square feet.

18 So with these amendments we will be able to form a
19 better neighborhood. One that seeks to incorporate the
20 existing natural setting that is the Lakefront and create
21 an enhanced downtown community commons and secondary
22 amenity area all to be publically accessible.

23 In this presentation we will describe our land plan
24 where a portion of the parking supply is tucked in
25 underneath a new grade. While this is a much more

1 expensive topology for us to construct, we believe that
2 the results from the perspective of Howard Hughes
3 Corporation, a long-term developer and holder of real
4 estate in Downtown Columbia, that this long term value
5 that gets created will outweigh the more expensive upfront
6 capital.

7 All of this reflects in an evolving land use concept
8 that we will review in greater detail later on in this
9 presentation. We are confident that these changes will
10 create a more vibrant and sustainable neighborhood at the
11 Lakefront.

12 Because of the development configuration we will need
13 to construct and deliver much of the proposed density and
14 will require an adjustment in the phasing progression
15 schedule that you see on the screen. The amendment request
16 is being made to primarily respond to a timing issue here.
17 We want to advance more residential units than identified
18 in phase one.

19 As you can see in this table the phase one maximum
20 for residential units is currently identified at 2,296
21 units. We are requesting the Planning Board to approve
22 advancing from phase two 150 residential units to allow
23 for the Lakefront North development to happen. In
24 addition, along with the County, we are also requesting
25 the Planning Board to approve advancing 475 units in phase

1 one, of which 175 units are for the new cultural center
2 and 300 units for the DRRRA, low-income tax credit units
3 cited in the Merriweather District as previously discussed
4 by Todd. So, those projects will not get slowed down
5 either. The overall total units as discussed before for
6 the Downtown Plan do not change.

7 We have an excellent team of folks who have been
8 working very hard on this project over the last two years.
9 Cecily Bedwell, Principal at Design Collective, she has
10 been a part of the Downtown Columbia Plan from the very
11 beginning. Brendan Biederman from Port Urbanism, our
12 landscape architect. Dan Sweeny from GLW, our civil
13 engineer. Michael Wachowski, President at Wells and
14 Associates our traffic and parking engineer. Todd Brown,
15 as you know, from Shulman Rogers is our land use attorney.
16 And also testifying this evening are my colleagues Greg
17 Fitchett, President of the Columbia region for Howard
18 Hughes and Valerie Lopez our design director for the
19 Columbia region as well.

20 So, this concludes my section. Let me turn this over
21 to Cecily Bedwell if I may.

22 **Chairman Coleman:** Hold on. So, is there any cross-
23 examination from anybody for this witness?

24 *NO RESPONSE*

25 **Chairman Coleman:** Okay. Does anybody have questions

1 for this witness besides me?

2 **Nicole Campbell:** Is it possible, like -- I suspect
3 my questions may be answered further on, but if they are
4 not can we go backwards?

5 **Chairman Coleman:** Yes, we can.

6 **Nicole Campbell:** Then I'm good for now.

7 **Chairman Coleman:** Thanks. I'm curious, did you
8 consider requesting increasing the height at all?

9 **Gabe Jung:** Increasing the height?

10 **Chairman Coleman:** Yeah. Technically you are allowed
11 up to 20 stories, but then there is the 145 feet. Did you
12 look at what the impact would be of increasing the height?

13 **Gabe Jung:** We did. We really look at the
14 neighborhood as a whole. We looked at the massing of
15 different buildings. We really want a varying height. We
16 looked at what is potentially appropriate for that
17 particular parcel. While, you know, we looked at a number
18 of different variations and we felt that thirteen stories
19 and keep the 145 feet maximum was reasonable relative to
20 the other buildings that are right next to it as well.
21 So, not really -- just, again, not only to maximize one
22 parcel, but we also looked at the neighborhood as a whole
23 and what fits into the character of the neighborhood. We
24 looked at it in relative terms if you will.

25 **Chairman Coleman:** I was thinking more in the context

1 of creating more or providing more open space. Rather
2 than the reduction you could keep the same number of units
3 but if they were taller you could have accomplished that
4 and you decided not to for what reasons?

5 **Gabe Jung:** Well, you know, again I think that we
6 looked at all the different variety of buildings within
7 this neighborhood and the massing associated with them,
8 the building topology for each building and the density
9 and use really for each as well. To your point, the
10 amenity space that's being incorporated now in this plan
11 we believe in totality it presents a much better amenity
12 package that is open to the general public. So, we did
13 look at the open space making sure that (*inaudible*) side
14 of the configuration itself makes sense as well. So, we
15 did consider all of those in unison if you will.

16 **Chairman Coleman:** If there is going to be an
17 architect later it might be a question better for them and
18 that's fine, you can just punt. Is the increase in
19 stories, but keeping the same height, because residential
20 units are shorter than what office space is?

21 **Gabe Jung:** That's correct too. You know the floor
22 to floor height of residential buildings is generally a
23 little bit lower than your typical commercial buildings.

24 **Chairman Coleman:** I have seen things where -- and it
25 mainly has to do with cities and the amount of office

1 space that is now vacant because of changing work
2 patterns, or at least they are starting to think about
3 converting office spaces to residential, has anybody ever
4 proposed a flexible design space where you could go the
5 other way if conditions changes?

6 **Gabe Jung:** You know, I'm not as well versed in that.
7 I have seen examples of, you know, places where, you know,
8 I think that that's a big topic these days. In some of
9 these urban centers in other parts of the country, you
10 know, talking about office buildings are empty, how do we
11 convert them into residential uses for example. You know,
12 we have seen plenty of proposals and some are viable and
13 many, frankly, are not. It's just because the building
14 systems need to be gutted and re-looked at and it's a very
15 different function as you know.

16 I think that from our perspective it's, you know, we
17 are still very bullish in the office market here in
18 Downtown Columbia and in this project because we believe
19 it has the right mix. While I don't have a crystal ball,
20 I think that, you know, when the market does come back the
21 tenants who want to be, you know, whose objective is to
22 attract and retain the top talents, they will continue to
23 want to be in places like Downtown Columbia. So,
24 advancing residential from our perspective actually helps
25 that argument as well because we believe that, again, when

1 we talk to prospects, office prospects, the C-suites
2 generally consider where their employees are going to live
3 and many employees these days are looking for a one size
4 fully amenitized package, places like a Downtown Columbia.
5 So, we continue to be very bullish about it.

6 **Chairman Coleman:** What my thought process was, was
7 if you had that space designed so that it could go either
8 way, it's easier to put it in when it's built and then
9 leave it unused sort of speak. It would mainly be like
10 water and sewer lines and other places like that because
11 you would have more bathrooms, kitchens and other things
12 in residential, where an office space, if it was never
13 designed for that you can't do it. But, I was just
14 wondering if there was no concept of trying to make it
15 flexible. Because you are locking this in for 30 40, 50
16 years with no flexibility.

17 But, you had also mentioned critical mass. Compared
18 to the Merriweather District what is the proposed retail
19 density that you are proposing for this development versus
20 what is in Merriweather?

21 **Gabe Jung:** Yeah, Merriweather District has a very
22 different kind of merchandising plan than what we are
23 envisioning here in the Lakefront. As you know, Lakefront
24 has been around for a long time already. It has a
25 different set of existing amenities that are in place. So,

1 we did consider the differences between the two different
2 neighborhoods, the two different districts.

3 Merriweather District being in very close proximity
4 to Merriweather Post Pavilion we see more restaurants,
5 more quick service restaurants than potentially Lakefront.
6 Let's not forget too, Lakefront, there are already
7 restaurants there. There is also a Whole Foods there as
8 well. So, the mix of retail that exists there today is
9 fundamentally going to be different than that of the
10 Merriweather District. I think that it is our objective
11 also not to try to replicate, you know, create the same
12 kind of condition from neighborhood to neighborhood, but
13 to offer a differentiation between the Merriweather
14 District and the Lakefront.

15 The Lakefront from our perspective is that while
16 certainly there should be retail, but we really made a
17 concerted effort to bring in the natural surrounding that
18 already exists there, that's already thriving there. We
19 want to create view corridors, we want to create
20 connections and bring in the beautiful setting that is the
21 Lakefront into the neighborhood itself. You know, maybe
22 fundamentally that's a slight difference to the
23 Merriweather District.

24 **Chairman Coleman:** But wasn't the original concept
25 for the Lakefront and that section to be a destination,

1 not just for people who live there, but for the entire
2 Columbia area? I mean it's heavily used now with people
3 going to Whole Foods and walking around the lake and doing
4 all that, but I thought the original concept was that that
5 would be a destination for our community.

6 **Gabe Jung:** Absolutely, and we still see that this
7 land planning will accommodate that.

8 **Chairman Coleman:** But aren't you reducing the amount
9 of retail that could get to the point that there is not a
10 critical mass of diversity of those establishments that
11 would actually attract people?

12 **Gabe Jung:** I think that we believe that the critical
13 mass of retail because of the make-up, the mix of retail
14 that exists and that we see in the Lakefront will be
15 different and won't require as much as the type of retail
16 that we need in the Merriweather District. I don't know
17 if I'm answering that correctly. I think the
18 merchandising plan in the Merriweather District is
19 envisioned to be different in such a way that it includes
20 -- it warrants a greater cluster of that type of retail.
21 Whereas the Lakefront is a little bit more destination
22 based.

23 So, places like Whole Foods will continue to be a
24 draw. That is, of course, retail and it doesn't require
25 five other restaurants next to it. It will require some

1 destination type retail as a draw. We don't believe that
2 as proposed right now that will be detrimental to it being
3 a real draw for the community still.

4 **Chairman Coleman:** Okay. I'll come back to that
5 later.

6 Does anybody else have questions? No? Okay. Thank
7 you. We'll move onto the next witness.

8 **Unknown:** *(inaudible)*

9 **Chairman Coleman:** Go ahead and do that, I'm sorry.
10 While you are doing that, we've received complaints from
11 people online that conversations in the room were being
12 picked up. So, if you are talking amongst yourselves we
13 would ask you to please go out in the hall because your
14 voices are being picked up and it's interfering with
15 people's ability to listen. Thank you.

16 **Todd Brown:** Cecily Bedwell is going to be our next
17 witness. I would encourage you, Mr. Coleman and other
18 Board members, to ask some of the same question. I think
19 Cecily will be able to give you a little bit more insight
20 on the design and the concept for Lakefront North and how
21 we are in achieving with Downtown Plan.

22 **Chairman Coleman:** I have to remember what I asked.

23 **Todd Brown:** I think I just suggested Cecily so I'm
24 pretty sure she will hit it.

25

1 TESTIMONY OF CECILY BEDWELL

2 **Cecily Bedwell:** Thank you and good evening. My name
3 is Cecily Bedwell. My address is 100 East Pratt Street,
4 18th Floor, Baltimore, Maryland 21202. I am a principal
5 of the Urban Design Studio.

6 **Chairman Coleman:** Please wait. Are we supposed to
7 be swearing in the witnesses?

8 Yeah, could you please come back so we can swear you
9 in retroactively?

10 **Board Counsel Moore:** And he can adopt his testimony
11 by reference.

12 **Chairman Coleman:** Yeah. Is there an incantation
13 that we are supposed to say? It's where? Thank you.
14 Sorry about the confusion. It's been so long since we
15 have done one of these.

16 Do you solemnly promise to speak truthfully in the
17 testimony that you are about to give?

18 **Gabe Jung:** I do.

19 **Chairman Coleman:** Thank you. And then with that we
20 will take and enter your testimony.

21 **Board Counsel Moore:** You could ask the witness to
22 clarify that all of his testimony is consistent with that
23 oath.

24 **Chairman Coleman:** Was all of your testimony
25 consistent with that oath?

1 **Gabe Jung:** Yes.

2 **Chairman Coleman:** Thank you.

3 **Todd Brown:** I would like to put in a copy of
4 Cecily's CV if I could.

5 **Chairman Coleman:** Yes, that's fine unless there are
6 any objections? Seeing none, thank you.

7 Do you solemnly promise to speak truthfully in the
8 testimony you are about to give?

9 **Cecily Bedwell:** I do.

10 **Chairman Coleman:** Thank you.

11 **Cecily Bedwell:** Okay, so let's see, I am principal
12 of the Urban Design Studio with 25 years at the firm and
13 over 27 years in the profession. I am a certified planner
14 and lead building design and construction accredited
15 professional.

16 I have testified in front of the Planning Board
17 several times in the past for this and other downtown
18 Columbia projects, as well as other Howard County
19 projects, I think dating back to the Maple Lawn amendment
20 which was 20 years ago or so.

21 In my role of master planner I am familiar with the
22 Lakefront North FDP and helped to author and edit the
23 Neighborhood Design Guidelines and neighborhood
24 implementation plan.

25 I am definitely familiar and feel like I laid the

1 ground work with my firm in the 2005 Town Center charette
2 with the County that lead to the Downtown Columbia Plan
3 and the Downtown wide Neighborhood Design Guidelines.

4 I also want to mention that we did have the DAP
5 meeting on January 12, 2022 and there were no official
6 motions made at that time for the project. It was very
7 favorable, and I would like to just give an excerpt from
8 the DAP meeting summary which read,

9 "Overall DAP advised they feel the applicant has
10 done an incredible job and really likes the
11 connection to the Lakefront on the northern end.

12 DAP feels this is a good improvement to create
13 and multi-functional, multi-layered, semi-urban
14 environment and is effective."

15 DAP commented that:

16 "this phenomenal document, the Lakefront
17 Neighborhood Design Guidelines covers the
18 current and future plans for the area."

19 The changes to the Downtown Columbia Plan in the
20 exhibits that Jill mentioned are the adjustment to the
21 street alignments, the Warfield Green location, the
22 adjustment to the number of stories in one area of the
23 plan. Then we have also added at staff's request,
24 screening language to deal with service and parking areas
25 and other notes for clarification which I will go over.

1 I know that most people are familiar with the steps
2 involved, I'll just point out that there have been and
3 will continue to be many opportunities for community input
4 throughout this process. We are in the FDP. There are
5 eight steps here and then we go to the SDP and then there
6 are eight additional steps. So, tonight looking back we
7 are at step six with the Planning Board hearing.

8 I'll go through the Lakefront Neighborhood Design
9 Guidelines and highlight the changes that were made from
10 the previously approved version. We cover in this
11 document urban design guidelines, street design guidelines
12 and amenity space guidelines, architectural guidelines,
13 signage guidelines and throughout the whole document
14 sustainability is addressed in each section. So, it's
15 woven into each of the criteria for all of these different
16 elements of the built environment.

17 There is also a section on definitions and then the
18 appendix. The appendix pulls forward several of the
19 components of the Downtown wide design guidelines that
20 were crafted, such as the on road and off-road bicycle
21 facilities. In large part those have not changed. I'll
22 make one note of what we have added to that to the off-
23 road bicycle facilities.

24 The introduction covers a lot of what you have heard
25 already tonight. The overall background of Downtown

1 Columbia and the purpose of the guidelines which are
2 really to, in a more specific manner, detail the
3 neighborhood and identify its unique character in Downtown
4 Columbia. So, the guidelines are crafted for each of the
5 neighborhoods identified within Downtown. These form the
6 metric, the measuring stick, by which the Design Advisory
7 Panel, the Planning Board, planning staff, review future
8 SDP's within this neighborhood. These are binding only on
9 the area that is designated within the FDP.

10 So, as Gabe mentioned, one of the major visions of
11 this neighborhood are to create these east west corridors
12 as you can see highlighted by the green arrows that link
13 east to west from the mall neighborhood and the Symphony
14 Overlook to Lake Kittamaqundi to extend the shared use
15 paths and the enhance the trails around the lake as well
16 as to other neighborhoods.

17 As I mentioned, sustainability is a goal that is
18 woven throughout these guidelines and touches on all
19 aspects of these including both creating healthy
20 buildings, but also health streetscapes and amenity spaces
21 that really promote a whole environment that draws people
22 outside, more active and more connected to fitness and the
23 amenity spaces.

24 The urban design section really takes a look at the
25 fabric if you will of the neighborhood including the

1 street and block network and creates several diagrams
2 which then govern other criteria. So, the regulating plan
3 for example governs where streets have to address primary
4 streets.

5 Here you can see, and I'll zoom in here, the
6 comparisons. You will see a number of these comparative
7 slides where we have the previously approved on the left
8 and the current proposed plan on the right. The diagram
9 is from the Lakefront Neighborhood Design Guidelines. And
10 you can see that although the changes are minor, I'll
11 point out here on a zoomed in version that changes that we
12 are going over tonight.

13 So, you can see that Sterrett Place now bends and
14 connects to Road C and another road, Road A, comes
15 northward and then connects to Sterrett Place as it
16 continues further to the north. The neighborhood square
17 now is framed by two building blocks and has become a
18 little bit more regular and framed.

19 **Todd Brown:** Can you point that out?

20 **Cecily Bedwell:** Yes, sorry. So, the neighborhood
21 square here, you can see it's framed by the two building
22 blocks and feels a little bit more integrated with the
23 fabric of the street and blocks. Also, Wincopin Green has
24 been relocated, it really was here before and now it has
25 been combined and located here. So, while the required

1 primary amenity space overall has, I think, notched down
2 by about 1,000. Dan can go over the numbers specifically,
3 but the consolidation and the combination of the open
4 space around it has been, I think, increased and become
5 more consolidated and more meaningful to help to build
6 those east-west connections.

7 So, then the majority of these other plan diagrams
8 are just adjusted to the new street block configuration.
9 Here you see the gateway and vista plan and really there
10 are no significant changes, just the diagram indications
11 of a terminated vista meaning a building that ends a
12 street is shifted slightly to accommodate that new street
13 block plan.

14 **Todd Brown:** Cecily in each of these slides you are
15 doing a comparison of the existing approved FDP design
16 guidelines to what is proposed?

17 **Cecily Bedwell:** Yes. So, again, the left diagram is
18 the previously approved and the right diagram is the
19 current proposed.

20 Here you see the building heights and you can see
21 that the increase in the number of stories is limited to
22 parcel A as you will see in the plan. I'll point that out
23 here. So, just in this northern quadrant of the area,
24 parcel A here has gone up to thirteen stories and then a
25 piece that's really outside of the FDP is also -- we think

1 that this makes a nice transition to the twenty stories
2 just to the west of that area and it also, as you will see
3 in some other diagrams that I have to share with you
4 tonight, makes for better sculpting of the building on
5 that block as it transitions from medical office, which is
6 now being built south of the Whole Foods location. Now
7 here it's transitioning into residential allows us to
8 sculpt that building to fit that space and also to
9 terminate the end of that block as Wincopin extends and
10 becomes Road C and terminates to the north. It gives a
11 better tower element.

12 So, that would be, you know, as this Road C comes up
13 and you will see where we have that terminated vista in
14 the renderings that Gabe showed, and we can go back and
15 look at those. It really creates that massing at the end
16 of that street in a nice way.

17 Beyond that we are not asking for changes to the
18 maximum height, which is 145, just an increase in the
19 number of stories.

20 Here I just have a slide that just talks about the
21 Downtown wide design guidelines and then two excerpts from
22 the Downtown wide design guidelines. In a sense, we are
23 not allowed to exceed twenty stories or 250 feet, but
24 within that it did allow for the crafting of that and some
25 adjustments over time and there have been several

1 modifications to building heights approved by the Planning
2 Board previously which are listed on the right-hand side
3 including at Warfield an increase from 60 to 100 feet. In
4 Crescent there was both an increase and decrease to
5 balance with the market demands and the plan that evolved
6 through time. Merriweather Symphony Woods an increase
7 from 60 to 85 feet and the Lakefront core from nine
8 stories to fifteen stories, 120 to 175. That was probably
9 the largest, but with that there was a sculpting of the
10 buildings as well. Then previously the 120 to 145 that we
11 came in front of the Planning Board for with the last
12 version.

13 So, here you can see in a little bit more
14 diagrammatic form why it's important to be able to craft
15 this. On the left you see what was previously envisioned,
16 which was a medical office building with a deeper floor
17 plate and taller floor to floors. That worked very well
18 for medical office with the medical office shifting and
19 then to south of Whole Foods as well as the change in the
20 market with Covid. You know we are looking at a
21 residential building, but instead of just having stacked
22 bar that is consistent, we are carving that building.
23 There are design guidelines that address that massing as
24 well. So, those have been incorporated to guide that
25 development. You will see that, I believe, next week when

1 the SDP comes in, but you also have seen it in the
2 renderings that Gabe presented.

3 In the street design we are still promoting complete
4 streets and you will see that -- I think we've even
5 enhanced the streets as we moved forward with Road C
6 becoming more of a pedestrian or shared street, also known
7 as a woonerf. Brandon will talk about that a little bit
8 more, but here you can see the plan on the left was the
9 previously approved, the plan on the right is the
10 proposed. You can see here that Road C comes, extending
11 from Wincopin all the way down to Whole Foods and points
12 south to the north as Road C and then connecting to
13 Sterrett Place terminating at that neighborhood square and
14 the building massing on Parcel A. That Road C we did
15 create a new street type primarily to address the
16 enhancement of the landscape and to allow for different
17 pavement on that. So, we can actually have unique
18 pavement types on that street.

19 **Todd Brown:** Cecily, on that diagram that you have
20 up, could you discuss the orientation of the open space
21 and Road C and just talk about that adjustment a little
22 bit from what was previously approved?

23 **Cecily Bedwell:** Yeah, so here you can see that the
24 space at the corner of Wincopin extended, now Road C, that
25 that space was, I'll say, notched out and largely in a

1 regular form moving towards the lake to lake-to-lake
2 trail. Now you can see that the neighborhood square, as I
3 mentioned previously, is a bit more regular in formation
4 and again helps to terminate that Road C and really make
5 it part of that. Brandon will talk about that and show
6 you that in a little bit more detail. Again, we think
7 that is very critical to enhancing those east-west
8 connections across our site.

9 And here you see the other road sections haven't
10 changed so this is one of the previous ones, road type 3A.
11 Really the difference between these is we haven't added
12 lanes, it's still one lane north, one lane south in this
13 case, parallel parking. What has changed is the ability
14 to have a special pavement for pedestrian markings on that
15 street, as well as the enhanced planting along this
16 street. You will see that from the west to east side of
17 this street this is a little bit different of a planting
18 plan imagined due to both the orientation of the street,
19 solar orientation as well as to make that street a little
20 bit more dynamic for pedestrians.

21 Overall, and you will see this in other documents
22 that we present tonight, we also have not only the open
23 space has become, you know, a little bit more formal and
24 open east to west, but that street scape itself now
25 building face to building face has expanded. So, we have

1 expanded the public realm by increasing the number of
2 stories. You asked that question before, so I just wanted
3 to address that. There is more public realm now within
4 this neighborhood than there was previously. We think
5 that's a critical component of making this a little bit
6 more airy and breathable as we develop this site. I think
7 you will see that as we go through this presentation.

8 The amenity space, I've covered a lot of this, just
9 to remind everybody but the intent going way back to the
10 2005 charrette was to have a string of pearls, a green
11 necklace of you will, that connects around downtown and
12 that these east-west connectors that we have been talking
13 about through Lakefront are a critical part of that to
14 connect up to the Lake Kittamuquondi trails.

15 Here you see another comparative diagram. Again, I
16 think we have talked about these changes, but again most
17 of these changes are to address that reconfiguration of
18 the street and block and to bring in those amenity spaces.
19 The Warfield Promenade that runs along Sterrett and then
20 connects to the neighborhood square really hasn't changed
21 much in configuration. It's on the north hand side still,
22 but the way it connects into the neighborhood square has
23 improved.

24 Wincopin Green also has moved from a small corner
25 plaza into a large space between the buildings. Here you

1 see it in a little bit more detail. Wincopin Green, again,
2 in its new location will be a space that's a bit more
3 planted than hardscape. It's more central and has walking
4 path seating, pedestrian lighting and it also meanders
5 along the grade change.

6 As I mentioned, the neighborhood square is dynamic in
7 that it's framed by the two buildings and again has a very
8 dynamic plan that you will in the SDP that connects it
9 from the grade at Road C down to the trails and to the
10 environmental areas to the northeast.

11 Architecture, there really haven't been too many
12 changes. This is really a regulating plan. This
13 regulating plan, again it just determines where primary
14 and secondary street are. It governs the architectural
15 criteria but beyond the change to this plan diagram, the
16 only other changes have been language added to address the
17 building service and parking screening as requested by
18 planning staff.

19 So, this architecture section deals with building
20 typologies and building form including massing, recesses,
21 projections, corner elements. We also go into great
22 detail into material and element standards, so every
23 component of a building is governed by design criteria.
24 Those are really, again, the measuring stick by which all
25 subsequent submissions are measured. So, we are setting

1 our own bar here with the design guidelines.

2 There are even unique standards for storefronts as
3 they are, you know, kind of a unique portion of the plan.

4 Signage, again, you know, our overall goals are the
5 same to promote a cohesive, esthetically pleasing, high-
6 quality environment to make sure that people can find
7 their way and also promote economic vitality. Again, not
8 very many changes here other than the shift in the street
9 block.

10 I will say that we did shift some of the dots. Now,
11 the dots are not determinate of the final placement of
12 signs, but while we were making the changes we did shift
13 type somewhat. You will see that there are less directory
14 signage, what's indicated in the purple dots. We used to
15 have a few more of those in the Lakefront area. In
16 Lakefront North they were located here.

17 With mobile phone use we don't typically rely - we
18 don't walk up to signs as much anymore. We are usually
19 finding those places on our phone to get to the front door
20 of places. So, we do think that the permanent
21 identification signs are needed, it is certainly needed as
22 you are approaching a building that you are reassured that
23 you are moving in the right direction. How you turn in
24 your vehicle is indicated, but we have changed some of
25 those director signage locations.

1 Then the appendix as I mentioned there was only one
2 change here which was a note which was just really a
3 coordination note between what the Columbia Association
4 has as it's off-road facilities, just saying that theirs
5 will dictate, theirs will supersede anything that was
6 shown in the appendix which, again, is borrowed from the
7 Downtown wide design guidelines. There has been an
8 evolution, they've been building their trails, we want to
9 connect in the same way that they have specified as we go
10 forward since we do connect to their trails.

11 That's really it for the Neighborhood Design
12 Guidelines. The Neighborhood Implementation Plan then is
13 really about the phasing and metrics. It records the
14 phasing and metrics of the program, of the utilities
15 within the CEPPA within our area. So, you will see this
16 anticipated program yield in a number of places, one of
17 which is in the neighborhood implementation plan. You
18 will also see on Dan's sheets on the FDP sheets. Then you
19 can see that this identifies - there's a diagram that
20 identifies the parcel. So, when we talk about parcel A,
21 that's to the north. Parcel C is here in the middle, F2
22 and then I think there is a B2. I can't remember, but Dan
23 will go over them in more detail.

24 They also talked about the phasing of the Downtown
25 Community Commons and you will see that, other than the

1 slight - as Dan and others will say, the overall space
2 hasn't change the requirement of 5 percent, because the
3 area hasn't changed. It's just a portion of the overall
4 that's at 5 percent, so it remains 113,714 square feet.
5 There has just been an adjustment between the numbers.

6 Then that's really it. This concludes my testimony
7 and I'd be happy to answer any questions.

8 **Chairman Coleman:** Thank you. Is there any cross-
9 examination of this witness? Please sir.

10 *(inaudible)*

11 **Chairman Coleman:** You need to go to a mic and state
12 your name and address.

13 **Richard Talkin:** Richard Talkin, I'm one of the
14 owners of Kincaid, LLC, I'm here representing myself.
15 Bill Sinclair represents Kincaid, LLC as the attorney for
16 Kincaid. I do have a couple of questions if I might.

17 Could you put up the slide that shows the comparison
18 of what the changes are?

19 **Cecily Bedwell:** Any particular one?

20 **Richard Talkin:** Yes, just the outline. You had the
21 two side by side.

22 **Cecily Bedwell:** Sure.

23 **Richard Talkin:** Could you do that?

24 **Cecily Bedwell:** Go back through them?

25 **Richard Talkin:** Yeah, just go through them if you

1 would. Real quick, just very quickly.

2 **Cecily Bedwell:** Sure. I'll start at the beginning,
3 just give me a second.

4 Okay, so this would be the first one, this just shows
5 the street and block configuration.

6 **Richard Talkin:** Where are you?

7 **Cecily Bedwell:** So this is the previously approved
8 FDP plan from the Neighborhood Design Guidelines showing
9 the street and block plan, and this is the proposed, the
10 current plan that we are here tonight for.

11 **Richard Talkin:** And the changes, what is the change?

12 **Cecily Bedwell:** So, it's easier to see on this blow-
13 up diagram. Again, the previous plan had Wincopin
14 extended, Road C teeing into Sterrett Place.

15 **Richard Talkin:** Right.

16 **Cecily Bedwell:** And then Road A connected at that
17 same intersection, teed in. Now, as you can see to the
18 right Road A comes, turns and connects to Sterrett Place
19 as it heads north. Road C again bends and connect to
20 Sterrett Place. Then the other change is the amenity
21 space location.

22 **Richard Talkin:** So, Road A now goes behind that
23 northern most parcel, is that correct?

24 **Cecily Bedwell:** That is correct.

25 **Richard Talkin:** What are the other changes?

1 **Cecily Bedwell:** The amenity space. As I went
2 through in the testimony shown here, the neighborhood
3 square has become more regular and framed between these
4 two blocks. The Wincopin Green has gone from a small
5 corner plaza to this larger space and incorporated within
6 this larger space here. The other changes that I've
7 talked about don't show up in Plan as much as if you can
8 see that there is a narrower building to building face or
9 distance between building face to building face on Road C.
10 It's become more enlarged and enhanced in this
11 configuration.

12 **Richard Talkin:** Okay. Now on this plan can you show
13 where Kincaid LLC is?

14 **Cecily Bedwell:** Yeah, I mean -

15 **Richard Talkin:** Just for the Board since I'm an
16 owner can you show where it is?

17 **Cecily Bedwell:** Yeah, I have to go back to the other
18 plan, sorry.

19 **Richard Talkin:** Yeah, the other plan. So that is
20 the Kincaid building that you are showing there?

21 **Cecily Bedwell:** Yes.

22 **Richard Talkin:** And that's adjacent to the parking
23 garage which is part of this FDP is that correct?

24 **Cecily Bedwell:** That's correct.

25 **Richard Talkin:** So, it's adjacent to that.

1 **Chairman Coleman:** Please speak closer to your
2 microphone.

3 **Richard Talkin:** I'm sorry. I've been having trouble
4 hearing all night.

5 So, Road C, is that on this plan or another plan?

6 **Cecily Bedwell:** Yes, it's here.

7 **Richard Talkin:** Okay. And Road C, I think you
8 testified, was going to be a different type - I couldn't
9 hear your clearly - a road configuration or designation or
10 what?

11 **Cecily Bedwell:** So, we incorporated it - well, it
12 changes, its configuration has changed in that it now
13 turns to the west and connects to Sterrett Place. So, its
14 configuration has changed. Also, the street type has
15 changed.

16 **Richard Talkin:** What is that?

17 **Cecily Bedwell:** Type is the typologies of the street
18 section has changed and now it allows for special paving
19 and enhanced landscape.

20 **Richard Talkin:** You also have a slide that shows the
21 extension of Road C connecting towards the Whole Foods
22 don't you?

23 **Cecily Bedwell:** Yes. Any of these diagrams show
24 that. So, Road C is here and you can see that it is
25 planned that Wincopin extended would come and connect all

1 the way from the south to the north.

2 **Richard Talkin:** And that's a different type of road
3 in and of itself isn't it, because it's more pedestrian
4 oriented.

5 **Cecily Bedwell:** There is a portion of Wincopin
6 extended that allowed for more pedestrian enhancements as
7 well. That's in the Lakefront core neighborhood, not the
8 Lakefront neighborhood.

9 **Richard Talkin:** Right. And is that portion that's
10 in Lakefront Core, the extension, is that also,
11 notwithstanding its pedestrian oriented, does that also
12 accept traffic, vehicular traffic, between Lakefront North
13 and I guess it's going south?

14 **Cecily Bedwell:** Yes. The whole extended portion of
15 Wincopin is going to handle traffic as well as pedestrians
16 and cyclists.

17 **Richard Talkin:** So that vehicular traffic will go
18 down to the Whole Food area will it not?

19 **Cecily Bedwell:** That is the plan.

20 **Richard Talkin:** One last question. There is a gas
21 station located adjacent to the area. Where is that for
22 the Board's reference? Where is that gas station?

23 **Cecily Bedwell:** The Exxon Station is right here at
24 the corner of Little Patuxent Parkway and Sterrett.

25 **Richard Talkin:** And the building that you propose

1 next to that, what is that D1 or B1, what is that? That
2 building?

3 **Todd Brown:** Just as a clarification, the FDP doesn't
4 include any buildings at this point.

5 **Richard Talkin:** Well, it's shown on the plan.

6 **Todd Brown:** Maybe you want to rephrase your
7 question.

8 **Richard Talkin:** The block, Parcel C, if there was
9 residential units located there, they would be adjacent to
10 the gas station, is that correct?

11 **Cecily Bedwell:** Yes.

12 **Richard Talkin:** Okay. I don't have any other
13 questions.

14 **Chairman Coleman:** Thank you. Is there anybody else
15 that wishes to ask questions?

16 **Phil Scherer:** Hello, I'm Phil Scherer. I'm currently
17 on the Howard County Multimodal Transportation Board
18 although I am not speaking for them, I'm just speaking for
19 myself.

20 If you pull up one of the diagrams you just had that
21 denotes the street type for Road C? On the document that
22 is provided online, street type 3B, this is where you call
23 out the different street types, for street type 3B you
24 have 3B ending at the park and it only connects between
25 the two parks. Is there a reason why you are not

1 continuing the alternative paving material all the way
2 down to the intersection to Road B? It's very difficult
3 to see on this screen, even for me and I have young eyes.

4 **Cecily Bedwell:** I'm going to go back up so we can
5 see that in a little bit more detail. So, Road C, the
6 idea was that the enhanced pavement, which is really the
7 whole idea of having the different street type was really
8 to have some enhanced pedestrian crossing materials to get
9 you from the west side to these amenity spaces. So, yes,
10 it does stop at that point because it was really to
11 connect east to west along that. As we go to the south, I
12 will also say that this is an existing section of road so
13 we don't really have the opportunity to do much. We are
14 more or less confined to the existing curb to curb and
15 pavement types. We are not changing that because we are
16 so confined within that section.

17 **Chairman Coleman:** Thank you. Is there anybody else?

18 Okay, seeing none, does the Board have any questions?

19 Can you put that last slide up that you had? So the
20 question that Mr. Talkin was asking is that white area,
21 that's owned by a different owner that is not Howard
22 Hughes, is that correct?

23 **Cecily Bedwell:** Are you saying this area? Sorry,
24 you are talking back to the Kincaid?

25 **Chairman Coleman:** Yes.

1 **Cecily Bedwell:** So, I have to go back to the other
2 plan here. This area here, the office building that is
3 existing here, that is outside of the FDP area, it's
4 outside of the Lakefront neighborhood and, right, it is a
5 different property owner.

6 **Chairman Coleman:** Okay. The most irregular shape
7 that's up there, that's right up against the Lakefront,
8 that's the Marriott?

9 **Cecily Bedwell:** That's correct.

10 **Chairman Coleman:** And do the design guidelines apply
11 to those properties also?

12 **Cecily Bedwell:** They are not subject to the design
13 guidelines that we are promoting, it's only what's within
14 the FDP area is governed by the design guidelines. Is
15 that your question?

16 **Chairman Coleman:** Yes. They are not covered under
17 these design guidelines.

18 **Cecily Bedwell:** That's correct.

19 **Chairman Coleman:** Okay, thank you. I'll repeat what
20 my other question was, does the density of retail that you
21 are proposing here still envision that the Lakefront and
22 the Core will be a destination and there is enough mass to
23 make that viable?

24 **Cecily Bedwell:** Yeah, so I think there are a couple
25 of things to note here. I think it was always envisioned

1 in the Downtown Columbia Plan and the Downtown wide design
2 guidelines that the Lakefront North area was envisioned to
3 be primarily residential. Other uses, supporting uses,
4 the hotel and retail were supporting uses in the Lakefront
5 North. The Lakefront Core was really the area that was
6 envisioned to have the bulk of that dynamic retail.
7 Restaurants and the like were supposed to be consolidated
8 around the Lakefront Plaza. So, that is one of the points
9 in the Downtown wide design guidelines and the Downtown
10 Columbia Plan that notes the character of Lakefront North
11 is a bit different. As Gabe mentioned each of the
12 different neighborhoods or districts are looking to have a
13 different character. So, this area, as opposed to
14 Merriweather being you know kind of the corporate and
15 entertainment, retail district, this area is more about
16 health, wellness, fitness and a residential setting by the
17 lake, connected to the lake.

18 So, yes, I believe that having supplemental uses of
19 retail in the amounts designated are appropriate for this
20 area.

21 **Chairman Coleman:** Okay.

22 **Richard Talkin:** A follow-up question if I could.

23 **Chairman Coleman:** Sure, go ahead.

24 **Richard Talkin:** Richard Talkin. You said just now
25 that it was always envisioned that Lakefront North would

1 be residential.

2 **Cecily Bedwell:** Primarily residential.

3 **Richard Talkin:** Do you know that prior to 2019 or
4 '20 when the last FDP was passed that residential never
5 appeared on an FDP for this area for the past 30 or 40
6 years.

7 **Cecily Bedwell:** I can speak to the Town Center
8 charrette that we participated in and the lead up to the
9 Downtown Columbia Plan, the Downtown wide guidelines.

10 **Richard Talkin:** So, you don't dispute that prior to
11 2020 FDP there never appeared on any FDP with respect to
12 this FDP area residential. You don't dispute that do you?

13 **Cecily Bedwell:** I don't because I know this area is
14 just all asphalt and used to have office buildings.

15 **Richard Talkin:** Thank you very much.

16 **Chairman Coleman:** Thank you. Do you have a
17 question?

18 **David Costello:** Can I just ask it from here if I
19 yell?

20 **Chairman Coleman:** No.

21 **David Costello:** Okay. Can you -

22 **Chairman Coleman:** You still have to it down and
23 state your name.

24 **David Costello:** I'm David Costello. I'm one of the
25 owners of that Marriott building that you just referenced

1 a minute ago. You said that our property wasn't part of
2 the Neighborhood Design Guidelines? If you pull up your
3 old submission, I'm pretty sure that the Neighborhood
4 Design Guidelines encompass that entire area. I just want
5 to clarify.

6 **Cecily Bedwell:** Yeah, just to clarify, what I said
7 was the FDP, only the areas that are within the FDP are
8 governed by the Neighborhood Design Guidelines for this
9 FDP. There is no mechanism by which we as an applicant
10 can mandate the applicability of our design guidelines on
11 any other property owner.

12 **David Costello:** That I agree with. Although, I do
13 think that we can adopt your guidelines for our property
14 under your original submission.

15 **Cecily Bedwell:** There is some mechanism via the
16 County that may be done, but I don't know all the
17 mechanics of that.

18 **Chairman Coleman:** Was that a commitment you just
19 made?

20 **David Costello:** Awww, let me get back to you on
21 that.

22 *(Laughter)*

23 **David Costello:** There's a lot of considerations that
24 would go into the decision.

25 **Chairman Coleman:** Are you going to testify later?

1 Do you intend to?

2 **David Costello:** I'll have to get back to you on that
3 one too.

4 **Chairman Coleman:** I mean tonight. You only have an
5 hour or so to decide.

6 **David Costello:** So, we're deciding. I'm sure you
7 want to hear from us, but it may be more appropriate to
8 save that for the next round of discussion which I think
9 is a week from now maybe?

10 **Chairman Coleman:** Okay.

11 **David Costello:** Under the SDP.

12 **Chairman Coleman:** I mean that's what's planned.
13 Okay, I have questions for you regarding kind of the
14 questions that I asked.

15 **David Costello:** Okay. I want to be accommodating.
16 I'll testify then so that you can ask me the questions
17 that are on your mind.

18 **Chairman Coleman:** That's fine.

19 **David Costello:** Yup.

20 **Chairman Coleman:** Thank you.

21 **David Costello:** Thank you.

22 **Chairman Coleman:** Anybody else? Thank you.

23 **Board Member McAliley:** Thank you very much for your
24 information. I just wanted to ask, during the testimony
25 tonight will someone be going into greater detail on the

1 open space and what's actually planned?

2 **Cecily Bedwell:** Yes. I will say as a caveat to that
3 we are showing you that but that is subject to the SDP.
4 You know you are getting a preview of it and we wanted to
5 pain the picture, but that's really part of the SDP.

6 **Board Member McAliley:** Thank you very much. I
7 appreciate it.

8 **Todd Brown:** I just had one follow up if I might.
9 Ms. Bedwell, I'm going to show you a section of chapter
10 one from the Downtown Columbia Plan. Go ahead, read that
11 section if you would please. Identify where it is and
12 read what it is please.

13 **Cecily Bedwell:** Sure, this is from Chapter 1, Making
14 Special Place, Section 1.1, Rouse Vision:

15 "Continue and enhance Jim Rouse's vision of
16 Columbia as a thriving, socially responsible and
17 environmentally place for people of all ages,
18 incomes and backgrounds."

19 **Todd Brown:** And that's in the Downtown Columbia
20 Plan?

21 **Cecily Bedwell:** That's correct.

22 **Todd Brown:** So, is it your opinion that the Downtown
23 Columbia Plan continues Jim Rouse's vision as that states?

24 **Richard Talkin:** What was the question? I couldn't
25 hear you.

1 **Todd Brown:** Is it your opinion that the Downtown
2 Columbia Plan continues Rouse's original vision as that
3 statement that you just read states?

4 **Cecily Bedwell:** Yes.

5 **Todd Brown:** Thank you.

6 **Chairman Coleman:** Thank you.

7 **Todd Brown:** Our next witness is Brandon Biederman.

8

9

TESTIMONY OF BRANDON BIEDERMAN

10 **Chairman Coleman:** Thank you. Do you solemnly
11 promises to speak truthfully in the testimony you are
12 about to give?

13 **Brendan Biederman:** I do.

14 **Chairman Coleman:** And please state your name and
15 address.

16 **Brendan Biederman:** Brandon Biederman, 1800 West
17 Roscoe, Chicago, Illinois.

18 **Todd Brown:** If I could put in a copy of his CV
19 unless there is an objection?

20 **Chairman Coleman:** Sure.

21 *CV of Brandon Biederman entered into the record.*

22 **Brendan Biederman:** As I said, Brandon Biederman and
23 I'm a senior associate at Port which is a public realm and
24 landscape design consultancy. I've been with Port for over
25 a decade and practicing architecture for over 15 years.

1 I'm currently managing and landscaping and public realm
2 for the Lakefront North project.

3 I'm excited to share with you the Downtown Commons
4 and public space design that can be achieved with the
5 design guidelines that Cecily just walked through.

6 The slide that you are seeing here is showing the
7 whole Lakefront North District and you are also seeing the
8 Lakefront Core District as well that Cecily had walked
9 through earlier. We wanted to point out that this project
10 really completes a major component of the Lake Front
11 District as it was established in the Downtown Columbia
12 Master Plan and the Neighborhood Design Guidelines.

13 Through the continuation of Wincopin Circle to the
14 north that is becoming Road C as we are showing in the
15 diagram here, as well as the east-west connector known as
16 the Warfield Promenade that brings the connection from the
17 Mall district through this precinct over to the existing
18 Lakefront trail network that you are seeing in the yellow
19 line surround the lake and moving to the north towards
20 Lake Wilde.

21 Also, we just wanted to note that we agree with staff
22 in their report that this project, the central theme of
23 this project, is really the connectivity of the Lakefront
24 District. That's something we have taken very seriously,
25 and we think has really shown through in the design that

1 we are excited to share more about or more details of in
2 the site development plan presentation a week from today
3 as scheduled.

4 We also wanted to note that that was a comment that
5 came out of the Design Advisory Plan was this importance
6 of connectivity in our presentation to them previously.

7 This slide shows the public spaces as Cecily had
8 walked through. So, you are seeing the neighborhood
9 square and its reconfigured state, kind of as a view
10 corridor between Building A and Building B. Again, these
11 are previews of what will come in the site development
12 plan as we are talking here for relationship to these
13 amended changes that are being requested. You are also
14 seeing the consolidation of the Wincopin Green and the
15 view corridor that that provides from the Woonerf
16 Streetscape.

17 One thing that was noted before and I just wanted to
18 point out again, is that though there is a slight
19 reduction in what our accounted amenity space is, we
20 really consider this primary streetscape as a public
21 amenity in both the fact that it's been widened and it has
22 become a special street that has imbedded and integrated
23 vegetation, you know, wider sidewalks, seating areas and
24 is activated through, you know, kind of retail along that
25 corridor that I will talk about a little bit more.

1 You are also seeing up to the west, or north, the
2 shared use path that was mentioned earlier that would be
3 completed as part of this project and how it ties into the
4 Warfield Promenade that moves down through the
5 neighborhood square. Then you are seeing that little
6 yellow arrow, kind of on the page right bottom, that is
7 the connection proposed to the trail network.

8 **Todd Brown:** The shared use path is the dashed
9 redline?

10 **Brendan Biederman:** That is correct.

11 This organizational strategy slide is showing that
12 the primary street is really conceived of what we have
13 been calling the High Street, and the idea behind that is
14 it's a very activated street through both retail and
15 amenity spaces along that corridor and how it ties into
16 the adjacent public spaces that you saw in the previous
17 slide. As it moves to the north and rounds the corner,
18 and as opposed to the termination that happened
19 previously, it really meets and ties in well with the
20 Warfield Promenade as that predominant east-west connector
21 that is moving from Little Patuxent Parkway over to the
22 trail network to the east.

23 And this also really corresponds to the active
24 frontages diagram that were in the Neighborhood Design
25 Guidelines on that High Street.

1 This pedestrian network slide illustrates the
2 connectivity between the precinct and its connections to
3 Little Patuxent Parkway through the two public spaces over
4 to Road A and across the ravine to the pedestrian trail
5 network.

6 We also wanted to note that there is some offsite
7 improvements that include this shared use path along the
8 LPP, or the Little Patuxent Parkway, the far west section
9 of the Warfield Promenade and the northeast connection to
10 the existing trail system, because these are on Columbia
11 Association land, but the Board has approved the granting
12 of those easements.

13 This vehicular network slide is showing the
14 circulation. So, the kind of dash line that you are
15 seeing through the center there is illustrating that this
16 is a primary pedestrian street as outlined in the
17 neighborhood design guidelines and Downtown Plan.

18 The kind of dashed areas that you are seeing here are
19 where we are currently looking at the drop-off zones so
20 that they are dispersed through for residential entry into
21 the lobbies and, of course, all the retail that is
22 adjacent to those lobbies.

23 Then, the vehicular traffic is dispersed around Road
24 A providing the ability for that center street, or Road C,
25 to be that primary pedestrian network that will be shared

1 with bikers, pedestrians and vehicles. So, just to
2 restate, it is also open to vehicles, but there are a
3 number of traffic calming measures on there to make it a
4 pedestrian forward street that I will get into here in a
5 moment on the next slide.

6 So, here we are showing the illustrative plan that
7 visually shows how the public spaces are all integrated
8 together to form the precinct. This really is something
9 that can be achieved with the design guidelines as
10 outlined which we are very excited about.

11 As I mentioned, there are a number of traffic calming
12 measures that we are utilizing and this is partly one of
13 the points that was brought up earlier regarding the
14 special paving. So, we are looking at kind of a special
15 textured concrete with the pattern on it that goes down
16 Road C which is a Woonerf condition as was mentioned
17 before. That basically means flush curb. So, you are at
18 the same level as the sidewalk which has been shown to
19 help to calm traffic or to show that this is a place that
20 you should be mindful of pedestrian movement.

21 The kind of white stripes that you are seeing on the
22 corner there is representative of a different texture in
23 that concrete to provide a little bit of subtle noise on
24 vehicular travel so that you are able to understand it is
25 a place to slow.

1 Again, there is a table at either end of the Woonerf
2 which you are seeing at the west portion of the corner as
3 it moves around here, and another table that you are
4 seeing at the intersection of Road B here, which is
5 basically like a little speed bump that you move up on and
6 then are able to drive forward as normal.

7 There is also special lighting that you are seeing
8 overhead here to help create a different type of
9 environment for vehicular movement to really show that
10 enhancement of the pedestrian realm.

11 **Todd Brown:** Brandon, could you describe the
12 difference between the table that you've identified and a
13 typical speed bump? What would people experience that's
14 different between the two?

15 **Brendan Biederman:** Yes, so, in a typical speed bump
16 a lot of times you move forward, you slow down, you got
17 over the bump and then you speed up again because you are
18 back onto a road that feels similar. In this particular
19 case you will come up to the speed bump and the paving
20 surface will change. So, it's signifying that it is a
21 different environment than your road that you are
22 typically used to, an asphalt road that you are typically
23 used to. This has occurred in a number of different
24 cities in North America, Europe, several in the United
25 States that have found a great effectiveness on some of

1 these traffic calming measures.

2 The last one I just wanted to point out is we have a
3 mid-block crossing here that corresponds to the public
4 space that is called the Wincopin Green in the
5 neighborhood design guidelines. There are rumble strips
6 on either side of that for an extra secured measure to put
7 that audible, kind of signal, in drivers as they pass over
8 that.

9 We are excited to share more details of this plan in
10 the site development presentation next week, but again
11 just wanted to give you a preview of why some of these
12 neighborhood design guidelines are being requested for
13 amendment. I think, also, Chairperson Coleman to answer
14 some of the questions you had about the building height, a
15 lot of this was looked into to really get that wider
16 public right-of-way and specifically the pedestrian right-
17 of-way that exists on Road C to provide that sort of
18 neighborhood and community destination. It will come with
19 the corresponding -- and I would argue it's not just the
20 retail that's going to do it, it's the public kind of feel
21 and these open public spaces that are really integral to
22 that streetscape and not kind of off to the side or
23 adjacent to it.

24 That concludes my testimony.

25 **Chairman Coleman:** Thank you. Any cross-examination

1 of this witness?

2 **David Costello:** Same guy, David Costello. Can you
3 pull up that last sketch that you had really quick. The
4 very last one.

5 It's very minor, but on the lower left-hand corner I
6 believe there's an encroachment of Road A on property
7 outside of the land owned by HRD and, in fact, it's on our
8 land. It doesn't feel real good to be sitting here having
9 a presentation to the Board with a road running through
10 our property. So, I don't know whether you just want to
11 take this one out of the submission or what, but --

12 **Chairman Coleman:** Can you point out exactly where?

13 **David Costello:** Todd can point it out, he knows.

14 **Todd Brown:** Well, let me just ask a question, if you
15 are done.

16 **David Costello:** Yeah, I'm done. I mean I might have
17 a follow-up question, but I'm done for now.

18 **Todd Brown:** Your understanding is that HRD would
19 not construct anything on anybody else's property without
20 their permission, is that correct?

21 **Brendan Biederman:** That is correct.

22 **Todd Brown:** So, if permission is not granted, then
23 this would not be constructed on Mr. Costello's property,
24 is that correct?

25 **Brendan Biederman:** That is correct.

1 **Todd Brown:** Thank you.

2 **David Costello:** It still shouldn't be in front of
3 your guys, you know, to be proposing something -- in my
4 opinion, I don't know the rules, but, you know, they are
5 putting forth a plan that shows a road encroaching on our
6 land and we just don't subscribe to that.

7 **Chairman Coleman:** I understand your point. Can you
8 put that back up?

9 If permission was not granted, what changes? Is Road
10 C then no longer viable?

11 **Todd Brown:** No, it's not Road C. It's Road A and
12 it's not on Mr. Costello's property. The property line is
13 shown at the bottom of the page, lower left corner, the
14 property shown and Road A is not shown on Mr. Costello's
15 property in this diagram.

16 **David Costello:** If that's the case, why did you get
17 the County to write me a letter asking if I could work
18 something out for you to encroach on my land? And by the
19 way, it's the exact same drawing that is shown there. I
20 can point it out if you'd like. I can make it easy --

21 **Chairman Coleman:** You can point it out, but I don't
22 want to go too much further into this one without a
23 survey.

24 **Todd Brown:** I'd be happy to respond. There is a
25 plan for Road A that would require some improvements on

1 Mr. Costello's property and the County reached out, and my
2 understanding is to Mr. Costello to see if he would
3 authorize that construction. My understanding is that he
4 has said no, which is his right.

5 **David Costello:** He didn't say no, he said at this
6 time without further understanding of what would happen
7 that I'm not in a position to.

8 **Chairman Coleman:** Okay, okay.

9 **Todd Brown:** There is an alternative to Road A that
10 we can also present that will satisfy the requirements of
11 the plan that will not encroach upon Mr. Costello's
12 property.

13 **Chairman Coleman:** And it's not this.

14 **Todd Brown:** Well, this is an illustrative diagram.
15 We have engineering drawings that we could share that
16 would show that.

17 **Chairman Coleman:** That's okay.

18 **Todd Brown:** Sorry, this is the alternative Road A
19 that does not encroach on Mr. Costello's property. This
20 plan -- and maybe we can have a witness come up and
21 describe it.

22 **Chairman Coleman:** Would it be fair to characterize
23 that what you are asking for would be like plantings or
24 enhancements that would go on the other side of the road
25 that would be on his property?

1 **Todd Brown:** Well, let me ask one of the witnesses to
2 testify to it if that would be helpful.

3 **Chairman Coleman:** Okay. We will move on.

4 **David Costello:** And if I'm mistaken, I just know
5 that I saw that diagram, right above the "P" and the "L" I
6 believe was the encroachment that was shown to me and I
7 think that that's on our land.

8 **Todd Brown:** As I said, we have no intention of
9 constructing on Mr. Costello's land without his
10 permission. That's just not going to happen.

11 **Chairman Coleman:** Okay. Thank you.

12 **David Costello:** Thanks.

13 **Chairman Coleman:** First, and then you. Any Board
14 Members?

15 **Brad Canfield:** My name is Brad Canfield, I'm a
16 partner with David at the hotel, but this question is just
17 more back to the original thing. I just keep hearing
18 language that's confusing to me because it's the Lakefront
19 area, but there is no part of this project that is
20 Lakefront at all.

21 Can you put the one slide up, because I'm hearing
22 names like promenade, but I don't understand where the
23 promenade really goes? It just sort of dead ends into
24 building. Then the Lakefront connection is a boardwalk
25 basically to Vantage Point and connects up with the path,

1 but it's not really a Lakefront connection. Is that
2 correct?

3 **Brendan Biederman:** So the Warfield Promenade, and I
4 can pull up the other diagram that shows this a little bit
5 more clear, but while we are on this page, starts at the
6 crossing here on the edge of the FDP zone. This is the
7 section that I mentioned that was on CA land that an
8 easement has been granted for, and then it moves down
9 through and it moves across Road A here, it follows down
10 the road and then it goes through the neighborhood square,
11 because of the topography to meet accessibility
12 requirements so that this is able to be used by all with
13 all mobility standards, it winds through and these zigzags
14 allowed us to accomplish the grade necessary to keep the
15 slope under 5 percent. It crosses Road A here and then
16 there is kind of short cut stair and a boardwalk that
17 moves down. Then, again, for accessibility, there is also
18 a ramp that navigates along the hillside here. If you
19 have been out to this area it's a pretty steep ravine
20 between Road A here and the creek that runs down below.
21 Then this path becomes on grade somewhere in this area and
22 connects to the lake to lake-to-lake trail network which
23 then surrounds the entire lake.

24 I can go back to this overall diagram here to show --
25 and, again, this is much more illustrative as a diagram,

1 but that same connection is here. You are seeing kind of
2 under this drawing that zigzag and then the path that
3 connects over and ties into, so you could go to the left
4 to get up to Lake Wilde. Or if you turn to the right, you
5 are on the Lakefront trail and are able to move around the
6 entire lake.

7 What we feel is really important to note here is that
8 this trail connects you over the Lakefront stage as well
9 as Wincopin Street, so it really helps to complete a loop
10 that you are to move through and access the lake in a way
11 that isn't possible today.

12 **Brad Canfield:** By certainly no means a direct
13 connection, I know like in the CEPPA's --

14 **Chairman Coleman:** Questions, do you have questions
15 please.

16 **Brad Canfield:** So, in the CEPPA's there was a
17 requirement for an additional Lakefront entrance. I see
18 one on the other side of the medical building which is
19 sort of through -- the Lakefront promenade now is a very
20 clear delineation of the way to park, walk down to the
21 lake --

22 **Unknown:** *(inaudible)*

23 **Todd Brown:** If he's got a question, he should ask
24 it.

25 **Brad Canfield:** Is this part of the CEPPA requirement

1 for the second Lakefront entrance, is that what that is
2 considered?

3 **Todd Brown:** If you know. If you don't know the
4 answer, we can bring up another witness.

5 **Brendan Biederman:** I'm not familiar enough with the
6 CEPPA, and there will be a better witness that can answer
7 that question.

8 **Brad Canfield:** Okay.

9 **Chairman Coleman:** Did you have a question?

10 **Phil Scherer:** Hello, Phil Scherer again. I asked
11 the same question to the previous person up here. If you
12 go back to the diagram.

13 **Brendan Biederman:** Which one?

14 **Phil Scherer:** Next slide, I think page 50. I'm sorry
15 keep going, stop.

16 In the material presented by the previous presenter,
17 it was indicated that street type 3B which authorized for
18 allowed alternative paving materials was only marked as
19 being the road area between the two parks and not
20 extending all the way to Road B, and yet this diagram very
21 clearly shows that the Woonerf, the alternative paving, is
22 continuing all the way to the intersection. So, which is
23 it?

24 **Brendan Biederman:** From my understanding, the
25 special pavement is between Road B and the curvature here

1 at the corner where it connects into Sterrett.

2 **Phil Scherer:** Okay, if I could make a request then
3 to the Board, you should make a slight amendment then to
4 the FDP to indicate that clearly because I don't think
5 that is indicated clearly, or there is a little bit of
6 confusion there.

7 **Chairman Coleman:** I understand your point, but you
8 guys could clarify which one it is right now and then we
9 state what it is and go from there.

10 **Todd Brown:** This drawing is correct, it extends to
11 Road B.

12 **Chairman Coleman:** Okay. Great, thank you.

13 With this slide, the lower portion that connects to
14 the CA trail, there is an easement that was granted or is
15 required for that too, right?

16 **Brendan Biederman:** Correct.

17 **Chairman Coleman:** Okay, you had mentioned the part
18 at the top, I just wanted to make sure that it included
19 the bottom. But when you describe the slope that's
20 involved, this is not going to be bike friendly is it?

21 **Brendan Biederman:** We've accounted for widths and
22 the slope to allow for that to be an option for folks to
23 be able to move between the lake to lake-to-lake trail
24 network and connect into the precinct.

25 **Chairman Coleman:** So, it will be bike friendly?

1 **Brendan Biederman:** Correct.

2 **Chairman Coleman:** Okay. Thank you.

3 **Todd Brown:** Just to ask a question if I could. To
4 remind the Board, you participated in the DAP proceedings?

5 **Brendan Biederman:** That's correct.

6 **Todd Brown:** And the DAP did they say, quote, in
7 their minutes "they really liked the connection to the
8 Lakefront on the northern end", is that accurate?

9 **Brendan Biederman:** That's accurate.

10 **Todd Brown:** And then if you could put the drawing
11 back up. Through the Lakefront neighborhood square with
12 the zigzag, that's ADA accessible, is that correct?

13 **Brendan Biederman:** Yes, that is correct.

14 **Todd Brown:** That's all, thank you.

15 **Chairman Coleman:** You put me on a bike I'm going to
16 be hitting people there. Any other questions? Barbara?

17 **Board Member Mosier:** I would just, so, when you said
18 you looked at the widths in terms of that being bikeable,
19 you know, and it's ADA accessible so the slope are
20 definitely bikeable, but did you look at the turning
21 radii? I've definitely biked plenty of things that I
22 could get around it, but that's because I'm good at it.

23 **Brendan Biederman:** Those were all studied, and I
24 think there will be a better witness that can answer those
25 more specifically. Our engineer was the one that really

1 put together the alignments for that.

2 **Board Member Mosier:** Okay. There hasn't -- I mean I
3 guess we will probably get into this more when we get to
4 the SDP, but what is the total building face to building
5 face anticipated width of street C?

6 **Brendan Biederman:** Road C?

7 **Board Member Mosier:** Yeah.

8 **Brendan Biederman:** So, it does vary a little bit,
9 but predominately it's -- actually, I believe, at its
10 minimum its 95 feet and it has some areas where the
11 building, you know, obviously the facade has different
12 movements to it that changed that slightly. But it
13 maintains predominantly 95 feet. Just to note, at a
14 minimum, design guidelines would be 70 foot wide and that
15 would include the street for two traffic lanes, two
16 parking lanes and the minimum pedestrian zone as outlined
17 by the neighborhood design guideline.

18 **Board Member Mosier:** Okay. And when you were
19 describing the ends of it, the traffic calming measures as
20 having speed bumps, and then you also said speed tables.
21 It's a table I assume?

22 **Brendan Biederman:** They are tables, yeah.

23 **Board Member Mosier:** Okay. And it is, you know,
24 when you are talking about curbless with the vehicle realm
25 designated by certain paving and the pedestrian realm

1 designated by different paving, that's why we have to have
2 the special paving real to begin with. Is there any
3 anticipation that this would be used for special events
4 and closed off sometimes in the same way that the one over
5 in Merriweather District is?

6 **Brendan Biederman:** The neighborhood design
7 guidelines does mention this as a pedestrian, you know, a
8 pedestrian forward street and that it would be, you know,
9 able to be closed off for an event. That is something
10 that I think the design allows for and would be, you know,
11 to be determined in the future.

12 **Board Member Mosier:** Okay. Then the other thing
13 was, in the diagram with the vehicular circulation diagram
14 in the blue, where do deliveries happen? Is that
15 anticipated to be inside the garages? Where are UPS and
16 Amazon and everyone going to be pulling up?

17 **Brendan Biederman:** So that would be something that
18 can be outlined in a little bit more detail with some
19 other witnesses and in the site development plan
20 presentation, but what we are showing here are essentially
21 kind of locations that are being illustrated based on the
22 neighborhood design guidelines and the current plan that
23 stems from that for resident drop-offs which would also
24 include, you know, more fast delivery let's say. Then
25 you are seeing these arrows around the side where entries

1 into the garage and loading areas would be within the
2 buildings.

3 **Board Member Mosier:** Okay. I think that's it for my
4 questions.

5 **Chairman Coleman:** Thank you.

6 **Brendan Biederman:** Thank you.

7 **Todd Brown:** Valerie Lopez is our next witness and
8 here is a copy of her CV.

9

10 **TESTIMONY OF VALERIE LOPEZ**

11 **Valerie Lopez:** Hello, good evening.

12 **Chairman Coleman:** Thank you. Speak your name and
13 address.

14 **Valerie Lopez:** My name is Valerie Lopez. My address
15 is 10960 Grantchester Way in Columbia, Maryland.

16 **Chairman Coleman:** Thank you. Do you solemnly
17 promise to speak truthfully in the testimony you are about
18 to give?

19 **Valerie Lopez:** I do.

20 **Chairman Coleman:** Thank you.

21 **Valerie Lopez:** So, my name is Valerie Lopez. I am
22 the senior director of design at Howard Hughes Corporation
23 or HRD. I've been working in the field of architecture
24 and design for the last 18 years. I'm a registered
25 architect in the State of Maryland and I'm also an elite

1 accredited professional.

2 As design director for HRD my responsibilities
3 include managing the design teams which consist of
4 architects, engineers and other consultants, some of which
5 have testified tonight, for HRD's strategic development
6 projects in Downtown Columbia. As such, I am familiar
7 with the Downtown Columbia Plan and the proposed FDP
8 amendment and proposed amended neighborhood documents.

9 So, I think you heard earlier tonight, as originally
10 envisioned in the previously approved FDP, the layout of
11 the street and block plan supported construction of
12 separate above-grade parking structures for each of the
13 development blocks. Each separate garage would require
14 its own entry/exit drives for vehicular access creating
15 multiple points of pedestrian and vehicular conflict.

16 The proposed amended design presents an evolved land
17 use concept that utilizes the topography of the site. As
18 you can see on the side in the site section on the top the
19 existing grade slopes almost two stories from the west
20 side of the site along Sterrett Place to the east side of
21 the site towards Lake Kittamuqundi. We use the topography
22 and the slope to tack a below grade parking garage into
23 the hillside that will serve as a podium upon which new
24 development, Buildings B and D2, Rustling Sky Way, which
25 has previously been labeled Road C on previous slides,

1 Road C streetscape and Wincopin Green, a primary amenity
2 space, will sit on top of.

3 This partially below grade parking garage will be
4 shared by the development above with a singular vehicular
5 access point at grade from Singing Stone Terrace, which
6 was labeled as Road A on previous slides.

7 So, here we have a section axon which is cut east-
8 west through the middle of the FDP area. You can see here
9 by pushing a large amount of the required parking below
10 the shared podium a new ground plane is created that
11 provides unique opportunities for re-grading of the site,
12 re-organization of pedestrian and vehicular circulation
13 and reorientation of the open spaces that positively
14 impact the design of the public realm of the buildings.

15 **Richard Talkin:** Richard Talkin. My understanding is
16 from Mr. Brown that there are no buildings on the plan
17 tonight. I'm assuming, and maybe you can correct me, that
18 these illustrations are just illustrative and if you
19 decided to approve this plan, you are not approving these
20 buildings.

21 **Todd Brown:** I think the purpose, Mr. Chairman and
22 Members of the Board, is to show that the volume of space
23 that is being created for the construction of this
24 project, for the construction of the streets, for the
25 construction of the open spaces, is different and has

1 evolved from the original FDP construct, which would be
2 everything above grade. That's what this was for, it's not
3 specifically for specific buildings, it's the volume of
4 space --

5 **Richard Talkin:** Thank you, that explains it. Thank
6 you very much.

7 **Chairman Coleman:** Okay. Please continue.

8 **Valerie Lopez:** So, the creation of this new ground
9 plane impacts the grading of the remainder of the site.
10 One of the secondary streets, Singing Stone Terrace,
11 previously referred to as Road A, has been realigned to
12 respond to the new grading. This allows the garage access
13 points for passenger and service vehicles to be located
14 along the outer perimeter of the FDP area, dispersing
15 traffic, reducing the number of vehicle and pedestrian
16 conflicts and prioritizing pedestrians and bicycles along
17 Rustling Sky Way, previously referred to as Road C, which
18 is identified as a primary pedestrian street in the
19 Downtown Columbia Plan.

20 The re-grading of the site and alignment of the
21 streets also allow the neighborhood square to be
22 reoriented into a more regular form that is shaped by the
23 building edges and directly engages with Rustling Sky Way.

24 Through re-grading and terracing, we heard
25 previously, an accessible pathway connects from the

1 Warfield Promenade at the west through the neighborhood
2 square and out to the lake to lake-to-lake trail via a
3 pedestrian boardwalk.

4 In addition, the new ground plane that is created by
5 the below grade parking podium supports a new mid-block
6 location for Wincopin Green, a primary amenity space, and
7 a widened streetscape at Rustling Sky. With the
8 relocation of garage access points to Singing Stone
9 Terrace residential lobbies and amenity retail and
10 restaurants are able to activate the building frontage
11 along Rustling Sky Way.

12 The revised layout of the streets and open spaces and
13 enhanced pedestrian character of Rustling Sky Way provide
14 meaningful connections both north-south within the
15 Lakefront district to the neighborhoods to the west and to
16 the trail and woods to the east. These design revisions
17 are made possible by the evolved land use concept
18 presented in the FDP amendment tonight.

19 That concludes my testimony.

20 **Chairman Coleman:** Thank you. Please.

21 **Nicole Campbell:** Thank you. My name is Nicole
22 Campbell, I am an attorney for IMH Columbia, Mr. Costello
23 was asking questions earlier. I do have a few cross-
24 examination questions. My office is located in 10211
25 Wincopin Circle in the Lakefront District.

1 **Chairman Coleman:** Oh, you can just throw stuff at
2 her then.

3 *(Laughter)*

4 **Nicole Campbell:** That's right. Can you pull up some
5 of your slides here that show the parking please. Thank
6 you, that will do, the second one, yup.

7 I believe when you testified you indicated that the
8 parking that is shown underground is for the buildings
9 that HRD are building in the lot?

10 **Todd Brown:** That wasn't the testimony, I'm sorry,
11 that wasn't the testimony.

12 **Nicole Campbell:** I heard that, I heard that the
13 below grade parking was to be shared by the development
14 above. I heard that in the testimony.

15 **Todd Brown:** I'm not disputing that, that is correct.

16 **Nicole Campbell:** Okay, so that was my question to
17 you. So, the parking that you are describing here that is
18 underground is for the buildings above, is that correct?

19 **Valerie Lopez:** That's correct, for the development
20 above.

21 **Nicole Coleman:** For the development above. Alright,
22 and is any of the parking that is below grade for any
23 other buildings located in the Lakefront?

24 **Todd Brown:** I'm going to object a little bit to this
25 and I'd like to explain it if I might. At the SDP stage

1 we are going to talk about parking, parking numbers,
2 parking requirements, at the SDP stage. The only reason
3 we are talking about parking today is because of the
4 excavation of the grading. We are not talking about who
5 is going to park where, we are just talking about the form
6 that is excavating into the topography that allows for
7 this new construction to take place that the design
8 guidelines will allow for. We are not intending to talk
9 about and do not propose to talk about at this meeting
10 specific parking requirements for any building for any use
11 or for anybody that is using this parking. That is part
12 of the SDP process when we have specific numbers about
13 what our buildings are going to contain and what the uses
14 are going to be and who the parking is going to serve.
15 So, we would object to questions that go into that type of
16 detail on parking.

17 Questions about the volume of space that we are
18 excavating to create the environment for the plan that has
19 been described, we have no objection to that at all. But,
20 specific parking demand, requirements, who's parking where
21 is not appropriate for this meeting. That is really an
22 SDP question in my opinion and that is our objection.

23 **Chairman Coleman:** Okay, I'll sustain that. Do you
24 have a --

25 **Nicole Campbell:** Well, my question, I guess, then

1 maybe as a follow-up to what he is saying, does that mean
2 that these questions are more appropriate for the meeting
3 on the 20th? Is that what he is saying?

4 **Chairman Coleman:** If we ever get there.

5 **Nicole Campbell:** Understood. If you could maybe
6 answer that question so we know when it is that we can
7 actually address these questions. We have been asking for
8 a year about the parking for the surrounding properties.

9 **Chairman Coleman:** So, to the direct question is when
10 the FDP is presented which is currently scheduled for the
11 20th, those questions would be appropriate.

12 **Todd Brown:** Questions could be asked during the SDP
13 process and if they are appropriate, they will be answered
14 and if they are not appropriate I will object.

15 **Nicole Campbell:** As a hedge.

16 **Chairman Coleman:** Pretty much, yes, that is correct.
17 That is maybe.

18 **Nicole Campbell:** As some point we hope to have the
19 answer to these questions that we have been asking for
20 more than a year.

21 **Chairman Coleman:** I agree with you, but we are not
22 the arbitrator board either.

23 **Nicole Campbell:** Those are my questions. They had
24 to do with parking. If you are sustaining the objection,
25 then you are telling me to walk away.

1 **Greg Fitchett:** I do.

2 **Chairman Coleman:** Thank you.

3 **Greg Fitchett:** So, my name is Greg Fitchett at 10960
4 Grantchester Way in Columbia. I serve as the regional
5 president for Howard Hughes, as well as vice president for
6 Howard Research and Development, a subsidiary of the
7 Howard Hughes Corporation.

8 I am very pleased to be with you here tonight for
9 this next major step forward in the Downtown Columbia Plan
10 with this FDP amendment. This FDP amendment will enable
11 the creation a newly revitalized neighborhood in the
12 Lakefront District replacing aging and under-utilized
13 surface parking lots and facilitating more mixed income
14 housing in Downtown Columbia, an important goal of the
15 plan in keeping with Jim Rouse's original vision for
16 Columbia as a city welcoming to all.

17 Specifically, I'd like to address the adjustments to
18 the Downtown phasing that is necessary to achieve this
19 next step in the continuing growth and success of Downtown
20 Columbia. As my colleagues have discussed, the nature of
21 this new Lakefront North project has major upfront
22 infrastructure costs in the underground parking, in the
23 generous streetscape with a strong pedestrian orientation
24 and its emphasis on larger and better-connected open
25 spaces. It requires a commensurate scale in the unit

1 count to amortize this large upfront investment.

2 So, this phasing adjustment will further the goals
3 and objectives of the Downtown Columbia Plan. One of the
4 key goals of the plan is to provide housing at multiple
5 affordability levels. Again, consistent with the
6 foundational values of Columbia as an intentionally
7 inclusive, welcoming place successful to everyone.

8 The adjustment to the phasing chart will allow the
9 Lakefront North project to proceed with 701 units in its
10 first phase in three buildings, including 77 affordable
11 units accessible to a wide range of household incomes to
12 move forward. The 77 affordable units are full spectrum
13 affordable units, completely integrated with market rate
14 units throughout the buildings, including incomes for very
15 low-income households, moderate income households and
16 middle income households.

17 The adjustment will also allow the mixed income
18 projects that the Housing Commission and the County have
19 been diligently working on to move forward, including the
20 new cultural center which combines 87 market rate units
21 with 87 affordable units financed with low income tax
22 credits as well as enabling the Merriweather District
23 mixed income project of up to 300 mixed income units
24 recently unlocked by the announcement of the Lakefront
25 library project and allow that to move forward unimpeded.

1 The Lakefront North project will also result in the
2 payment of significant fees by HHC into the live where you
3 work program in excess of \$1.2 million to help support the
4 program that allows people working downtown in low to
5 moderate income jobs to live in downtown as well.

6 We will also be making payments of over \$1 million
7 into the downtown public facilities funds and both of
8 those payments are payments that are over and above the
9 typical payments and impact fees that come along with the
10 development, all of which we will pay as well.

11 Now, as you heard before, the total number of units
12 in this FDP as well as in the Downtown Columbia Plan don't
13 change. The adjustment will also allow the development of
14 new open spaces and connections to nature to the highly
15 valued Columbia trail system, and, perhaps most
16 importantly, it will create a vibrant new neighborhood
17 from what today is an aging and largely unused expanse of
18 surface asphalt parking, much of which was paved to serve
19 office buildings that have long since been demolished.

20 The Downtown Columbia Plan envisions the
21 transformation of these outdated relics of the '70's style
22 suburban development of Town Center into modern walkable
23 places with high levels of sustainability and urban
24 vibrancy. This amendment does exactly that.

25 We have seen the excitement and positive response

1 from the community about the Merriweather District
2 improvements that we have made over the past seven to
3 eight years, and we have also heard the community asking
4 to have this level of focus and investment to come to
5 Columbia's traditional center, the Lakefront neighborhood
6 and this will do that.

7 To date we have invested in the revitalization of the
8 former Rouse headquarters with Whole Foods, we built
9 Millie Bailey park and donated that to the County a couple
10 of years ago. We recently started 10285 Lakefront, the
11 medical office building that will be the premiere medical
12 office building in the neighborhood. So, it's not like we
13 haven't done anything. We've done quite a bit in the
14 Lakefront, but it really is this amendment that is going
15 to allow the kind of change that the community is looking
16 for, really the creation of a new neighborhood in the
17 northern area of the Lakefront neighborhood. It will be
18 transformative.

19 Now, economically, the Lakefront North project will
20 be an investment on the order of \$300 million, generating
21 significant net new tax revenues in terms of property
22 taxes and income taxes to Howard County from the residents
23 who will live there.

24 It is also worth noting that due to the more urban
25 style of these apartments, a resident base tends to be

1 more singles and young professionals without school age
2 kids as well as that health cohort of empty nesters. So,
3 generating very few school kids based on the most recent
4 data from HCPSS for the 1,200 units we have built so far
5 in the Downtown Plan, excluding Marlo. Those nearly 1,200
6 units have only 40 K through 12 students, which is a
7 student generation rate of 0.033 which is less than a
8 tenth of the student generation rate of a typical suburban
9 development in the region and even less than a third of
10 the rate that was anticipated when the Downtown Columbia
11 Plan was passed.

12 Now, I say that because it is worth noting. I am a
13 parent of two children in the Howard County Public School
14 System so education is where most of the County's dollars
15 go, and I think it absolutely should be where most of the
16 County's dollars go. But I just say that to say that this
17 type of development that we have done in Downtown
18 Columbia, the residential development and this type that's
19 planned with Lakefront North is very net positive for the
20 County from a fiscal perspective. So, this is going to be
21 economically beneficial to the County to allow us to
22 proceed with this project and with this amendment.

23 Furthermore, the project will have a positive effect
24 both economically for the community by providing hundreds
25 of regular customers for the Lakefront business, including

1 Whole Foods and the Pearl, Sushi Sono, the third GrillMarx
2 and soon to open the Collective in the former Clyde's
3 space. The community values these spaces and these
4 businesses, and this new residential development will help
5 these businesses to not just survive, but to thrive.

6 It is also important to note that by building a
7 larger scope and scale at once the community will see a
8 comprehensive and complete neighborhood sooner, rather
9 than an isolated or piecemeal development until future
10 projects occur later. Ensuring the development of the
11 Downtown Columbia Plan in a complete and comprehensive way
12 is also a significant goal of the plan.

13 Finally, as accurately noted in the attachment to the
14 Technical Staff Report, we have completed 21 of the
15 CEPPA's to date and are making ongoing payments as
16 prescribed by two others for affordable housing and for
17 the Downtown Columbia Partnership and only three CEPPA's
18 remaining pending. This is a good demonstration of HRD's
19 commitment to its role as the community developer under
20 the Downtown Columbia Plan. We have already developed
21 near 90 percent of the community enhancements, programs
22 and public amenities called for in the Plan, even though
23 we've built only about 20 percent of the development
24 envisioned under the Plan to date.

25 Thank you for your time and your consideration of

1 this amendment.

2 One other thing I just wanted to add, Chairman
3 Coleman, speaking to the question about the character of
4 the retail and the amount of critical mass, or is there
5 critical mass in this neighborhood. It's definitely a
6 different sort of retail and it's a different type of
7 environment in what we have in the Merriweather District
8 which is very much a destination. It's a really a
9 regional destination. People come there for Merriweather
10 and now they are coming more and more just because it's
11 great place and there are lots of restaurants, more coming
12 very soon. In fact, I think Bandito's had their soft
13 opening tonight. So, that is a very different sort of
14 character than what we are envisioning in the Lakefront
15 neighborhood. The Lakefront neighborhood will have retail
16 along its streets, but it really is more neighborhood
17 serving retail. So, it will be a place for, you know,
18 anybody will be able to go there and it's going to be a
19 very great welcoming environment, but it really is more
20 like kind of strolling neighborhood. You are strolling
21 through, and you stop and get a cup of coffee, or you meet
22 somebody for a drink at the bar. It also connects in
23 through -- it's more like a pedestrian passing through
24 area connecting to the open spaces. There is two great
25 open spaces. One of the great things about this type of

1 development that we are planning here is that it allows
2 for, again, Chairman Coleman as you mentioned, because we
3 are doing more vertical development, this will be the most
4 vertical, concrete construction. Thirteen stories will be
5 the highest residential building that we built downtown,
6 that allows for the more generous open space.

7 So, the requirement under the Plan would be to have,
8 really, the one large 25,000 plus square foot open space
9 which you see kind of at the elbow of the Plan. We have
10 the second space which is equally large. That will be a
11 publically accessible space that is really enabled by this
12 type of development. So, again, in keeping with the idea
13 that you have an evolving land use concept, that allows us
14 to create that more generous open space. But, to the
15 retail question, it's definitely very different in
16 character. I think along the street we will have retail,
17 it will be an active streetscape, but it's only going to
18 be 20,000 or 25,000 square feet along the street as
19 opposed to the Merriweather District. Today it's 140,000
20 square feet, at full build out, you know, that area three
21 of Merriweather District will be in the order of 200,000,
22 maybe more of retail. So, that really is a regional
23 destination.

24 The Lakefront is still absolutely a destination in
25 the Downtown Plan, but a different sort of destination. A

1 destination that's more about nature, it's more about,
2 again, with the announcement of the library a week and a
3 half ago, that's going to be tremendous destination, but
4 it's very different type of destination than the
5 Merriweather District.

6 **Chairman Coleman:** Thank you. When you mentioned
7 Clyde's and Sushi Sono and the Collective in one breath
8 and then say it's not a destination in the other, that's
9 the dilemma that I'm trying to get right in my head.

10 **Greg Fitchett:** I don't think I said it wasn't a
11 destination, I said it was a different type of
12 destination.

13 **Chairman Coleman:** Okay. Is there cross-examination
14 for this witness?

15 **Unknown:** Can you give us one second?

16 **Chairman Coleman:** Okay, times up.

17 **Unknown:** I meant more like 30 seconds. We may have
18 a question.

19 **Chairman Coleman:** Is there anybody else that's
20 actually ready? Please go ahead.

21 **Phil Scherer:** Thank you for that. I guess my
22 question is, you know, similarly as a parent and school
23 advocate, so you are saying in Merriweather roughly 40
24 students out of 1,200 units and you project roughly
25 similar based on potential units within this space as

1 well?

2 **Greg Fitchett:** Yes, that's correct. That's based
3 on, you know, we've building units since 2014. We now
4 have 1,200 that have been leased and occupied. This is
5 separating out Marlo because that's still in early lease
6 up. Out of those 1,200 units, and this was as of, I think
7 the school year, I think it's either 2020-21 or 21-22, we
8 had, in those 1,200 units, 40 school age kids, K through
9 12, in the Howard County Public School System, which is
10 much, much lower than the original projections for
11 Downtown. It's less than 10 percent of what you would
12 expect from a typical unit in Howard County.

13 **Phil Scherer:** And then in terms of affordable
14 housing and the units, in terms of the funding of all that
15 because I know that a lot of the MIHU units the LIHU
16 units, some of those are contingent on other funding, how
17 much of that is funded as we sit, versus how much, finger
18 crossed, we hope will be funded at some point down the
19 line, or do you know?

20 **Greg Fitchett:** Yeah, I can speak to that. All of
21 the units -- the DRA is very complicated, I'm happy to sit
22 down with anyone for hours if they would like to go
23 through that, but all of the units that we build in our
24 buildings, in our market rate buildings, there is no issue
25 with the funding of those. As we build each building,

1 which we have done in Juniper and done in Marlo, there are
2 two different types. There is very low-income units that
3 are really targeted for kind of the 30 percent and below
4 medium income and those units we lease to the Housing
5 Commission and the Housing Commission places those with
6 voucher holders. So that's the very low-income units. The
7 middle-income units are targeted at 60 to 80 percent of
8 medium income. Those don't have any subsidy, those we
9 just along with our market rate units, and they are all
10 sort of sprinkled throughout the building. So, the 77 I
11 referred to there is no issue there.

12 There has definitely been a big challenge with the
13 new cultural center. I think any of us who have followed
14 it have seen that. I think it's getting close, I hope
15 it's getting close. We all believe it is going to
16 happen, I think in short order. But that's been very
17 challenging because it was a combined facility that had
18 both the new cultural center which is a County funded
19 project, along with the Housing Commission building the
20 housing. So, that's been difficult.

21 The beauty of the additional 300 units that are part
22 of this amendment are now that we have announced the
23 library and separated the library out from the housing
24 component, the library will go on the Lakefront site,
25 really the prime site on the Lakefront, right adjacent to

1 the Lakefront Plaza, the old American City site, and the
2 library will be its own building, it doesn't have a mixed
3 use with it. The Merriweather District site, which was
4 going to be the combined library plus housing will now
5 only be housing. So, it will be significantly more
6 housing. It was originally planned to be 120 units of
7 mixed income, so 60 and 60. It now can be, we believe, up
8 to 300 units. The Housing Commission has confirmed to
9 least up to 240, but up to 300 units we think can fit on
10 that site. Again, 150 affordable and 150 market rate and
11 that's unencumbered because the Housing Commission can
12 just go and design that and finance that without having to
13 worry about the County getting funding for the library.
14 So, that I think is really exciting.

15 Also, really exciting because it's in, what I would
16 argue, as possibly the best new area in Maryland in terms
17 of a place to live, work and play. It's great. You know,
18 every restaurant that you would want between Baltimore and
19 DC is coming. The Merriweather District is just a
20 fantastic environment and people talk about the desire to
21 place affordable housing in areas of opportunity and that
22 is exactly what is happening here.

23 The rents that we are achieving in Marlo and Juniper
24 for the market rates are probably the highest rents in
25 Howard County, certainly close to if not at the top, and

1 mixed in with those are both moderate income units and
2 very low-income units. It's a very uncommon, unusual and
3 I think really pretty elegant solution. I never met Jim
4 Rouse, but I think he would be really excited about seeing
5 how that creative solution has been reached to create an
6 accessible community.

7 **Phil Scherer:** I appreciate it and I share your hope
8 and optimism of cultural center and appreciate the
9 finances and how best to navigate that. It's also tough
10 sometimes, we're here, I have projects with no affordable
11 housing which is frustrating. So, to see the commitment
12 to that here, I appreciate that. I just want to make sure
13 that what we see potentially is viable, as opposed to a
14 selling point that we don't see later. So, I appreciate
15 the explanation. I know it's complex and I know it's
16 contingent on a lot of different things falling into
17 place. I appreciate your explanation.

18 **Chairman Coleman:** Thank you. One question I had
19 that I think you answered, I was wondering about how long
20 those units have been occupied, and you said since 2014,
21 which I find enough history that we can draw some
22 significance from it.

23 Do you have questions? Are you ready? Did you
24 decide you don't have anything?

25 **Unknown:** *(inaudible)*

1 **Chairman Coleman:** Is there anybody else for this
2 witness?

3 **Todd Brown:** To remind the Board, Mr. Fitchett, the
4 school seats for the 775 units that are proposed in this
5 application, those school seats have already been
6 allocated under the previously approved FDP for Lakefront
7 North, is that right?

8 **Greg Fitchett:** Yes, that's correct.

9 **Todd Brown:** So, there's no additional student
10 impacts resulting from this application. Those student
11 impacts have already been taken into account from the
12 previous approval, correct?

13 **Greg Fitchett:** Yes, they have already been planned
14 for and accounted for in the school systems projects and,
15 I would note, even planned for at probably a much higher
16 rate of student generation than will actually be realized.
17 This is a loaded question, I was double checking a
18 feasibility study.

19 **Chairman Coleman:** So, to confirm though, even though
20 they were planned, they were planned at a different
21 timing, with a different calendar. Does changing the
22 calendar impact that?

23 **Greg Fitchett:** No, I don't believe it does because
24 as long as the milestones are met in the approvals, we
25 would hold onto those seats.

1 **Chairman Coleman:** Okay.

2 **Greg Fitchett:** And we have met the milestones.

3 **Chairman Coleman:** Okay, thank you. Next please.

4 **Greg Fitchett:** Thank you.

5 **Todd Brown:** Dan Sweeney with Gutschick, Little &
6 Weber is our civil engineer, and he will be next.

7 **Chairman Coleman:** Thank you. Before you start, how
8 many more witnesses do you have?

9 **Todd Brown:** Him and one more and Cecily we want to
10 bring back to answer your compatibility question.

11 **Chairman Coleman:** Okay, because we are likely to
12 call it at that point. It's 10 o'clock now. We have like
13 nine people signed up to testify and we have a bunch of
14 people here. Generally, we try to finish around 10:00 or
15 10:30. There is no way I can make a coherent decision or
16 statements too much longer from this. I'm struggling now
17 as you can tell.

18 **Todd Brown:** We understand, and it's a lot of
19 information, we appreciate that. We will try to go
20 through these last couple of witnesses quickly so that you
21 can make a decision.

22 **Chairman Coleman:** It wasn't so much that I was
23 trying to hurry up, but just to prepare everybody that
24 this is probably going to have to continue over.

25 **Board Secretary:** *(inaudible)*

1 **Chairman Coleman:** That's twelve people, you know,
2 five minutes a piece.

3 **Board Secretary:** *(inaudible)*

4 **Chairman Coleman:** Oh, no time limit. So, if they
5 spoke quickly, we got them in and out that would be at
6 least another hour. People that are here and that are
7 participating, you probably want to start checking your
8 calendars. I don't know if we just automatically role
9 this to the 24th? I mean, it doesn't work if they say we
10 can't make it that day.

11 **Todd Brown:** We have the 20th scheduled, that's the
12 SDP date. So, the time is already available on the 20th.

13 *(Discussion by Board Members - inaudible)*

14 **Chairman Coleman:** Would we want to do this and then
15 go right into the next case that's contingent upon the way
16 this case is decided? I mean, who knows if we have a
17 recommendation or modification. If we bump this to
18 continue to that next meeting, I don't necessarily think
19 we should hear the next case that night, right? Or no?

20 **Board Counsel Moore:** That's your call. The parties
21 may want to weigh in on that because they may want time to
22 prepare for Site Development Plan in light of the Board's
23 decision on the FDP.

24 **Chairman Coleman:** I guess that's what I'm asking for
25 input on. So, think about that, we will try to get

1 through these two witnesses and then we will do the
2 planning.

3 **Todd Brown:** I would like to submit Mr. Sweeny's CV.

4 **Chairman Coleman:** Sure. I did swear you in right?
5 No?

6

7 **TESTIMONY OF DAN SWEENEY**

8 **Chairman Coleman:** Do you solemnly promise to speak
9 truthfully in the testimony you are about to give?

10 **Dan Sweeney:** I do.

11 **Chairman Coleman:** Thank you.

12 **Dan Sweeney:** Good evening. My name is Dan Sweeney.
13 I work for GLW a civil engineering firm in Burtonsville.
14 I am a licensed professional engineer in the State of
15 Maryland. I am happy to be back in front of the Board
16 again. This is the fourth Downtown Columbia FDP I've
17 worked on.

18 In addition to the design guidelines and
19 implementation plan, there is the Final Development Plan
20 and the Neighborhood Concept Plan. These two plans take
21 the same information show in the design guidelines and put
22 it in more an engineering type drawing.

23 The first plan, the Final Development Plan, is
24 limited to the subject property. The first sheet of the
25 FDP lists the development levels for all the different

1 uses and sets maximum development levels for each use.

2 Between the parcels there will be 775 residential
3 units which is the same as the previous FDP, and 85,000
4 square feet of commercial which has been reduced from
5 350,000 square feet. Also on this plan is a tentative
6 allocation chart which shows the anticipated annual
7 phasing of the residential units.

8 The second FDP is context plan. This shows the
9 subject property and all of the property lines as they
10 exist today. There haven't been any changes to this
11 sheet.

12 The third sheet shows the proposed parcel layout
13 within the site. Parcels A, B and C have been
14 reconfigured based on the revised layout. Parcel C2,
15 right here, and F2 have not changed. This sheet also has
16 several notes applicable to the plan. One of the notes
17 that has been updated is note 9 which breaks down the
18 Downtown Community Commons for the site.

19 Zoning regulations require 5 percent of the FDP area,
20 excluding right-of-way to be new Downtown Community
21 Commons. The overall site area remains the same, so the 5
22 percent requirement continues to be just under 28,000
23 square feet. This FDP proposes just over 36,000 square
24 feet of Downtown Community Commons within the site,
25 resulting in a surplus of over 8,000 square feet. In

1 addition, there is another 4,000 square feet of Downtown
2 Community Commons proposed directly adjacent to the site
3 in this area right here.

4 Downtown Community Commons is broken into two
5 categories, primary amenity space and secondary amenity
6 space. As you saw in the design guidelines, the primary
7 amenity areas located within the FDP boundary are the
8 Warfield Promenade and the Wincopin Green.

9 The Downtown Columbia Plan does not list a minimum
10 area for the Warfield Promenade. This plan provides 6,400
11 square feet for the Warfield Promenade within the FDP
12 boundary and then the other 4,000 square feet adjacent to
13 the FDP area.

14 For the Wincopin Green, the Downtown Columbia Plan
15 lists 4,100 square feet as the minimum area and this plan
16 proposes 4,135.

17 In addition to the primary amenity areas, this site
18 will also contain a downtown neighborhood square, which is
19 a secondary amenity space. Zoning regulations require a
20 downtown neighborhood square to be a minimum of 25,000
21 square feet. The neighborhood square shown on these plans
22 is 25,579 square feet.

23 The next three sheets show the proposed roads, road
24 classifications, the location and size of the amenity
25 areas, pedestrian routes and parcel layout over top of the

1 existing site features. As with the previous FDP, all
2 roads within the FDP boundary will be privately owned and
3 maintained. Although private, these roads will be built
4 to public road standards. The same layout plan changes
5 shown in the design guidelines are reflected on these
6 drawings. Road C now curves through the site and Road A
7 now goes behind parcel A.

8 The neighborhood square has shifted to the west
9 between parcels A and C, and the Warfield Promenade
10 continues to connect Little Patuxent Parkway to the
11 neighborhood square.

12 The northeast part of the site is the only area that
13 contains environmentally sensitive features which include
14 a 100 year floodplain, a stream, its buffer and some steep
15 slopes. This area will be protected as part of the
16 development. The only disturbance will be for utility
17 installation or construction of the pedestrian connection
18 to the lake to lake-to-lake trail. There are also two
19 storm drain (*inaudible*) that I will describe later.

20 Moving south, this next sheet shows the revised
21 location to Wincopin Green, which is right here, and the
22 updated parcel layout. While the FDP sets the location
23 and size of the amenity areas and the roads, the final
24 design will come back before the Planning Board as part of
25 Site Development Plan.

1 The final layout sheet shows Road B, Parcel C2 and
2 F2. Road B remains mostly the same with only minor
3 adjustments to the alignment. There have not been any
4 changes to Parcel C2 or F2.

5 The next document is the Neighborhood Concept Plan
6 which zooms out to show the entire neighborhood. On this
7 first sheet there is table that calculates the Downtown
8 Community Commons requirement for the entire neighborhood.
9 The neighborhood area has not changed, so the requirement
10 continues to be 113,000 square feet. This sheet also
11 lists the primary amenity areas within the neighborhood
12 and potential secondary amenity areas, including the
13 neighborhood square.

14 The next sheet of the neighborhood concept plan shows
15 the entire Lakefront neighborhood as depicted in the
16 design guidelines. This plan has the street and block
17 layout, street classifications, identification of primary
18 pedestrian streets, amenity areas, pedestrian routes,
19 maximum building heights and land use designations.

20 The NCP also has the same information just zoomed in
21 on a larger scale going north to south, but we have not
22 included that in the presentation.

23 **Todd Brown:** Let me interrupt you Dan for a minute.
24 Can you go back to that slide? Can you read the note
25 that's in the upper right corner?

1 **Dan Sweeney:** This note which appears on every plan B
2 sheet says:
3 "Elements outside of the Final Development Plan
4 Area (File No. FDP-DC-L-2A) are shown for
5 continuity purposes only. Features, if shown,
6 are based on the Downtown Columbia General Plan,
7 previously approved Downtown Columbia
8 Development Plans, and/or other information
9 available and are generally consistent with the
10 exhibits within the Howard County Council Bill
11 Number 52-2016 (Approved Nov. 9, 2016). These
12 elements are non-binding on properties outside
13 of the Final Development Plan area, conceptual
14 and subject to change based on future FDP
15 submissions."

16 So, just real quickly about stormwater. As you have
17 seen this site is currently a large parking field that has
18 no stormwater management of any kind. Today, all of the
19 run-off from the site enters the stream without being
20 treated. As part of this project, stormwater management
21 will be provided in accordance with the latest Howard
22 County and MDE standards. We are looking at using several
23 different types of practices spread throughout the site.
24 These practices include filterra, stormceptors, green
25 roofs, porous pavement and silva cells, all of which have

1 demonstrated success in treating stormwater runoff and
2 improving water quality. All of these practices have been
3 used throughout other projects in Downtown Columbia.

4 Just real quick, to go through each practice. A
5 filterterra operates similar to a bio-retention, however it's
6 high flow media allows for a reduction in surface area,
7 compared to a typical bio facility. The smaller footprint
8 is ideal for urban development projects.

9 A stormceptor is hydrodynamic separator that removes
10 pollutants from stormwater runoff. A stormceptor
11 efficiently removes suspended solids, oils and other
12 pollutants that attach to particles.

13 A green roof is a planted area on top of a flat roof.
14 The green roof system is made of several layers including
15 vegetation planting with a depth ranging from 8 inch to
16 several feet depending on the specific vegetation and a
17 drainage membrane. The medium will absorb rainwater
18 allowing it to be taken up by the vegetation.

19 The next two devices work together. Porous pavement
20 allows runoff to flow through the pavement to a stone sub-
21 base drainage system and infiltrate into the surrounding
22 soils. Silva cells will be located below the porous
23 pavement in select locations. A silva cell is a suspended
24 pavement system that allows a soil volume within the
25 system to be uncompacted to better support tree growth and

1 the long-term health. The runoff stored in the soil
2 volume can be taken up by the tree roots.

3 Also in this area are two storm drain outfalls
4 highlighted as being erosive in the Downtown Columbia
5 Plan. The southern outfall is at the top of a very steep
6 slope. Rebuilding this outfall to current standards would
7 require lowering the outfall to the stream elevation would
8 require substantial grading and building a large wall
9 within this environmentally sensitive area. The decision
10 was made to abandon this outfall rather than rebuild it.
11 All of the pipes draining into this outfall will be
12 removed. All of the runoff that was originally piped to
13 this outfall will be redirected to the northern outfall
14 which is less than 300 feet upstream. The northern
15 outfall will be rebuilt to meet all current regulations
16 and will be sized appropriately based on the anticipated
17 drainage area to be non-erosive.

18 That concludes my presentation.

19 **Chairman Coleman:** Thank you. Please?

20 **Nicole Campbell:** Do you have the ability to zoom in?
21 I'm looking for note 15 on the left-hand side.

22 **Dan Sweeney:** I have a paper copy too.

23 **Nicole Campbell:** Do you?

24 **Dan Sweeney:** Here you go.

25 **Nicole Campbell:** Are you able to read it?

1 **Dan Sweeney:** Me?

2 **Nicole Campbell:** Yeah.

3 **Dan Sweeney:** Would you like me to?

4 **Nicole Campbell:** Yeah.

5 **Dan Sweeney:** Okay.

6 "All parcels within the limit of this FDP are
7 currently subject to recorded covenants, which
8 include parking and other provisions. Site
9 Development Plans within this FDP must address
10 parking serving adjacent parcels that will be
11 displaced by redevelopment if any."

12 **Nicole Campbell:** Okay, so is it the indication here
13 in the FDP then that the Site Development Plans will
14 address the parking for those properties that have
15 recorded covenants?

16 **Dan Sweeney:** The Site Development Plan addressed
17 parking.

18 **Nicole Campbell:** Okay, so that means that, is it
19 your understanding then that at the next meeting on April
20 20th is when the parking requirements will be disclosed
21 to the public and those interested parties who have
22 recorded covenants?

23 **Dan Sweeney:** The site plan addresses parking as it
24 relates to zoning and those number are all on the SDP.

25 **Nicole Campbell:** So, you agree with me then, it

1 would be at the next meeting on April 20th then?

2 **Dan Sweeney:** Yes.

3 **Nicole Campbell:** Alright, no more questions.

4 **Chairman Coleman:** Thank you.

5 **Richard Talkin:** Richard Talkin. Could you pull up
6 sheet 3, same one. I just want to clarify, again, it's
7 real unclear here, could you show the Board where the
8 Kincaid building is?

9 **Dan Sweeney:** The Kincaid building is located right
10 here.

11 **Richard Talkin:** Just one other question. At the top
12 of the FDP is a road, I can't remember what road that is,
13 the north end.

14 **Unknown:** Sterrett?

15 **Richard Talkin:** No. Above there. Yeah, is that a
16 road on the top?

17 **Dan Sweeney:** That's an existing parking lot up
18 there.

19 **Richard Talkin:** It's identified on your plan as a --
20 it looks like a road.

21 **Dan Sweeney:** These two lines are property lines.

22 **Richard Talkin:** Pardon me?

23 **Dan Sweeney:** This line here and this line here are
24 property lines.

25 **Richard Talkin:** Within the FDP area, at the top, is

1 that a road?

2 **Dan Sweeney:** Yes.

3 **Richard Talkin:** What road is that?

4 **Dan Sweeney:** This is Road A.

5 **Richard Talkin:** And where does that go to?

6 **Dan Sweeney:** Road A start here and then goes all the
7 way around and ties --

8 **Richard Talkin:** Where does it go to on the west
9 side?

10 **Dan Sweeney:** Here?

11 **Richard Talkin:** Yeah.

12 **Dan Sweeney:** There is an existing drive aisle right
13 here.

14 **Richard Talkin:** Okay. And that's part of a
15 different development is that correct?

16 **Dan Sweeney:** The drive aisle exists today and was
17 built by a previous SDP.

18 **Richard Talkin:** Okay. Have you talked to the
19 buildings that utilize that, with respect to you are
20 having a road now enter into the drive aisle at that
21 point?

22 **Dan Sweeney:** I'm probably not the best person to
23 answer that question.

24 **Richard Talkin:** Pardon me?

25 **Dan Sweeney:** I'm not the best person to answer that

1 question because I have not been involved in --

2 **Richard Talkin:** Do you know if they have been
3 contacted to discuss how that roadway is going to go into
4 their entryway and parking lot?

5 **Dan Sweeney:** I have not been part of those
6 discussions.

7 **Richard Talkin:** Thank you.

8 **Nicole Campbell:** I have one more question, may I
9 approach? Thank you.

10 Given what you testified about just a moment ago with
11 regard to note 15, given that it's contingent on what's
12 going to be in the SDP in terms of fulfilling the
13 obligations of the covenants --

14 **Todd Brown:** Sorry, I'm going to object right there.
15 That was not the testimony. His testimony was that the
16 SDP addresses zoning parking requirements. That was the
17 testimony.

18 **Nicole Campbell:** Okay. Well, with regard to that,
19 given that the SDP will address the parking covenants --

20 **Todd Brown:** I object. I just objected and I just
21 told you the reason for that objection. He did not
22 testify to that effect. He testified that the SDP would
23 address parking zoning requirements.

24 **Nicole Campbell:** Okay, well that's not exactly what
25 note 15 says though.

1 **Todd Brown:** Well then ask him what note 15 says.

2 **Nicole Campbell:** Well, I just did, and he testified
3 to it already. It indicates that it's going to address
4 the parking covenants.

5 **Todd Brown:** It does not say that.

6 **Nicole Campbell:** It's going to address parking --

7 **Todd Brown:** It does not say that ma'am.

8 **Dan Sweeney:** Note 15 says --

9 **Nicole Campbell:** Go ahead.

10 **Dan Sweeney:** It says the property is subject to
11 covenants and that's it.

12 **Nicole Campbell:** Right.

13 **Dan Sweeney:** It's a statement.

14 **Nicole Campbell:** Well, that's not exactly what it
15 says. Why don't you read it again then.

16 **Dan Sweeney:** "All parcels within the limit of this
17 FDP are currently subject to recorded covenants, which
18 include parking and other provisions."

19 **Nicole Campbell:** The next part, read the next part.

20 **Dan Sweeney:** "Site Development Plans within this FDP
21 must address parking serving adjacent parcels that will be
22 displaced by redevelopment if any."

23 **Nicole Campbell:** Okay. So, the FDP then is
24 contingent upon the SDP addressing the parking serving
25 adjacent parcels.

1 **Todd Brown:** That's a legal question and I'm going to
2 object to that.

3 **Chairman Coleman:** So, the text is here. The text is
4 what it says. The way that I'm reading it, I believe that
5 you are correct, but I think your question for this
6 witness is incorrect because they basically are saying
7 that the next phase of this case, when we see the SDP, is
8 when you would have a strong basis to demand answers.

9 **Nicole Campbell:** I agree with you, but because the
10 FDP incorporates this statement, okay, it makes the FDP
11 approval contingent on what happens at the SDP level with
12 regard to this issue.

13 **Todd Brown:** I'd like to address that if I might Mr.
14 Chairman.

15 That note is a statement, it is simply a statement of
16 fact that the property is subject to a reported covenant.
17 It is just a matter of title. It is just a reference of
18 that. It would be no different then saying this property
19 is subject to an easement granted by CA. That's what it
20 is. It doesn't say anything else other than that the
21 property is subject to a reporting covenant.

22 **Chairman Coleman:** I agree with you, but at some
23 point, they have a right to shared parking or whatever
24 it's described to in this FDP and you are going to have to
25 answer those questions, right?

1 **Todd Brown:** Yeah, we very much expect to answer the
2 SDP, what parking is required by the zoning ordinance and
3 we are going to show you that we meet that parking
4 requirement, absolutely.

5 **Chairman Coleman:** Okay. I can't even believe we are
6 arguing about when we can ask a question. Are you
7 satisfied?

8 **Nicole Campbell:** Well, he's still hedging, okay, and
9 it says 'must' address and he's still hedging. So, I'm
10 not certain what we are going to get on that SDP day, but
11 fair warning that we expect to have answers based on this
12 statement and what the SDP is supposed to contain.

13 **Chairman Coleman:** And I think that's a fair
14 expectation. I would think that I would have those same
15 questions and would want them answered at that point too.

16 **Nicole Campbell:** Alright, thank you.

17 **Todd Brown:** Mr. Chairman, if I might address that
18 since we are talking on it now? The case law in Maryland
19 is very clear that this Board and Boards such as
20 yourselves should not get into the business of
21 interpreting private agreements and private covenants.
22 The Board's responsibility is to interpret the zoning
23 ordinance and to apply the zoning ordinance requirements,
24 not to look at what private agreements might say. What we
25 are saying in note 15 is that, yes, there are private

1 covenants that are recorded again on this property.
2 Number 2, if this property's development at a site
3 development plan stage removes or displaces any parking
4 that is required by zoning, we will replace that parking,
5 of course we will. It's a requirement that you would
6 impose upon us, and we fully intend to do that.

7 **Chairman Coleman:** Okay.

8 **Todd Brown:** We intend to provide enough parking for
9 the uses that are required by this zoning application and
10 for the uses that are being displaced per that note, and
11 we are going to show it to you at the site plan stage.

12 **Chairman Coleman:** Okay.

13 **Richard Talkin:** Mr. Talkin, if I could speak to the
14 last issue. Mr. Brown said that Maryland law is clear
15 that you don't interpret private covenants.

16 **Chairman Coleman:** Wait a minute.

17 **Richard Talkin:** Yeah.

18 **Chairman Coleman:** You are really supposed to be
19 asking questions to the witness and you will have time to
20 present your testimony later.

21 **Richard Talkin:** This has to do with the legal issue
22 and his objection. It has nothing to do with my
23 testimony.

24 **Chairman Coleman:** Go ahead.

25 **Richard Talkin:** I just want to point out to you that

1 the zoning regulations themselves require under certain
2 circumstances that there be private covenants. So, I
3 think that the objection taken by Mr. Brown is incorrect.
4 That's my point.

5 **Chairman Coleman:** Okay. I'm going to sustain your
6 object just for the record. You understand where
7 everybody is coming from.

8 **Todd Brown:** We want to assure the Board that when we
9 get to the site plan stage we are going to go through the
10 parking, and we are going to demonstrate that we meet the
11 zoning ordinance requirements. We are absolutely
12 confident that we will demonstrate that to you.

13 **Chairman Coleman:** Okay.

14 **Board Member Cecil:** Can I just confirm those
15 documents are posted on the Planning Board website now,
16 correct?

17 **Todd Brown:** The site plan documents?

18 **Board Member Cecil:** Yes.

19 **Todd Brown:** I know the staff report has been posted,
20 I'm not sure what else has been posted.

21 **Board Member Cecil:** I was just looking at Table A to
22 the staff report is shared parking. So, I assume we will
23 get to that on the 20th or --

24 **Chairman Coleman:** Or some later date.

25 **Board Member Cecil:** June 2024, or whatever.

1 **Todd Brown:** That information is all publically now
2 on the website.

3 **Chairman Coleman:** For people that are still paying
4 attention, if you are going to submit written testimony,
5 the earlier you submit written testimony for this Board so
6 that we have a chance to review it, because we are not a
7 full-time Board and, like, I have a job that I did today
8 already. So, it's appreciated. You understand where I am
9 coming from.

10 Any other questions for this witness? Thank you.
11 Next.

12 **Todd Brown:** We would like to bring back Cecily
13 Bedwell to answer the question of compatibility with
14 vicinal properties.

15 **Chairman Coleman:** Somebody else looks like they want
16 to talk to. No?

17 So, you still have a traffic witness, right?

18 **Todd Brown:** Very short.

19 **Chairman Coleman:** Okay. Because I'm going to have
20 to declare a little bit of break here.

21 **Todd Brown:** Short, very short.

22

23 **ADDITIONAL TESTIMONY OF CECILY BEDWELL**

24 **Cecily Bedwell:** Hello again, Cecily Bedwell, Design
25 Collective. Just here to address the compatibility to

1 adjacent uses that was asked by the Board.

2 We do believe that this FDP submission is compatible.
3 The design guidelines are compatible and the changes
4 specifically to the building heights are compatible. I
5 did address that earlier, but I'll specifically say that
6 the heights surrounding the area, the vicinal uses --

7 **Chairman Coleman:** If you are answering my question,
8 I'm not concerned about the building height at all.

9 **Cecily Bedwell:** Okay.

10 **Chairman Coleman:** It is the fact that the roads are
11 being realigned and that the green spaces have been moved,
12 and I'm not saying that's a negative. I'll tip my hand
13 here, I actually think that they are an improvement, and
14 they look better. But it would be in context of the
15 adjacent properties and how that all ties in, and you are
16 showing, what your job is right now, is specifically what
17 the items are today, but nowhere has anybody addressed the
18 integration and the tie in to the rest of the
19 neighborhood, which I believe is part of the Planning
20 Board criteria that it be compatible into the
21 neighborhood. Is that clear?

22 **Cecily Bedwell:** Yes. So, you are not asking about
23 the heights surrounding, just the tie in of the roads and
24 the open spaces?

25 **Chairman Coleman:** The tie in of the roads, the

1 pathways, the open spaces and how they feed into these
2 adjacent properties and then can be utilized so that it is
3 a cohesive Downtown Plan.

4 **Cecily Bedwell:** Sure. I'll start with the easy one.
5 I think we did address the pathway connections and tying
6 into the trails and to the lake to lake-to-lake trail and
7 surrounding the neighborhood and connecting over to the
8 Mall. So, I believe all of those pedestrian connections
9 were shown in the testimony and are clear that they
10 connect both to the existing trails as well as to the plan
11 extension into the Mall neighborhood across Little
12 Patuxent Parkway. So, it's a planned connection that
13 expands to the west of LPP. So, in terms of pedestrian
14 connection I think those are tying in very well to the
15 adjacent uses.

16 In terms of use, building use, there is residential
17 and other commercial uses to the north and northeast, as
18 well as residential, if you will, across caddy-corner
19 across LPP which is the Watermark Place condos. Those
20 uses also have varying heights that I think we are being
21 compatible with, just to note that. The hotel also has
22 varying heights and, you know, having residential, retail,
23 adjacent to those uses and the transitions between the
24 uses I believe are compatible and in line with the
25 Downtown Columbia Plan and the Downtown Wide design

1 guidelines.

2 So, again, in terms of building height, use and
3 pedestrian connections, we are -- and, again, going back
4 to I think the last point would be vehicular. We did talk
5 about the extension of Wincopin and that being a north to
6 south connector, which we believe as planners is vital to
7 the coherency and connectedness of this neighborhood. So,
8 that definitely is. Road A allows for the circulation as
9 Valerie testified to. I also believe it connects to some
10 of the service areas of the hotel which is adjacent and
11 connects into the commercial area to the north. Road A
12 circulates up and connects into that.

13 So, I believe all those pedestrian, vehicular,
14 building heights uses are all compatible with the adjacent
15 uses.

16 **Chairman Coleman:** Okay. So, from the concept
17 drawings and things like that, you think it's out of
18 bounds to show like what the crossing would be like across
19 Little Patuxent Parkway. You have this promenade that's
20 going up there and stopping. If I lived in this place,
21 what is the pedestrian traffic across Little Patuxent look
22 like to get to the Mall which I think would be a large
23 destination. The other one is you have the second Green,
24 not the one with the path going through it, but the second
25 Green.

1 **Cecily Bedwell:** Wincopin Green?

2 **Chairman Coleman:** Yeah, so that comes up to the road
3 and then dumps into something. It's not a cliff, it just
4 goes down. It's not the Lake, it's a building there, or
5 there is something there, right? I'm asking how does that
6 tie into what those are?

7 C Sure. So, on the first point across LPP there
8 are crosswalks and a signalized intersection across there.
9 So, I think that allows for the pedestrian crossing. You
10 definitely want that at a signal, and I think that was
11 anticipated in that promenade being located there. In
12 the future we would hope that would expand to the west,
13 again, into the Mall neighborhood as that is redeveloped.
14 So, I think that addresses the first question.

15 The second question is to get across from Road A to
16 Road C, that mid-block crossing where the Warfield Green
17 is allows for people moving along Road A to not have to go
18 all the way around the building block, but to be able to
19 have the mid-block crossing that would allow them say to
20 go from the hotel to a restaurant that's on Wincopin
21 extended Road C. So, that allows for better pedestrian
22 circulation in what I would call a mid-block crossing or a
23 pedestrian way.

24 **Chairman Coleman:** So, again, back to Little
25 Patuxent, I think where that light is and that orientation

1 of it, you are actually on the right side of the island of
2 where that road is going into the Mall, right?

3 **Todd Brown:** Mr. Wachowski is going to address that
4 in his presentation.

5 **Chairman Coleman:** Okay. I was asking what these
6 tie-ins look like.

7 **Todd Brown:** If I could just ask one question Ms.
8 Bedwell. The open spaces that are proposed on the FDP,
9 can you address how they address the desire for view
10 corridors that is identified in the Downtown Columbia Plan
11 and then in the design guidelines?

12 **Cecily Bedwell:** Sure, again, they were anticipated
13 as three corridors going east-west through the Lakefront
14 neighborhood where the Neighborhood Green is and where the
15 Promenade connects to it allows for that northern most of
16 the east-west connectors and a view corridor to the Mall,
17 but also, importantly, to the forested area, the stream
18 valley and across.

19 Then Wincopin Green, that mid-block crossing, also
20 allows for visual connectivity between Road C and Road A.

21 **Chairman Coleman:** Okay. Will there be elevations
22 drawings or other views proposed when you get to the FDP
23 stage?

24 **Todd Brown:** As the SDP?

25 **Chairman Coleman:** Yes.

1 **Todd Brown:** Yes.

2 **Chairman Coleman:** Okay, thank you. Does anybody
3 have cross-examination on what she just testified to? Not
4 her whole thing. Thank you.

5 So, I'm going to call 5 minutes, and we will start
6 back at 10:40 and I really want to finish by 11:00. When
7 it hits 11:00 that's it.

8 ***Board took a short recess.***

9 ***Board reconvened***

10 **Chairman Coleman:** Is your mic on?

11 **Nicole Campbell:** Yes, got it on. Nicole Campbell,
12 on behalf of IMH again. Earlier you were talking about
13 the compatibility issues with regard to the new project
14 and the surrounding neighborhood. What steps have you
15 taken to make this new project compatible with the hotel
16 property as well as the Kincaid Building.

17 **Cecily Bedwell:** Okay, this is in the FDP stage. We
18 write design guidelines that address compatibility. So,
19 there are view corridors that are continuing over from the
20 Downtown Columbia Plan, the Downtown Wide Design
21 Guidelines that are carried through this plan. The
22 building heights are also taken from those. So, it's
23 really, to me, in this plan we are extending the
24 methodology and the vision that was portrayed or
25 envisioned in the Downtown Columbia Plan. We are not, at

1 this stage in the FDP, showing actual building elevations
2 or massing. We showed some examples of what could be
3 done, but the SDP will address that.

4 So, we are showing compatibility with the street
5 network, with the pedestrian connections, with the
6 building heights and then with the design guidelines and
7 the criteria.

8 **Nicole Campbell:** Okay, because one of the questions
9 that we had was that with this whole -- the amendment here
10 has this built on a podium now. So, it's going to have a
11 different appearance than it did previously. So, with
12 regard to this issue with it being built on a podium, it
13 makes it seem like it's looking inward towards the
14 property that you are building, versus having any cohesion
15 with what's around it. So, I haven't heard that being
16 addressed today.

17 **Cecily Bedwell:** So, that was one of the things that
18 Planning Staff recommended as we went through several
19 rounds of revision and included language to address
20 screening of those, particularly when there are uses
21 across the street so that has been incorporated into the
22 guidelines.

23 Furthermore, just to mention, in the previous plan
24 there were still garages on that lower level or the
25 eastern side of the FDP site. So that's not really a

1 change, but the stricter criteria on how to address
2 screening of those garages has been addressed in the
3 Design Guidelines.

4 **Nicole Campbell:** Okay, but not in the design
5 guidelines that we have seen so far.

6 **Cecily Bedwell:** The FDP documents are the FDP
7 sheets, the NCP, the Design Guidelines and the
8 Neighborhood Implementation Plan. Again, those have
9 criteria that you must adhere to when you bring forth the
10 SDP.

11 **Nicole Campbell:** So, the cohesion plan really is
12 just to have there be present screening of the garages?
13 That's the main feature of it?

14 **Cecily Bedwell:** Yeah, so the amenity connections are
15 one way of addressing that which we are showing. You can
16 see the amenity spaces, connection through the public
17 realm, through actual building screening. There are a
18 variety of ways that are allowed in the Design Guidelines
19 to address that, but it does have to be addressed. So,
20 that could be a vegetative screen, it can be a physical
21 metal screen, or a perf panel screen. It can be through
22 the amenity space connections. So, there are many ways in
23 which that screening can be done.

24 **Nicole Campbell:** And what thought has there been to
25 the compatibility of putting in all these new buildings in

1 HRD's property next to these lodges that were built in
2 1971, or shortly thereafter?

3 **Todd Brown:** I'm going to object to that because,
4 again, there are no buildings being shown yet. They will
5 be shown on the Site Development Plan and that would be a
6 good question perhaps at that time.

7 **Nicole Campbell:** Is that an objection?

8 **Chairman Coleman:** Yeah, he did. And I'll sustain
9 that objection.

10 **Nicole Campbell:** Alright, has there been any
11 coordination with the surrounding properties with regard
12 to this compatibility issue?

13 **Cecily Bedwell:** I'm not part of those discussions,
14 so I won't be able to answer that.

15 **Nicole Campbell:** Alright, how is participating in
16 that coordination effort to the extent that there is any.

17 **Todd Brown:** If you know.

18 **Cecily Bedwell:** I mean, I'm not aware of the exact
19 individuals that are. That's probably above my pay grade.

20 **Nicole Campbell:** No more questions. Thank you.

21 **Chairman Coleman:** Thank you.

22 **Todd Brown:** This is Mike Wachowski, he is with Wells
23 and Associates, the transportation planner and he is our
24 last witness.

25

1 TESTIMONY OF MICHAEL WACHOWSKI

2 **Chairman Coleman:** Do you solemnly promise to speak
3 truthfully in the testimony you are about to give?

4 **Michael Wachowski:** I do.

5 **Chairman Coleman:** Thank you.

6 **Todd Brown:** Before he begins, I would like to put it
7 in his CV.

8 **Chairman Coleman:** Thank you.

9 *CV of Michael Wachowski entered.*

10 **Michael Wachowski:** Good evening. I'm Mike
11 Wachowski, I'm the president of Wells and Associates. My
12 address is 1420 Springhill Road, Tyson's, Virginia.

13 I have testified in front of the Planning Board here
14 in Howard County and a number of other jurisdictions and
15 I'm familiar with the approved and proposed Lakefront FDP
16 and the Downtown Columbia Plan and the road networks
17 surrounding it.

18 I'm here to discuss the traffic report that we
19 prepared. There were two studies. We prepared our
20 original study, which was dated July 25, 2019, as part of
21 the original and currently approved FDP. Then we did an
22 updated traffic study dated February 17, 2022, both of
23 which were prepared in accordance with the Howard County
24 methodology for Downtown Columbia.

25 The primary difference between those two traffic

1 analysis are a lot of what you heard tonight which is the
2 change in the development program and density, so I'd like
3 to show that if I could.

4 As I mentioned the primary difference between the two
5 is the change in the development program. So, in this
6 chart you can see what was part of the approved program,
7 200,000 square feet of medical office, health club,
8 retail, restaurant and residential units. The proposed
9 program is part of the amendment. It eliminates the
10 medical office space, reduces the health club, retail,
11 restaurant, but maintains the residential units as was
12 mentioned previously.

13 As part of our updated study, we compared the peak
14 hour vehicle trip generation between the two programs. As
15 you can see on this chart, this is that vehicle trip
16 comparison. So, the blue bars represent the currently
17 approved program, which was estimated to generate about
18 990 a.m. peak hour trips, and 1,240 p.m. peak hour trips.
19 The orange bars represent the amended FDP which is about
20 roughly 50 percent of that. So, 481 a.m. trips and 622
21 p.m. trips. So, the difference there is about 500 to 600
22 peak hour trips. So, pretty significant difference
23 between the two.

24 As we looked at those and evaluated the differences
25 between the two, since the amended program is much less

1 than the previous program, we still meet the APFO criteria
2 under the Amended Plan. Both of those reports were
3 reviewed and approved by the Planning and Zoning staff and
4 the Public Works staff.

5 A few things I would like to also mention, one is the
6 question you had previously, Chairman, about the Sterrett
7 intersection at Little Patuxent Parkway. As part of the
8 next process in the SDP which really outlines the key road
9 improvements that are required because you have more
10 defined development program points of access which really
11 are not defined in the FDP under that condition. That
12 intersection is being upgraded for crosswalks on all the
13 approaches. So, it doesn't exist on all the approaches
14 today, but Sterrett Place itself is also being widened
15 from its current condition to provide some additional turn
16 lanes there. So, your comment I think was, when you cross
17 the street, you'd be on the other side where the Mall
18 property is. I think you probably cross and then have to
19 cross again, because you see that sidewalk is on the other
20 side of the street. So, if you are going into the Mall
21 property you would cross LPP and then you'd cross on the
22 Mall side and then you would hit the sidewalk that goes in
23 on that side. Does that make sense?

24 **Chairman Coleman:** That would be my recollection of
25 the way that it would work. But whenever previous

1 drawings were shown with pedestrian traffic and a nice
2 blue arrow flowing across that road and into the Mall
3 property, then that's a fantasy because you need to show a
4 dogleg in there and you're not proposing a smooth flow.
5 We can get it in and on to the next phase, but there's
6 been multiple times where things have been in front of us
7 where they are decided piecemeal and there is not a
8 cohesive flow between them. One of them would be the bike
9 path that goes to, I can't even remember the name, where
10 Starbucks is right now, in Wilde Lake. That pathway, when
11 it comes down to and dumps into the Mall is not intuitive.
12 And it was not designed with foresight and I'm thinking
13 that you are setting yourself up to do that again.

14 **Todd Brown:** Let me try to ask a question that might
15 help a little bit. The Warfield Promenade is proposed
16 under the Downtown Plan to extend from Sterrett on the FDP
17 side of Little Patuxent Parkway over onto the Mall side,
18 is that correct?

19 **Michael Wachowski:** Yes, it is.

20 **Todd Brown:** And so, if and when the property on the
21 Mall side of Little Patuxent Parkway redevelops either on
22 the north side or the south side there would be an
23 opportunity to design the extension of Warfield Promenade,
24 presumably on the north side since that's where we connect
25 with the Warfield Promenade from the FDP side, is that

1 right?

2 **Michael Wachowski:** Yes, that's correct.

3 **Todd Brown:** Okay, so that opportunity is there to
4 make that an intuitive connection in the future if the
5 property on the Mall side of LPP at Sterrett was to
6 redevelop?

7 **Michael Wachowski:** Yes.

8 **Todd Brown:** Okay.

9 **Chairman Coleman:** I'll look forward to it on the
10 Plan.

11 **Todd Brown:** Is there anything else?

12 **Michael Wachowski:** I would just conclude my
13 testimony by, you know, there's been a lot of talk about
14 Road C so I won't belabor the point there, I think from
15 just the functional perspective it achieves a lot of the
16 goals that we would like to achieve, pedestrian street,
17 access on Road A, which accesses the parking there, but
18 also its functions. It will carry traffic. It will serve
19 as a logical connection between the parcels and create
20 those logical connections and the street network. So,
21 that was just the final thing I would like to add.

22 **Chairman Coleman:** Thank you. Does anybody have
23 questions?

24 So, for Road A, did you study ingress and egress that
25 would be required to handle the adjacent properties to

1 whatever parking is provided? Or is it just that your
2 numbers are lower, so you are still okay?

3 **Michael Wachowski:** For the purposes of the FDP, the
4 numbers are much lower. We studied the major
5 intersections around the site, not all the individual
6 driveways because they are not defined at the FDP stage.

7 **Chairman Coleman:** Okay. I'll assume it's outside of
8 the scope of this.

9 Is there any cross-examination for this witness?

10 **Richard Talkin:** Richard Talkin. When did you submit
11 the latest traffic report with respect to this FDP?

12 **Michael Wachowski:** It was February 17, 2022.

13 **Richard Talkin:** Alright, so you have not submitted
14 an updated report?

15 **Michael Wachowski:** I have not.

16 **Richard Talkin:** Thank you.

17 **Chairman Coleman:** Thank you. Anyone else? Thank
18 you.

19 So, does this conclude your witnesses?

20 **Todd Brown:** It does.

21 **Chairman Coleman:** For the opposition, did any of you
22 intend to put on a presentation tonight? If we were
23 continue, you know, just pretending there is no such thing
24 as a clock.

25 **Unknown:** *(inaudible)*

1 **Chairman Coleman:** You wanted to testify. Do you
2 have presentations?

3 **Unknown:** Yes.

4 **Chairman Coleman:** When I spoke earlier, you have not
5 provided us with those presentations yet, right?

6 **Unknown:** No.

7 **Chairman Coleman:** So, you had the opportunity to
8 submit exhibits. We don't accept testimony, but we do
9 accept exhibits so that we can study them.

10 **Unknown:** You mean we can't testify?

11 **Chairman Coleman:** What I was trying to figure out
12 is, if you guys were all done and then it was just going
13 to be public testimony, then we could announce that the
14 next meeting we would start with public testimony. If you
15 guys intend to put on cases, which is your right to do,
16 and I'm not saying you can't, then we just start at a
17 different point. That was the only thing I was trying to
18 figure out.

19 **Unknown:** I thought we were part of public testimony.

20 **Unknown:** Opposition versus public testimony is what
21 you are saying are two separate things.

22 **Board Counsel Moore:** I suspect that it's a lack of
23 familiarity with the current Board's rules. I think you
24 are talking about an opportunity for members of the public
25 that fall under the unaffiliated status to speak, is that

1 what you are talking about?

2 **Chairman Coleman:** There is the organized opposition
3 part, which I'm going to classify these folks as. If we
4 were continuing on, you would provide statements and, you
5 know, just what he had done, right. Then after that there
6 is public testimony, that are people that are not
7 affiliated with you to have a chance to speak.

8 **Board Counsel Moore:** It's the terms under the
9 Board's rules. The opposition is the next case. And then
10 there is a term in the Board's rules called public
11 testimony which is individuals wishing to provide
12 testimony to the Board without joining any formal support
13 or opposition.

14 **Chairman Coleman:** The easiest way to do it, is we
15 will start, when this meeting is continued, we will start
16 with the opposition's case and then if you don't have
17 anything, then it will just roll into the public
18 testimony. But, if you do have things that you are
19 submitting as exhibits, you can submit those early. It's
20 just you can't submit your testimony early.

21 When I misspoke earlier, it's not Lisa's fault, she
22 was telling everybody, you know, you can't submit
23 testimony and that part is true. We take exhibits though
24 please.

25 **Todd Brown:** I understood at the beginning of the

1 case that you asked for the opposition to identify
2 themselves and I understood that there was no one that
3 identified themselves as opposition. That's my
4 recollection of what occurred.

5 **Chairman Coleman:** I don't recall asking that
6 question.

7 **Board Counsel Moore:** Mr. Chairman, it also wouldn't
8 be binding until the close of petitioner's case.

9 **Todd Brown:** I understand that, I just want to know
10 what rules are going to apply because there is an advance
11 submission of evidence requirement --

12 **Board Counsel Moore:** For all parties.

13 **Todd Brown:** -- that hasn't been, you know. I mean I
14 just want to understand what to expect when we start from
15 the other folks in the room.

16 **Chairman Coleman:** I think it's cage match rule.

17 **Todd Brown:** Okay, we'll work with whatever the Board
18 decides.

19 **Chairman Coleman:** If they are going to submit
20 exhibits, and if they submitted them early, you have a
21 chance to review them and then object and then we have to
22 deal with it. If they are rude and don't submit them
23 early, then we have to deal with it that night on a case-
24 by-case basis and it has to be done. It would be nice if
25 it was handled ahead of time if there is any intention to

1 do that. I don't know how to make it clearer.

2 So, on the 20th we will start with the opposition's
3 case. Then, I don't want to proceed directly into the
4 second case, this case that was scheduled that night, but
5 it sounds like we could schedule that for May 4th if that
6 meets your schedule.

7 **Todd Brown:** I will not be available on May 4th.

8 **Chairman Coleman:** Okay, what's after that? So, it's
9 June --

10 **Unknown:** Mr. Chairman we have cases all the way
11 through June 15th right now scheduled.

12 **Chairman Coleman:** Okay.

13 **Unknown:** Is the question whether or not we would
14 take up the SDP at a future time? Is the presumption that
15 this case will continue on the 20?

16 **Chairman Coleman:** Yes.

17 **Unknown:** And that the SDP case needs to be
18 rescheduled?

19 **Chairman Coleman:** Yes.

20 **Unknown:** So, staff is not available on the 4th.
21 Petitioner's counsel is not available on the 4th. We are
22 looking out at least a month I've got to think from the
23 4th.

24 **Board Secretary:** *(inaudible)*

25 **Chairman Coleman:** Okay, so there's no date that we

1 could do it earlier then that would be two weeks after the
2 20th, right.

3 **Board Secretary:** *(inaudible)*

4 **Chairman Coleman:** And you are all saying the 4th is
5 out. So, on the 20th we will decide the date for the next
6 --

7 **Board Secretary:** *(inaudible)*

8 **Unknown:** Right, if there is any flexibility for May
9 or June, we can do that.

10 **Chairman Coleman:** I'm just trying to comply with
11 noticing requirements. What we can do is being that it is
12 already scheduled and advertised for the 20th, we can
13 announce the continuation on that date. I would ask all
14 of you to coordinate with Lisa so that on the 20th we can
15 state that date firm to meet those requirements.

16 Everybody okay with that? Sorry for the delay and
17 the confusion.

18 **Todd Brown:** We appreciate the Board's accommodation.
19 This is a long and complicated case.

20 **Chairman Coleman:** Motion to adjourn?

21 Board Secretary: I'm sorry, I just have one
22 question, I know it's really late. So, the Petitioner's
23 case is -- nobody else can sign up for this particular
24 case?

25 **Chairman Coleman:** The case is not closed.

1 Board Secretary: So, people can still sign up? It's
2 usually when the petitioners' case is closed, you can't --

3 **Board Counsel Moore:** *(inaudible)*

4 **Chairman Coleman:** But is it closed though because
5 they still get rebuttals and sur-rebuttals the fifteen
6 different levels of other stuff.

7 Board Secretary: But they are first.

8 **Board Counsel Moore:** They've rested.

9 **Chairman Coleman:** They've rested.

10 **Board Counsel Moore:** *(inaudible)*

11 **Board Secretary:** I just would like it to be clear
12 before we close tonight whether or not people can still
13 sign up if they want to. I don't believe they can.

14 **Board Counsel Moore:** *(inaudible)*

15 **Chairman Coleman:** Can we rule on the 20th that
16 additional sign-ups were disallowed if any came in instead
17 of doing it right now?

18 **Board Counsel Moore:** Yeah, you don't have to do that
19 right now. *(inaudible)*

20 **Board Secretary:** Yeah, and I can put it on the
21 website.

22 **Board Counsel Moore:** *(inaudible)* before the
23 petitioner rests its case, so it makes it clear that's not
24 any rebuttal case. *(inaudible)* So anyone who hasn't
25 signed up prior to tonight can't sign up.

1 **Chairman Coleman:** Okay, so that's clear. And was it
2 loud enough that everybody heard?

3 **Board Secretary:** Yes.

4 **Chairman Coleman:** Okay, thank you. And one thing,
5 when you guys are working out scheduling, I don't think we
6 are opposed potentially to add a special night if you had
7 a room available and depending on people's calendars. I
8 don't want you to think you have to do the every other
9 Thursday type thing.

10 Motion to adjourn?

11 **Board Member McAliley:** I move we adjourn.

12 **Board Member Cecil:** Second.

13 **Chairman Coleman:** All those in favor?

14 All Board Members: Aye.

15 **Chairman Coleman:** We are adjourned.

16 *Meeting Adjourned at 11:08 p.m.*

17

18

19

20

21

22

23

24

C E R T I F I C A T I O N

I, ALISON MATHIESON, official transcriber for the Howard County Planning Board, do hereby certify that I transcribed the hearing in in the Matter of PB 455, Howard Research and Development Corporation, Amended Final Development Plan for Downtown Columbia, Lakefront Neighborhood, Phase 1 (FDP-DC-L-2A) which hearing was held on April 11, 2023, and that I transcribed the testimony.

I FURTHER CERTIFY that the attached pages, numbering from 1 through 153, constitute the official transcript of this hearing as transcribed by me from the recordings of The Planning Board.

IN WITNESS WHEREOF, I have hereunto subscribed my name on the 1st day of September 2023.



ALISON MATHIESON