

IN THE MATTER OF : BEFORE THE
Columbia Concepts, LLC : ZONING BOARD
 : OF HOWARD COUNTY
PETITIONER : Zoning Board Case No. 1132M

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REPORT

On March 13 and 18, 2026, the undersigned, serving as the Howard County Zoning Board Hearing Examiner, and in accordance with the Zoning Board and Hearing Examiner Rules of Procedure, held the evidentiary hearings for the Petition of Columbia Concepts, LLC to Amend the Existing Preliminary Development Plan for the Columbia New Town District for a Major Village Center Redevelopment to the Long Reach Village Center.

The Hearing Examiner viewed the subject Property as required by the Zoning Board/Hearing Examiner Rules of Procedure. Owen Jarvis, Esq. represented the Petitioner. Erika Chavarria, Eric McWilliams, Patrick McGowan, Katherine Wagner, Brian Kim, Nina Basu and Brian Shepter testified on behalf of Petitioner. Julia Sauer (Division Chief for Public Service and Zoning Administration) testified on behalf of the Department of Planning and Zoning (DPZ) in support of the Petition. Joel Hurewitz, Dara Baker, Karin Emery, Richard Bannister, Amy Bennett, Susan Bannister, and Debby Bors testified in

opposition. Christopher Alleva registered as a party of record and as undeclared but didn't testify. Phil Scherer, Todd Zimmerman, and Ryan Green testified as undeclared.

The parties of record in the Petition are Owen Jarvis, Esq., Nathaniel Foreman, Esq., Christopher Alleva and Joel Hurewitz. Memoranda of Law were filed by Petitioner, Zoning Counsel and Joel Hurewitz.

Petitioner introduced into evidence the following Exhibits:

Exhibit 1 – Timeline and Procedural History

Exhibit 2 – CR22-2014 Final

Exhibit 3 – CR161-2024 Final

Exhibit 4 – CR162-2024 Final

Exhibit 5 – March 2026 LRVC Zoning Board Booklet

Exhibit 6 – Columbia PDP Redline Revised

Exhibit 7 – LRVC Traffic Impact Study

Exhibit 8 – Technical Memorandum - LRVC Circulation Study 10/17/2025

Exhibit 9 – Technical Memorandum - LRVC Parking Needs Study 10/17/2025

Exhibit 10 – Long Reach Village Center Master Plan 2012 Zoning Map
Amendment Plan

Protestants introduced into evidence the following Exhibits:

Exhibit 1 – Deed and Agreement of Easement (September 18, 1981)

Exhibit 2 – Plat 21/81 (Sheet 2 of 3)

Exhibit 3 – SDP-83-024

Exhibit 4 – SDP-92-118

Exhibit 5 – 1993 and 1998 Interfaith Center Parking

Exhibit 6 – Google Street View of Long Reach Doodlehatch (May 2023)

Exhibit 7 – Long Reach Stage and Planters (2013-2025)

Exhibit 8 – Phelps Luck Elementary School Profile Aerial locating the Property

Undeclared introduced into evidence the following Exhibit:

Exhibit 1 – Written Testimony by Todd Zimmerman

PRELIMINARY MOTION

On March 12, 2026, Joel Hurewitz (Protestant) filed PROTESTANT JOEL B. HUREWITZ'S MOTION FOR THE ZONING BOARD TO RECONSIDER ITS DECISION TO HAVE THE ZONING BOARD HEARING EXAMINER HEAR ZB 1132M COLUMBIA CONCEPTS, LLC with the Zoning Board. "Protestant, Joel B. Hurewitz a resident, registered voter, Columbia Association annual charge payer, and taxpayer of Howard County, Maryland hereby moves:

For the Zoning Board to reconsider its motion to have the Zoning Board Hearing Examiner hear ZB 1132M due to substantial mistake, inadvertence, or irregularity."

This motion was filed March 12, 2026, the day after the Zoning Board on March 11, 2026 voted to refer ZB 1132M to the Zoning Board Hearing Examiner for evidentiary hearing. The Zoning Board had divested itself of jurisdiction over ZB 1132M by the time this motion was filed. The substance of this motion was originally filed in ZB 1130M, and Petitioners and Zoning Council in ZB 1130M, ZB 1131M, and ZB 1133M argued their legal opposition and your Zoning Board Hearing Examiner detailed the legal basis for

denial in her Reports in ZB1130M, ZB 1131M, and ZB 1133M.

As previously noted, Protestant seeks the extraordinary relief of disqualifying both the Howard County Hearing Examiner and Zoning Counsel from this matter, and presumably any other matter. The disqualification is not premised on any alleged basis or inability to fulfill their respective contractual duties. Instead, Mr. Hurewitz seeks to disqualify them based on his misreading and misapplication of various provisions of the Howard County Charter (the "Charter") and the Howard County Code of Ordinances (the "HCCO"). Despite the long-standing administrative practice to fill the Hearing Examiner and Zoning Counsel positions through contractual employment as allocated in the County budget, Mr. Hurewitz insists both positions must be filled by specific appointment of the Howard County Council (the "Council") through resolution. This position is without merit and must be rejected.

The Council contractually hired Joyce Nichols as the Howard County Hearing Examiner (the "Hearing Examiner") in January 2020 — six years ago. For the past six years, Ms. Nichols has lawfully presided over and adjudicated numerous conditional use, variance, and administrative appeal matters. Prior to Ms. Nichols' contractual employment as the Hearing Examiner, the position was filled by Michele Lefaivre. In the same manner as Ms. Nichols, Ms. Lefaivre was contractually employed by the Council from the inception of the Hearing Examiner position in the early 2000 until around 2019. During her employment, Ms. Lefaivre presided over and adjudicated hundreds of conditional use, variance, and administrative appeal matters. Of note, neither Ms. Lefaivre nor Ms. Nichols were appointed to the Hearing Examiner position by Council Resolution. The Council's long standing administrative practice has been to

contractually hire the Hearing Examiner, not appoint them by resolution.

In December 2021, the Council passed Council Bill 77-2021 expanding the role of the Hearing Examiner to certain zoning matters, including change or mistake zoning cases, under the jurisdiction of the Zoning Board. See, CB 77-2021.2 In May 2023, the Council passed Council Bill 10-2023, clarifying the role of the Hearing Examiner to hear Zoning Board matters and specifying the powers, duties and procedures of the Hearing Examiner in those cases. See, CB-10-2023.3

Pursuant to §16.1000 of the Howard County Code of Ordinances ("HCCO"), the Council "may employ a Zoning Counsel on a part-time, contractual basis." The Zoning Counsel position was created in or around 2000 with the passage of Council Bill 37-2000. See, CB 37 2000.4 From the early 2000s until around at least 2020, the Zoning Counsel contractual position was filled by Eileen Powers. Ms. Powers acted as Zoning Counsel in numerous change or mistake zoning cases in her tenure. Of note, Ms. Powers was never appointed to the position by Council Resolution. Interestingly, Mr. Hurewitz has participated in opposition in a least one prior mistake zoning case with Ms. Powers as Zoning Counsel and did not raise any issue with her qualification to serve as Zoning Counsel. See, ZB-1122M5

Petitioner and Zoning Counsel urge that the Motion should be denied because it is not supported by law.

Pursuant to § 16.203A(a)(4), the Zoning Board held its initial administrative public meeting on this matter on March 11, 2026, and unanimously voted to forward the Petition to the Hearing Examiner. The initial hearing before the Hearing Examiner was scheduled for March 13, 2026. Protestant had actual or constructive

knowledge of the March 11, 2026, initial administrative meeting. Moreover, Protestant was admittedly aware that the Hearing Examiner was not appointed by resolution years before this Petition and case was scheduled. On or around February 24, 2022, Mr. Hurewitz filed a public information act request with the County seeking "a copy of any contract for Hearing Examiner Joyce Nichols and any associated resolution and/or minutes of the County Council regarding its approval." The County responded to Mr. Hurewitz on or around February 28, 2022, by providing him the Hearing Examiner Contract and amendments, and by informing him that there were no resolutions or minutes related to the contract. *Id.* The County further informed Mr. Hurewitz that the 2022 Hearing Examiner contract was approved by affirmative of a majority of the Council. *Id.*

In short, Mr. Hurewitz challenges the legitimacy of contractual positions that have existed and that he has been aware of for years. Despite this knowledge, he raises the issue only after this zoning case has commenced. See, § 2.403.D.5.a of the ZB Rules of Procedure requiring preliminary motions to be filed at least 30 days prior to the hearing. Granting the Motion would unjustly delay and de-rail the pending matter causing prejudice to the Petitioner, and would inject uncertainty into all pending Zoning Board matters. As such, the Motion should be denied.

Additionally, the Charter and Code do not require the Hearing Examiner and Zoning Counsel to be appointed by resolution. As detailed above, the Hearing Examiner and Zoning Counsel positions have existed since the early 2000s. Since their inception, neither position has been filled by Council appointment or resolution. The Council

instead has contractually hired the Hearing Examiner and Zoning Counsel utilizing funds allocated for the positions in the County's budget or supplemental appropriation. Indeed, Rule 1.015 of the Rules of Procedure of the County Council provides that "the Council may, by resolution or as provided in the County budget, employ such legal, financial, technical or other assistance as it may from time to time deem necessary." This Rule is explicit in stating that budget actions may take the place of resolutions within the context of certain hiring practices. There is also no Howard County Code or Charter provision that requires the Hearing Examiner to be appointed by resolution. This is especially true in the context of zoning cases authorized under § 16.203A in which the Hearing Examiner is not charged with final decision making. Similarly, under the Code and Charter, Zoning Counsel is not required to be appointed by resolution. §16.1000 of the HCCO governs the employment of Zoning Counsel. It states, in pertinent part, that "[t]he County Council may employ a Zoning Counsel on a part-time, contractual basis."

Section 16.305 of the Howard County Code of Ordinances speaks to Terms of Service for the Zoning Board of Appeals states:

- (a) The budget for the Hearing Examiner shall be included in the Board of Appeals budget.
- (b) While holding the position of Hearing Examiner, the Hearing Examiner may not Represent any client involving land use in Howard County.

This implies that employment of the Hearing Examiner for the Board of Appeals is Approved through the budgetary process. While the Zoning Board and the Board of Appeals are different, the previous section stayed silent on the position of the Hearing

Examiner for the Zoning Board and normal interpretation allows for the inference of a similar process for a similar position Furthermore, Section 16.1000 of the Code states, in pertinent part:

- (a) The County Council may employ a Zoning Counsel on a part-time, contractual basis. The Zoning Counsel shall be a member in good standing of the Bar of the Maryland Court of Appeals and at the time of appointment shall have been actively engaged in the general practice of law for at least 5 years.

The Code does require a vote of three Councilmembers to enter into the contract of employment, which occurred, but it simply does not demand a Council Resolution and it's full public process to employ a Hearing Examiner or a Zoning Counsel. These positions are part of the administrative actions and proceedings of the Council- a human resources issue. The Zoning Board does not have the authority to declare employment contracts entered into with the Council void and the positions vacant.

For the foregoing reasons, Protestant's Motion must be denied. Protestant utterly fails its burden of actual mistake, irregularity or surprise and instead is asking that the Zoning Board impermissibly change its mind, which is in variance with applicable Federal, State and County law and with Maryland caselaw. Subject to the scope of jurisdiction granted to the Zoning Board Hearing Examiner the Motion is **DENIED**.

FINDINGS OF FACT

Based upon the evidence of record, the Zoning Board Hearing Examiner finds the following facts:

1. Property Identification. The Property contains the Long Reach Village Center, which currently consists of a 12,563 square foot building known as the Stonehouse Community Center and Columbia Arts Center, 99,384 square feet of other various commercial and office space buildings, and two non-credited Open Space Lots. Access to the Center is from Cloudleap Court and two entrances from Foreland Garth.

The Property is located in the Sixth Election District and Council District 2. It is generally the area southwest of the Cloudleap Court intersection with Tamar Drive, at Tax Map 36, Grid 12, Parcel 6, Lots B-1, E-1, F-1, G-1, and 3, Tax Map 36, Grid 11, Parcel 6, Lot D-1, and Tax Map 36, Grid 12, Parcel 344, Lot 1 (the "Property").

2. Vicinal Properties.

Direction	Zoning	Land Use
North	NT (New Town)	Cloudleap Court/Apartments
Northeast	NT (New Town)	Tamar Drive/Motor Vehicle Fueling Facility
Southeast	NT (NewTown) R-12 Residential Single	Foreland Garth/Open Space/Religious Institution/Electric Utility Right-of-way
South	NT (New Town)	Age-restricted Adult Housing Apartments
West	NT (New Town)	MD 175/Apartments

3. Roads. Tamar Drive generally has four travel lanes within an 80-foot wide right-of-way which is owned by the County. The speed limit is 45 miles per hour.

Cloudleap Court has two travel lanes within an 80-foot wide right-of-way which is owned by the County. The speed limit is 25 miles per hour.

Foreland Garth has two travel lanes within an 80-foot wide right-of-way which is owned by the County. The speed limit is 25 miles per hour.

4. Water and Sewer Service. The Property is within the Metropolitan District and Planned Service Area for Water and Sewer.

5. The General Plan. The Property is designated as a Village Activity Center Character Area and a Village Center Redevelopment Focus Area in the County's General Plan, HoCo By Design, adopted in 2023.

Tamar Drive is a Major Collector Road and Cloudleap Court and Foreland Garth are Local, County Roads.

6. Adequate Public Facilities Ordinance. A Site Development Plan for the proposed redevelopment is subject to the Adequate Public Facilities Ordinance.

7. Proposal. The Petitioners propose to demolish all buildings and redevelop the Property as a mixed-use village center that provides diverse housing, commercial/retail, recreation, and community spaces. The development pattern and design of buildings will be more urban in character and will be constructed in five phases.

The redeveloped village center proposal, depicted in the submitted Concept Plan (the Plan), includes:

- 50 three-story townhouse units (Buildings A1-A6),
- A two-story commercial building totaling 28,700 SF (Building B),
- A seven-story mixed-use building with 20,000 SF of ground floor retail/commercial space and 255 multi-family apartment dwelling units (Building C),
- A two-story multi-sports complex and retail building totaling 136,300 SF (Building D),

- A seven-story mixed-use building with 42,000 SF of retail space, 31,900 SF of commercial space, and 200 age-restricted adult housing apartment units (Building E).

The street network provides the primary access to the village center from Tamar Drive with two secondary access points from Foreland Garth Road. An existing access point from Cloudleap Court will remain to provide access to the townhouse parking parage. The redevelopment proposes a new transit bus stop located at the main entrance to the site (Tamar Drive), integrated bicycle access, and landscaped sidewalks.

The Plan also depicts areas of public open space, semi- public open space, private amenity, public amenity, and areas of natural open space totaling around 6.02 acres. The open space and recreation exhibit in the Plan shows:

- Two areas of public open space totaling 1.19 acres, including a community park/event space along Tamar Drive and a pocket park or plaza between Buildings D and E.
- Two areas of semi-natural open space totaling 2.22 acres, including a parking lot serving Building E and a playground/putting green area west of Building B.
- Two areas of private amenity space totaling 1.12 acres, located around Buildings A1-A6 and a portion of the rooftop of Building C.
- One area of public amenity space totaling 0.59 acres which involves a landscaped street and public seating, located along a portion of proposed Street A.
- One area of natural open space totaling 1.55 acres located to the western side of the side of the site and is currently non-credited open space on the Final Development Plan.

Phase	Description – See Plan Sheet C-601 Phasing Exhibit
1A	Internal Road Improvements
	Public Amenity – Streetscape for proposed Street A

- 1B Building B – Commercial building
Building C – Retail/commercial and 255 multi-family apartment units
Private Amenity – Building C rooftop amenities
Public Space – Community Park adjacent to existing gas station
- 2 Building E – Retail/commercial and 200 ARAH apartment units
Semi-Public Space – Parking Lot adjacent to Building E
- 3 Building D – Multi-sports complex and retail building
Public Space – Pocket Park between Buildings D & E
- 4 Buildings A1-A6 – 50 townhouse units
Semi-Public Space – Playground and putting green adjacent to
Buildings A1 & A2
Private Amenity – Townhouse streetscape

Residential Use Totals

Townhouses: Building A1-A6 50 dwelling units

Mixed-use Multifamily: Building C 255 dwelling units

Mixed-use ARAH: Building E 200 dwelling units

Total 505 dwelling units

Non-Residential Floor Area Totals*

Building B – Commercial 28,700 square feet

Building C (Mixed-use) – Retail 20,000 square feet

Building D – Sports Complex 136,300 square feet

Building E (Mixed-use) – Retail 42,000 square feet

Building E (Mixed-use) – Commercial 31,900 square feet

Total 258,900 square feet

*Note – the Petitioners justification indicates a community arts center; however, the uses listed on the Plan do not provide a specific location for the art center.

Parking

Proposed parking includes four structured parking garages, one surface parking lot, and on-street parking. The Petitioner is proposing less parking than required by the Zoning Regulations and has submitted a Parking Needs Study to justify the proposed parking quantity. While the information below provides the parking proposed for the entire development, parking ratio requirements will be determined at the Comprehensive Sketch or Site Development Plan stages DPZ reviews for parking adequacy.

Parking requirements for the New Town zoning district are implemented through the Final Development Plan (FDP), or the Zoning Regulations if the FDP does not provide a parking ratio for a specific use. The Howard County parking regulations are located in Section 133.0. of the Zoning Regulations and describe the minimum parking requirements for specific uses and opportunities for shared parking reductions or submission of a Parking Needs Study. The FDP and Zoning Regulation parking ratios are described below. If the Petitioner is requesting a parking standard or ratio that is different from the parking requirements a Parking Needs Study is required. The Parking Needs Study provides an estimate of the parking needs for each use, a thorough explanation of the basis for the estimate, including parking generation studies, previous experience with similar uses, and an assessment of the impacts attributable to the availability of public transit, vicinal employment resources and/or other pedestrian accessibility.

Required Parking Ratios per the Off-Street Parking Requirements (FDP-106-A & Section 133.0)

Commercial/Retail land use areas: 5 spaces/1,000 SF of net leasable retail/commercial area

- o Retail = 62,000 SF = 310 spaces required
- o Commercial = 60,600 SF = 303 spaces required

Athletic Centers: 10 spaces/1,000 SF of assembly area

- o Sports complex = 136,300 SF = Calculation is based on assembly area. The total SF of the building was provided. Assembly area is unknown. Calculation will be determined at Comprehensive Sketch or Site Development Plan stage.

Residential areas

- o Apartment units require 2.3 spaces/unit = 255 dwelling units = 586.5 spaces required
- o ARAH apartment units require 1.3 spaces/unit = 200 dwelling units = 260 spaces required
- o Townhouse units require 2.5 spaces/unit = 50 dwelling units = 125 spaces required

The Parking Needs Study provided by the Petitioner states the reduction in parking is due to the Village Center's close proximity to existing and planned pedestrian and bicycle infrastructure, access to transit, and use of shared parking. The Study uses a combination of the Institute of Transportation Engineers (ITE) Parking Generation

Manual, Urban Land Institute (ULI) Shared Parking, and the Howard County parking regulations to determine the projects parking needs. The Study states the parking supply is calibrated to the project's mixed-use program, which is expected to generate a high share of internal trips and attract patrons from nearby neighborhoods who are more likely to arrive by non-auto modes. The Parking Needs Study has been provided. Below are the parking rates as described in the Study and used for the Plan:

- Retail – 2.4 spaces/1,000sqft
- Apartments – 1.1 spaces/unit
- Senior housing – 0.6 spaces/unit
- Art center – 2.0 spaces/1,000sqft
- Sports complex – 1.3 spaces/1,000sqft

Proposed Parking by Petitioner

Building A1-A6 (Townhomes) 105 parking spaces (structured parking)

Building C (Mixed-use, multifamily) 316 parking spaces (structured parking)

Building D (Sports complex, retail) 150 parking spaces (structured parking)

Building E (Mixed-use, ARAH) 210 parking spaces (structured parking)

Surface parking lot next to Building E 95 parking spaces

Street Parking 73 parking spaces

Total 949 parking spaces

8. General.

A. Background and Need for Redevelopment

In 2014, the Howard County Council passed CR22-2014, which designated the Long Reach Village Center (LRVC) as a blighted area in need of rehabilitation or redevelopment through an Urban Renewal Project, and authorized the County Executive to acquire real property in connection with the Project. See, Pet. Ex. 2. Under this authority, Howard County purchased real property in the LRVC totaling 7.71 acres in 2014 and 2015.

A prior redevelopment effort for the LRVC was initiated in 2018 through Orchard Development Corp. et al., Howard County Zoning Board Case No. ZB-1121M. In the Decision and Order for ZB-1121M, the Zoning Board voted to update the Preliminary Development Plan (PDP) to reflect an additional 315 dwelling units pursuant to the LRVC redevelopment plan then under consideration, and to establish the Village Center boundaries.

B. Procedural History

On February 3, 2025, the County Council passed CR161-2024, which approved the Urban Renewal Project for the LRVC consistent with the plans submitted by Petitioner Columbia Concepts LLC, and CR162-2024, which authorized the sale of 7.71 acres of real property at LRVC to Columbia Concepts LLC. See, Pet. Ex. 3 and 4. The terms and conditions of the sale require that the petition for a Major Village Center Redevelopment of the LRVC be approved by the Zoning Board before title is conveyed.

On March 13, 2025, the Petitioner submitted a Notice of Intent to initiate the redevelopment of the LRVC. The Petitioner then conducted a Concept Planning Workshop with community members on April 22, 2025, followed by two Pre-Submission Community Meetings on May 22, 2025, and June 24, 2025. On August 13, 2025, the

Petitioner presented its LRVC redevelopment plan to the Design Advisory Panel (DAP), which voted to have the design team develop an understanding of the James Rouse vision of a Village Center, and to return to DAP at the Comprehensive Plan stage with a refined concept addressing the Village Center vision and a comprehensive circulation plan. See, DAP Meeting Summary August 13, 2025, Page 7.

On October 20, 2025, the Petitioner filed an Amended Preliminary Development Plan Petition with the Howard County Department of Planning and Zoning. The Petition proposed to amend the existing PDP in the New Town (NT) Zoning District of Columbia in accordance with its redevelopment plan for the LRVC. Documents filed in support of the Petition as required by HCZR §125.0.J.4.a include, *inter alia*, proposed Design Guidelines, a PDP Redline, a Justification Statement, and a Petition Plan which includes an Existing Conditions Plan, a Concept Plan, an Open Space and Recreation Exhibit, a Circulation Exhibit, and a Phasing Exhibit. 1

The Long Reach Community Association (LRCA) submitted its Community Response Statement (CRS) in connection with the proposed redevelopment of the LRVC on December 8, 2025. On December 18, 2025, the Petitioner presented the Petition Plan to the Planning Board, which unanimously voted to recommend approval.

On March 11, 2026, the Zoning Board held an Administrative Meeting regarding the Petition. The Zoning Board referred the case to a Hearing Examiner for findings of fact, and the Hearing Examiner conducted hearings on March 13, 2026, and March 25, 2026. The Petitioner presented testimony and exhibits through four witnesses from the development team: (1) Eric McWilliams, Senior Project Manager with Bohler Engineering (civil engineer and landscape design); (2) Patrick McGowan, Associate and Senior

Designer with KGD Architecture (master architect and LEED consultant); (3) Katie Wagner, Principal and transportation engineer with Grove Slade (traffic consultant); and (4) Brian Kim, Managing Member of Columbia Concepts LLC (Petitioner and Project Manager).

C. Proposed Village Center Redevelopment Plan

The Petitioner's proposed Major Village Center Redevelopment of LRVC, hereafter referred to as the Village Center Redevelopment (VCR), as detailed in the Petition Plan, involves 16.064 acres of land in the NT Zoning District, which are within the boundaries of the LRVC. The redevelopment area includes eight properties located at Tax Map 36, Grid 12, Parcel 6, Lots B-1, E-1, F-1, G-1, Grid 12, Parcel 344, Lot 1, and Grid 11, Parcel 6, Lot 3. See, Petition Plan Sheet Number C-201 and Pet. Ex. 5, Slide 11. The VCR proposes replacing the existing structures on these LRVC lots with a mixed-use development organized around buildings designated as Buildings A through E. Buildings A1 through A6 are townhomes providing 50 dwelling units for homeownership, with a total gross square footage of 173,700 square feet. Building B is a two-story commercial building totaling 28,700 square feet, dedicated exclusively to community uses. Building C is a seven-story building providing 255 rental dwelling units with 20,000 square feet of ground-level retail, totaling 402,600 square feet. Building D is a two-story multi-sports complex totaling 136,300 square feet. Building E is a seven-story building providing 200 senior living rental units, 42,000 square feet of retail, and 31,900 square feet of commercial space, totaling 285,800 square feet. See, Petition Plan Sheet Number C-301; Pet. Ex. 5, Slide 20.

These buildings are complemented in the VCR by 6.02 acres of open space across the 16.064-acre site. See Petition Plan, Sheet C-401. The proposed open space comprises approximately 1.19 acres of public open space, 2.22 acres of semi-public open space, 0.46 acres of private amenity space, 0.59 acres of public amenity streetscape, and 1.55 acres of natural open space. *Id.* As testified to by Mr. McGowan, the public open space is organized around three principal gathering areas: a community park of 0.66 acres featuring a performing area with seating berms, sized for concerts, outdoor theater, and similar programming, a playground and putting green area of 1.18 acres, and a pocket park of 0.53 acres between the sports complex and the senior building. See Pet. Ex. 5, Slides 22–26; Petition Plan, Sheet C-401. These spaces are connected by a pedestrian pathway network that links the interior of the site to the existing Columbia trail system and Tamar Drive. See Pet. Ex. 5, Slide 25.

The VCR proposes the construction of 505 dwelling units in the LRVC. This would only increase the approved density by 190 dwelling units, as the Zoning Board previously approved an increase of 315 dwelling units in the prior LRVC redevelopment effort through ZB-1121M, units which were never constructed. The Petitioner's proposed amendment to the PDP of this increase of 190 dwelling units would result in an approved residential density of 2.4372 dwelling units per acre in the NT District, within the maximum residential density of 2.5.

The VCR proposes a total of 1,007 on-site parking spaces, comprising 833 garage spaces, 102 surface spaces, and 72 on-street spaces. See Pet. Ex. 5, Slide 49. Parking is provided below grade for each of the major buildings, with surface spaces serving Buildings B and E. The Petitioner will seek a waiver of off-street parking

requirements pursuant to Section 16.104 of the Zoning Regulations, with the reduction justified by a shared parking methodology and the site's multimodal connectivity, including access to nine bus stops within a quarter mile, dedicated bicycle infrastructure, and planned Tamar Drive Complete Streets improvements. See Pet. Ex. 9; Petition Plan, Sheet C-301, Note 2.

NEW TOWN ZONING DISTRICT

In May 1965, the Board of County Commissioners for Howard County, amended the Howard County Zoning Regulations (HCZR) to create and adopt the New Town (NT) Zoning District. See *Howard Research & Dev. Corp. v. Howard Cnty.*, 46 Md. App. 498, 500 (1980). NT is a floating zone, which occupies the far end of the flexibility continuum of zoning categories from Euclidean zones. *City of Hyattsville v. Prince George's Cnty.*, 254 Md. App. 1, 43 (2022). Among the requirements for a NT District is the approval of a Preliminary Development Plan (PDP) that lays out a general, but flexible, plan for development within the district. In *Re HRVC LP*, 266 Md. App. 391, 405 (2025) (citing HCZR § 125.0B.1c.). The PDP provides, among other things, a conceptual location for nine (9) Village Centers. Pet. Ex. 6. Village Centers are mixed-use developments designed to be community focal points for the surrounding village neighborhoods. HCZR § 103.0.V. "Village Centers have various requirements for their characteristics and use, including outdoor spaces, various commercial uses for the needs of village residents, community uses, and . . . residential uses." *HRVC, LP*, 266 Md. at 406. (paraphrasing HCZR § 103.0.V). In 2009 ZRA-102 via Council Bill (CB) 29-2009 was adopted to allow for the redevelopment of Village Centers, said redevelopment being either Minor or Major. The Major Redevelopment process governs the case *sub judice*.

The 2009 bill revolutionized how Village Centers can be redeveloped after it became apparent that the rigid 1960s regulations had become outdated. For example, as drafted only the "Original Petitioner" had the legal authority to submit amendments to the PDP—Howard Research and Development Corporation and its successors. Given the radical nature of the planning for, and creation of, Columbia through the NT District in the 1960s, it is easy to understand why a single comprehensive plan under a single entity's control was necessary. But changing economic environments and markets required greater flexibility to allow Village Centers to evolve. However, without a single entity driving the whole of Columbia and its nine (9) Village Centers, CB-29-2009 installed guard rails to ensure the philosophies underlying and driving the NT District remained alive. Thus, prospective redevelopment of a Village Center required specific information to be included on the application:

- Formal boundaries of the Village Center, which had heretofore been left ambiguous and general under the approved PDP,
- A concept plan at the first stage in the four step approval process to inform citizens and the Zoning Board of how the site is to be developed,
- Proposed design guidelines, and
- Detailed outreach requirements and the opportunity for the Village Center Board to reply.

See October 1, 2008, Technical Staff Report in ZRA-102 – Wilde Lake Business Trust ; HCZR § 125.0.J.4. In addition to the information that must be included on the application, a justification statement is mandatory to ensure that the proposed Major Redevelopment conforms with planning principles and concepts underlying the purpose of

the Village Center. Finally, the Zoning Board must make a decision on the Major Redevelopment petition based on certain enumerated criteria discussed in more detail *infra*.

LONG REACH VILLAGE CENTER COMMENT RESPONSE

Pursuant to HCZR § 125.0.J.3.b, following acceptance of a petition for a Major Village Center Redevelopment, the Village Board may submit a Community Response Statement (CRS) outlining its comments on the redevelopment proposal. The Long Reach Community Association (LRCA or Village Board) submitted their CRS to the Department of Planning and Zoning as required by the Zoning Regulations. The CRS provides the Village Board's current position on the redevelopment and important background regarding the previous proposal. The CRS finds the petition to generally comport with the 2025 LRVC Village Center Master Plan and provides general recommendations. Most of the recommendations were not directly responsive to Petitioner's proposal, but rather to general improvements the Village Board would like to see as part of this (or any) future redevelopment. Relevant to the present application, the LRVC recommended that the non-residential uses and community amenities be built first, before any stand-alone residential units may be built. CRS, pg. 1. Of particular import, the CRS includes comments regarding the application's conformance with HCZR § 125.0.J.4.a (8) criteria, which is discussed *infra*. Overall, the LRVC CRS was supportive of the redevelopment proposal.

CONCLUSIONS OF LAW**I. CONFORMANCE WITH LIMITATIONS PURSUANT TO HCZR § 125.0.J.1:**

Major Village Center redevelopment is subject to certain limitations, which are described in greater detail below:

a. The amendment shall comply with Section 125.0.A.5.a. concerning M-2 and R-MH uses;

RESPONSE: No uses in the M-2 or R-MH District are proposed.

b. Uses not currently permitted by the Zoning Regulations are prohibited;

RESPONSE: Only permitted uses are proposed.

c. The amendment shall comply with Section 125.0.A.4. concerning the maximum residential density of 2.5 dwelling units per acre in the NT District; and

RESPONSE: In 2018 through Case No.: ZB-1121M previously approved 315 dwelling units for the Subject Property, but this development failed to materialize after it had been approved. Petitioner's request would add an additional 190 dwelling units for a total of 505 dwelling units within Long Reach Village Center. If approved the density for the entirety of the NT District would be 2.4372 dwelling units/acre, which is below the maximum permitted density of 2.5 dwelling units/acre. As stated in the TSR on page 7, the NT District permits a total of 35,680 dwelling units, and there are currently 34,594 dwelling units existing. This includes the 315 dwelling units already approved. If this proposal is approved the NT District could support an additional 896 dwelling units.

d. Any Major Village Center mixed-use Redevelopment shall be considered

to be a "Commercial" use in the chart contained in Section 125.0.A.8. of the Regulations for purposes of calculating compliance with the chart's requirements as to the minimum and maximum percentage of "Commercial" in the total area of the New Town District. The Village Center Redevelopment shall not result in a net loss of open space.

RESPONSE: The redlined PDP has been updated accordingly.

II. CONFORMANCE WITH INFORMATION PURSUANT TO HCZR § 125.0.J.4:

The subject application conforms with the specific information that must be submitted to the Zoning Board for approval of a Preliminary Development Plan Amendment.

1. *The information set forth in Howard County Zoning Regulations Sections 125.0.B.1.a, b and c and 125.0.B.2:*

§ 125.0.B.1:

- a. **The exact name and address of the petitioner and a reference to the liber and folio of the Land Records of Howard County at which the deed conveying the property in question to the petitioner is recorded. If the petitioner is not the legal as well as beneficial owner of the property, the petition shall:**

1. **So state;**

2. **List the exact name and address of the legal title holder and give a reference to the liber and folio of the Land Records of Howard**

County at which the deed conveying the property to the legal title holder is recorded, and

- 3. Contain a written assent to the petition signed by the legal title holder.**
- b. A metes and bounds description of the property covered by the petition and a survey thereof demonstrating that the same meets the requirements of Section 125.0.A.3.**
- c. A Preliminary Development Plan of the property covered by the petition. As used in this Section the term "Preliminary Development Plan" shall mean a generalized drawing or series of drawings of the proposed New Town, with appropriate text materials, setting forth:**
 - 1. The major planning assumptions and objectives, including the projected population, the planned development schedule, the method of assuring that all open space uses will be permanently maintained and devoted to open space uses, the proposed public transit system routes and method of operation, and the facilities for the proposed cultural activities of the New Town;**
 - 2. The proposed general layout of major roads and highways stating projected average daily traffic flows;**
 - 3. A statement of the number of acres within the proposed NT District intended to be devoted to:**

- (a) Residential uses, broken down into the number of acres to be used for each of the following specific residential uses: Single-family—low density areas; Single-family—medium density areas; Apartment areas;**
 - (b) Employment uses (i.e. any use involving the employment of individuals, including office buildings, private schools, hospitals, institutions, commercial undertakings, industrial enterprises, and all other forms of business, professional or industrial operations); and**
 - (c) Open space uses.**
- 4. The general location of the uses referred to in subparagraph (3) above, including proposed sites for recreational uses, schools, parks and other public or community uses and, to the extent the petitioner has determined locations for commercial uses at the time of the filing of the Preliminary Development Plan, including a separate designation of commercial areas;**
 - 5. A description of the proposed drainage, water supply, sewerage and other utility facilities including projected flows; and**
 - 6. A statement of the intended overall maximum density of population of the proposed NT District, expressed in terms of the average number of dwellings per acre.**

RESPONSE: This information has been provided (with one possible exception) and can be found within the Covenants and Deed Restrictions provided by Petitioner, metes and bounds description, as well as a redlined version of the PDP. However, the Petitioner is not the owner of the Subject Property, but rather the contract purchaser. As such the application must "[c]ontain a written assent to the petition signed by the legal title holder." HCZR § 125.0.B.1.a.(3). The record does not appear to include explicit written assent by the owners; however, it includes letters documenting ownership interests for the various parcels. This information should be clarified prior to final approval of the subject petition.

§ 125.0.B.2: The Preliminary Development Plan shall indicate the location and nature of any commercial uses in relation to residential areas. All proposed and identified commercial or industrial uses shall be indicated on the drawings in areas marked "Employment Centers," defined as those areas shown on the Preliminary Development Plan which the petitioner proposes to develop for employment uses.

RESPONSE: This information is provided on the redlined PDP. The subject application concerns a Village Center, which is generally shown on the redlined PDP.

2.A general description of the geographic boundaries, as proposed by the petitioner, of the Village Center which is the subject matter of the petition.

RESPONSE: Long Reach Village Center Master Plan 2012 page 5 (Pet. Ex. 10) mirrors the boundaries of the Long Reach Village Center proposed by Petitioner with one omission. Petitioner's concept plan includes a strip of open space on the north side of

Rouse Parkway (MD 175) and to the west and south of garden style apartments not included within this application.

Presumably, the Petitioner means to adopt the Village Center boundary depicted in the 2012 Master Plan with the additional green area shown on the Concept Plan. The Zoning Board should confirm the boundaries of the Village Center and approve as necessary.

3. *A copy of any covenants and/or deed restrictions of record.*

RESPONSE: This information has been submitted.

4. *A description of the Village Center including, the names of all property owners within the Village Center, the existing buildings and uses within the Village Center, and the proposed buildings and uses.*

RESPONSE: This information has been provided.

5. *A concept plan that sets forth an informative, conceptual and schematic representation of the proposed redevelopment in a simple, clear and legible manner that provides information including, but not limited to the general site layout, proposed building types and uses, proposed number of dwelling units, square footage for non-residential projects, parking and traffic, pedestrian/bicycle circulation, proposed Village Center Amenity Area(s), exterior lighting and public transportation opportunities, general location and size of signage, landscape concept, any significant changes to topography and surface drainage, and the general location of natural features. In addition, the concept plan shall also comply with the plan information requirements specified in Section 100.0.G.2.a of the Zoning Regulations.*

RESPONSE: The Concept Plan has been provided.

6. *Proposed design guidelines which will be imposed upon the Major Village Center redevelopment and Village Center;*

RESPONSE: The proposed guidelines have been provided.

7. *Comment on whether the proposed redevelopment is in harmony with the Village Center Community Plan; and*

RESPONSE: This comment has been provided by the Petitioner as outlined in their Statement of Justification. This information is discussed *supra*.

8. *A justification statement which identifies the impacts of the proposed Major Village Center Redevelopment on the nature and purpose of the Village Center and its relation to the surrounding community. The justification statement shall demonstrate how the Village Center Redevelopment meets the following criteria:*

RESPONSE: This comment is addressed *infra*.

III. CONFORMANCE WITH MAJOR VILLAGE CENTER REDEVELOPMENT

PURSUANT TO HCZR § 125.0.J.4.A.(8).

The subject application conforms with the criteria for approval for the reasons explained in greater detail below.

1. *The Village Center Redevelopment will foster orderly growth and promote the purposes of the Village Center in accordance with the planned character of the NT District;*

RESPONSE: Before a decision can be made on whether the proposed Village Center Redevelopment is in accordance with the planned character of the NT District, it is important to expound upon the nature of the NT District. There are few broad goals

governing the creation and growth of the NT District—and by extension Columbia:

1. Provide a real, comprehensive, balanced city,
2. Respect the land and allow the land to impose itself as a discipline on the form of the community,
3. Provide the best possible environment for the growth of people, and
4. Realize a profit.

Downtown Columbia Plan, A General Plan Amendment, Adopted February 1, 2010, and Amended November 9, 2016, pg. 5. Moreover, in dreaming up the planning philosophy for what would become Columbia, one important concept for the planners was how to differentiate Columbia from other planned communities in post-war America. “[H]aving both apartments and single-family homes, and recreational and cultural amenities, would surely differentiate the new town from other large suburban projects like the Levittowns, which had been so harshly criticized in recent years.” Joshua Olsen, *Better Places, Better Lives: A Biography of James Rouse* 155 (2003). The Columbia Association (CA) professes certain principles for the growth of Columbia that it believes align with Jim Rouse’s vision for Columbia:

- 1. Land Use Mix.** Residential, shopping, recreational, cultural, and employment choices in Columbia must continue to evolve to meet the desires of its diverse population and changing regional and national economic trends.
- 2. Employment.** Columbia should continue to be Howard County’s employment hub.
- 3. Design and Architectural Excellence.** New buildings and associated civic spaces and public art should create a sense of place and exemplify excellence in design.

4. Redevelopment. Accommodating new residents and jobs in Columbia is important to create the critical mass needed to support desired services, amenities and multi-modal transportation opportunities. Future growth in Columbia will be predominantly through on-going redevelopment, a key component of reinvigorating and enhancing the community.

5. New Housing. The addition of new housing is vital to the viability and attractiveness of Columbia for existing and new residents. Residential options will range from the more urban Downtown Columbia setting to traditional suburban neighborhoods.

Relationship to Rouse's Vision: Rouse imagined and planned for a "complete city", not just a residential community. The focus on livable neighborhoods in close proximity to a significant amount of employment and shopping areas set it aside from other developments. He also planned for the long-term, understanding that Columbia would continue to grow and evolve over time.

CA Guiding Principles, Columbia Association (March 28, 2026)

Only through these general principles for the NT District as a whole, can the purpose of the Village Centers be understood.

The CA elaborates on Village Centers more specifically :To maintain the vitality of Columbia's village centers as important local destinations and service and social hubs, village centers within highly competitive environments should be repositioned with alternatives to an anchor grocery store and with the potential addition of residential uses. For the other village centers, incremental change should include enhancements to the mix of retail and food and beverage offerings, and the potential addition of residential uses. It is important to maintain and enhance the village centers

as mixed use community focal points that provide places for people to gather and socialize as well as live, shop and access programs and services.

CA Guiding Principles, Columbia Association (March 28, 2026)

LRVC is one of the village centers located in a highly competitive environment discussed *supra*. From a legal standpoint, HCZR § 103.0 defines a New Town Village Center as:

A Mixed-Use Development in the New Town District which is in a location designate on the New Town Preliminary Development Plan as a "Village Center", which is designed to be a community focal point and gathering place for the surrounding village neighborhoods by including the following items:

- a. An outdoor, public, village green, plaza or square, which has both hardscape and softscape elements. This public space shall be designed to function as an accessible, primarily pedestrian-oriented promenade connecting the various village center buildings and shall include public seating features;
- b. Stores, shops, offices or other commercial uses which provide opportunities to fulfill the day-to-day needs of the village residents, such as food stores, specialty stores, service agencies, financial institutions, personal services, medical services, and restaurants;
- c. Space for community uses and/or institutional uses; and
- d. Residential uses, to the extent appropriate to support and enhance, but not overwhelm, other uses in the village center.

Regarding this specific criterion and the Village Center in the context of the subject application, the TSR states:

The areas surrounding the Long Reach Village Center contain a mix of commercial, institutional, and residential land uses. The proposed redevelopment also provides a mix of uses such as cultural and arts, commercial/retail, a sports complex and a variety of housing types, including multifamily, age-restricted adult housing, and townhouses. The redevelopment aims to foster orderly growth by implementing the Plan in four phases.

TSR, pg. 8.

Mr. McWilliams described how the planned character of the NT District traces directly to the vision of James Rouse, who conceived Columbia as a place where diverse populations could coexist harmoniously, where access to nature and recreational spaces would be prioritized, and where residents could engage in meaningful community interaction. The village center was central to that vision as a community hub anchored by schools and community facilities, integrated with parks and open space, and accessible to residents across income levels and backgrounds.

Over time, the LRVC struggled to maintain the purpose and function of a Village Center. The County Council recognized this by designating LRVC as a blighted area requiring urban renewal. See Pet. Ex. 2 - CR22-2014. Mr. McWilliams testified that the existing planning limitations include underutilized retail components that lack a draw and a sense of place.

Mr. McGowan explained in his testimony that the VCR directly addresses these conditions through a mixed-use development with retail, a mix of residential that includes apartments, attached single-family, and age-restricted, as well as community spaces. This combination creates the critical mass of uses and users necessary for a flourishing village center, with the residential component supporting the commercial uses. The uses are connected through pedestrian walkways, shared open spaces, and a central park designed to invite the kind of community gathering and interaction Rouse envisioned. The proposed 505 dwelling units are well within the remaining density capacity of the NT District. See Pet. Ex. 6 – PDP Redline. This will direct new density to a recognized blighted Village Center where it will have the greatest revitalization impact.

The VCR will achieve orderly growth through a deliberate five-phase construction sequence, which Mr. McGowan described as being designed in response to community input requesting that commercial uses accompany residential development. See Pet. Ex. 5 at Slide 31. As Mr. McGowan explained, this phasing builds logically from infrastructure to commercial activation to residential density to destination amenity, with each phase supporting the viability of the next. In his professional opinion, the proposed phasing will foster orderly growth and promote the purposes of the Village Center. As he also testified, the proposed phasing is not immutable, and changes to it may still be considered.

Compatibility with the planned character of the NT District is reinforced by the VCR's compatibility with the LRCA's Village Center Master Plan 2025 ("2025 Master Plan"), which Petitioner filed along with the Petition. The VCR includes the major elements of a redeveloped LRVC as called for by the 2025 Master Plan, including a mix of housing alongside retail, open space, and parks and plazas, organized around principles of

connectivity, sustainability, and community-oriented public uses. See Village Center Master Plan 2025, p. 12-16. The LRCA found that "The Petition generally comports with the 2025 LRCA Village Center Master Plan". See Community Response Statement, Page 2.

Your Hearing Examiner finds that the subject application will foster orderly growth and promote the purposes of the Village Center. Outside of Downtown Columbia, the Village Centers are the second most important concept to the overall success of the NT District. The need to provide greater flexibility into how Village Centers can, and should be, redeveloped is key to their continued success. But the Village Center should not sacrifice its core principle of being a place to gather; instead, the reason and purpose for gathering is what needs to be reconsidered. It is clear from its existing condition that relying solely on retail and community-oriented uses is insufficient for this Village Center to maximize its goals and fulfill its purpose. LRCA agrees that the current Village Center "is underutilized and suffering from disinvestment." CRS, pg. 5. "Moreover, the purpose of the Village Center, this specific Zoning Board process, and, we believe, the real intent of the RD is not simply to take an underutilized area and make it profitable, but instead to re-envision the core community and design principles of the concept of a Village Center and recast it from the 1960s and 1970s into the 2020s and beyond." CRS, pg. 5

Thus, Petitioner provides a mix of residential uses in addition to new retail, community and open space. According to testimony from Ms. Julia Sauer, Division Chief for Public Service and Zoning Administration, the proposed development transitions from residential properties interior to the site towards commercial/retail uses on the exterior. Placing the community building along Tamar Drive, the main retail at the heart of the

center, and the sports complex along Forland Garth and near the traffic circle will get people's attention and draw them towards LRVC. With the proliferation of active recreational space in and around these buildings, commingling of residents will occur organically.

It is important to stress that not all Village Centers face the same challenges, and redevelopment proposals should be tailored to the specific Village Centers based on their strengths and weaknesses. LRVC is located in close proximity to competing shopping centers characterized by big box stores, restaurants and retail space. It is arguable that no other Village Center faces the same competition from retail centers—excepting Wilde Lake Village Center, which not coincidentally has already undergone Major Redevelopment. Moreover, LRVC lacks visibility or access from a major roadway further weakening its economic potential. Hence, the balance of commercial, retail, community and residential spaces will, and should be, different for this Village Center compared to other Village Centers in order for it to fulfill its purpose. Notwithstanding the conformance demonstrated above, there are slight concerns regarding the proposed multi-sports complex and what will prevent it from devolving into a destination for out-of-town competitions rather than an asset to the local community. But, as a general principle, a sports complex will contribute to the goals of a Village Center.

Finally, the residential uses in a Village Center must "support and enhance, but not overwhelm, other uses in the village Center." HCZR § 103.0. This concept was critical to the Maryland Appellate Court's opinion concerning the redevelopment of the Hickory Ridge Village Center in *In re HRC Ltd. P'ship*, 266 Md. App. 391 (2025). The Appellate Court of Maryland ruled that the Zoning Board did not use the wrong legal conclusion to

decide if the proposed residential uses overwhelmed the other uses. Furthermore, the Zoning Board's finding that the residential uses would overwhelm the other uses was fairly debatable and therefore upheld by the Court.

The facts of the present case are distinguishable from Hickory Ridge as the residential uses would not overwhelm the other uses. In Hickory Ridge, the proposed residential structure was situated between Cedar Lane blocks view of the retail core from the street. Likewise, no commercial or retail square footage was proposed as part of the residential building, while the proposed height of the residential structure at the front of the property, and overall residential square footage compared to the rest of the Village Center supported a finding that it overwhelmed the other uses. In re HRVC, 266 Md. App. at 416. As mentioned previously, in the case *sub judice*, the residential uses are oriented towards the rear of the site, thereby promoting the commercial, retail and community uses by providing visibility thereto from Tamar Drive and Foreland Garth. Except for the proposed townhomes—which lie adjacent to three- and four-story garden style apartments—no building is limited solely to residential uses. Building C is worth discussing given its prominent position within the proposed redevelopment. Building C with its distinctive architecture, central location, and multi-use composition would strengthen the non-residential uses at LRVC as a focal point or landmark to draw interest into the Village Center—not to mention providing visibility into the Center from Rouse Parkway (MD 175) currently absent. Overall, the configuration is thoughtful and exemplary of mixed-use planning concepts to ensure uses promote, rather than compete with each other.

2. The amount of commercial business floor area contained in the Village Center

Redevelopment is appropriate to provide retail and commercial service to the village as a location for convenient, diverse commercial business uses which serve the local neighborhoods of the village and surrounding local community;

RESPONSE: The subject application conforms with this requirement. LRVC is close to major centers of commercial and retail development with a variety of end users. Users within approximately one (1) mile of the center of LRVC include, but are not limited to: Target, Wal-Mart, REI, Dick's Sporting Goods, Advance Auto Parts, while restaurants include Victoria Gastro Pub, Columbia Ale House, BJ's Brewhouse, Red Robin, Longhorn Steakhouse, Cava and countless others. The decrease in commercial and retail gross floor area is reasonable to ensure that certain neighborhood services can be accommodated at ground floor locations, while not oversaturating the site with vacant storefronts that could include a café, coffee shop, dry cleaners, salon or convenience store. The ground floor locations for retail can be seen on Pet'r's Ex. 5, slide 21. The retail space in Building C is oriented towards the sports complex. The sports complex proposes lobby/amenity space so that when combined the streetscape is activated to create a "main street" feeling along the central spine road. Additional retail and commercial space is proposed on the ground floor of Building E across from the townhomes. This area should be considered for auto-oriented or quick trip uses given the prevalence of on-street parking and direct access from Foreland Garth. Alternatively, uses that support the age-restricted residents of Building E would be appropriate.

3. The Village Center Redevelopment will foster the purpose of a Village Center as a community focal point providing good opportunities for community interaction and communication;

RESPONSE: The Village Center Redevelopment proposal supports this finding. Instead of relying upon a grocery store, or other anchor tenant, the Petitioner envisions a mix of

uses that will create interest from residents, thereby fostering a focal point for community interaction. The anticipated neighborhood service retail, the communal open space, sports complex and community building support active public spaces. Likewise, the density of residents proposed encourages a base line of activity in, and around, the center to add vibrancy and life to LRVC. Particular attention should be given to the programming of these spaces to ensure they provide unique and comfortable experiences for residents and visitors.

Mr. McGowan testified about how the Petition Plan fosters the Village Center's purpose as a community focal point. The open space program was designed around multiple distinct gathering spaces, each supporting different modes of community interaction. See Pet. Ex. 5, Slides 22–29. The community park is oriented to encourage existing neighbors and new residents to gather in a shared space. The pocket plaza, situated between the sports complex and the senior building, is designed to foster informal gatherings and chance interactions among users of the site. See Pet. Ex. 5, Slides 23–24. Mr. McGowan characterized these as "chance interactions" central to contemporary urban design and to James Rouse's vision of community life. The pedestrian pathway network connects these spaces to one another and to the existing trail system, attracting residents of surrounding neighborhoods. See Pet. Ex. 5, Slides 25–26. The community building (Building B) anchors the site's civic programming and serves as a beacon for community activity. Building B will provide organized space for community programs, events, arts activities, studio work, and shared civic uses, drawing residents together. See Pet. Ex. 5, Slide 27.

4. *The location and the relative proportions of the permitted uses for*

Commercial businesses, dwellings, and open space uses, and the project design will enhance the existing development surrounding the Village Center Redevelopment;

RESPONSE: The subject application conforms with this requirement. The findings from the TSR are incorporated, which state:

The location of new outdoor community spaces, playgrounds, and green spaces are accessed by walkways. The walkways include landscaped shoulders and seating and provide connections off-site. The semi-public and public open spaces adjacent to the primary access of Tamar Drive provide civic engagement areas at the start of the development. More intense uses and structures are found as a traveler goes deeper into the village center. The Petitioner indicates the proposal was strategically designed to blend harmoniously with the existing neighborhood by placing new residential uses near existing apartments and commercial uses concentrated along roadways, increasing retail visibility while buffering neighborhoods.

TSR, pg. 8.

As Mr. McGowan testified and as shown in the Petition Plan, the locations of the Buildings in the VCR reflect a deliberate response to surrounding land uses. The townhome buildings (Buildings A1–A6) are situated adjacent to existing multifamily residential units, creating a compatible transition in use. The larger commercial and mixed-use buildings (Buildings C, D, and E) are oriented toward Foreland Garth and Tamar Drive, concentrating commercial activity along the roadway frontage where it is most visible and accessible, while shielding adjacent residential neighborhoods from commercial traffic. See Pet. Ex. 5, Slides 17, 19–20. The community building, Building B, is prominently featured at the north of the site to create active engagement with community programming that is visible to all who enter and pass through the Village Center from Tamar Drive. See Pet. Ex. 5, Slide 27.

Significant open space is located in the interior of the VCR, bridging uses and providing a network of open space accessible to residents of surrounding neighborhoods as well as LRVC residents and visitors. See Pet. Ex. 5, Slides 24–26.

The proportional mix is consistent with the LRVC's function as a neighborhood

hub. The residential component of 505 total dwelling units generates density that supports commercial and community viability. The plan achieves a balance between permitted uses while maintaining design compatibility with the surrounding neighborhoods, and without maximizing the available density or building height. The location and relative proportions of the permitted uses, therefore, enhance the existing development surrounding the VCR.

5. *The Village Center Redevelopment provides accessible useable landscaped areas such as courtyards, plazas or squares;*

RESPONSE: The subject application conforms with this requirement. The record demonstrates that the VCR provides a substantial and varied program of accessible, usable landscapes over the 6.02 acres of open space across the 16.064-acre site. See Petition Plan, Sheet C-401. As Mr. McGowan testified, the open space program was designed around distinct gathering spaces of varying scale and character and detailed the variety of intended community uses. See Pet. Ex. 5, Slides 22–29. The community park features a performing area designed to accommodate concerts, outdoor theater, and similar programming accessible by residents of the surrounding neighborhoods. See Pet. Ex. 5, Slides 28–29. The playground and putting green area provide active recreational space accessible from the pedestrian pathway and connect to the existing Columbia trail system. See Pet. Ex. 5, Slide 25. An additional public amenity streetscape of approximately 0.59 acres runs along the internal street network, providing landscaped pedestrian connections among the buildings. See Petition Plan, Sheet C-401.

The findings from the TSR are incorporated, which state:

The redevelopment features playgrounds, a putting green, community park, pocket park and civic promenade, which are accessible throughout the village center. Walkways will have landscaped shoulders with native plantings, flowering trees and seating. Walkways and crosswalks are incorporated throughout the development to promote pedestrian safety

and walkability and to connect with existing trail network.

TSR, pg. 9. Moreover, the CRS states:

The Village Board supports the RD's design of usable landscaped areas, including substantial planting and street furnishings plans. These areas are crucial to creating a welcoming and usable space for residents and visitors to the Village center. The Village Board recommends consideration of internal micro mobility. The Village Board opposes the use of cobblestones and asks that the Zoning Board require more accessible materials that respect the needs of those with mobility concerns.

CRS, pg. 7. If approved, particular attention should be given to the programming of these Spaces to ensure they remain viable and attractive throughout the year.

6. *The Village Center Redevelopment is compliant with all applicable Environmental policies and requirements, and provides new environmental improvements to the redevelopment area through the use of methods such as, but not limited to, green building standards, water conservation, natural drainage systems, the planting of native vegetation, the removal of existing invasive plants, the improvement of stormwater deficiencies, and following low impact development practices;*

RESPONSE: The subject application conforms with this requirement. The findings from the TSR are incorporated, which state

The Petitioner asserts that the redevelopment project will be fully compliant with all applicable environmental policies and requirements and will provide new environmental improvements to the redevelopment area. The Plan includes integrated stormwater management in landscape areas and will incorporate green infrastructure practices. Please refer to the Development Engineering

Division (DED) and the Division of Land Developments (DLD) agency's comments for a full analysis of compliance with environmental policies, including stormwater management.

TSR, pg. 9.

The existing LRVC site is largely impervious with stormwater management infrastructure that predates current Maryland requirements. As Mr. McWilliams testified, the VCR will replace this deficient infrastructure with modern quality-based stormwater facilities designed to reduce nitrogen phosphorus loads prior to releasing them to the stream system. He also testified that the VCR will utilize green building techniques, and the larger structures will need to be LEED-certified. Mr. McGowan, as the representative of the Petitioner's Master Architect and LEED consultant, testified that the VCR is very sensitive to sustainability, and testified as to the landscaping as presented to the Design Advisory Panel as containing native plantings of different scales to foster a sense of place.

At this stage, the Petitioner has demonstrated compliance with applicable Environmental policies and requirements by affirming the commitment to providing new Environmental improvements to the redevelopment area through green building standards, improved stormwater management, and the incorporation of native vegetation and low-impact development practices. This emphasis on environmental improvement has community support, as the CRS states that the "Village Board greatly appreciates the (VCR's) clear focus on environmental sustainability" and "suggests that the Zoning Board adopt the design guidelines and sustainability features." See LRCA Community Response Statement, Page 8.

7. *The Village Center Redevelopment fosters pedestrian and bicycle access;*

RESPONSE: The subject application conforms with this requirement. Pet. Ex. 5, slide 34 shows the various paths for non-motorized vehicles and pedestrians into, and around the site. External pedestrian paths are shown on slide 21, which includes connections to Elkhorn Bridge Trail. LRCA recommends further offsite connections and wayfinding to

Blandair and Howard Community College Trail. CRS, pg. 8.

Ms. Wagner testified that the VCR does foster pedestrian and bicycle access to and within the LRVC. The existing site suffers from gaps in sidewalk infrastructure and has no dedicated bicycle facilities. See Pet. Ex. 8, p. 2. The VCR proposes that internal sidewalks, shared-use pathways, and high-visibility crosswalks will provide continuous pedestrian circulation throughout the site and connections to the surrounding street network. The VCR also proposed a direct connection between the LRVC and the Elkhorn Branch Trail. See Pet. Ex. 8, p. 3. An additional witness testifying in support of the Petition at the hearing, Phil Scherer with Baltimoreans for People-Oriented Places, noted that the existing connection between the Village Center site and the Elkhorn Branch Trail consists of stairs, which precludes true bicycle access. This presents the Petitioner with the opportunity to replace that connection with a fully bikeable link between the VCR and the trail. The VCR thus fosters pedestrian and bicycle access as required by HCZR §125.0.J.4.a.(8)(g).

8. Public transit opportunities are appropriately incorporated into the Village Center Redevelopment;

RESPONSE: There is currently an existing bus stop that serves RTA Route 408 between Columbia Mall to the west and MD Food Center to the east. Petitioner's Statement of Justification references offering a new bus stop at the main entrance to promote additional users. MTA Commuter Bus Route 345 serves the Subject Property and connects it with Washington, D.C. with four (4) stops weekday mornings between 5:15 am and 7:23 am. Return service stops in the afternoons between 4:45 pm and 7:20 pm. Zoning Counsel supports Petitioner's proposed bus stop improvements to enhance the comfort of existing and future users. This proffered bus stop should be included as a condition of approval. The VCR appropriately incorporates public transit opportunities as required by HCZR § 125.0.J.4.a.(8)(h).

As Ms. Wagner testified and as corroborated in the Parking Needs Study at Exhibit 9, the site is currently served by nine bus stops within a quarter mile, including RTA Routes 402 and 408, which provide connections to the Mall in Columbia, Dobbin Center, Snowden Square, Waterloo Park, and Homewood Center, and MTA Route 345, an express service connecting the site to Ellicott City, Columbia, and Washington, D.C. See Pet. Ex. 9, p. 12. Ms. Wagner further testified that the existing bus stops along Tamar Drive will remain following completion of the redevelopment. See Pet. Ex. 7. The VCR incorporates these existing transit opportunities through a connected pedestrian grid designed to provide links between the site's interior gathering core and these perimeter transit stops. This ensures that public transit remains a primary and accessible mode of travel for the entire community.

9. *The Village Center Redevelopment is compatible with the surrounding community; and*

RESPONSE: The subject application conforms with this requirement. In addition to the information already provided, the LRCA addresses the proposal in relation to existing conditions.

The Village Board notes that the surrounding community includes substantial high-density housing units, including Sierra Woods, Timbers at Long Reach, Shalom Square, and Longwood Elderly Apartments. The Village Center parcel, however, has been relatively empty for many years. The RD seeks to bring back the Village Center for community use, rather than its current uses, which are not substantial, as much of the Village Center is currently defunct. The housing stock may be elevated immediately adjacent to the Village Center. The retail uses provide a substantial increase in active retail use.

CRS, pg. 8.

The record establishes that the VCR is compatible with the surrounding community. Mr. McGowan testified that, in developing the site design, the design team was sensitive to scale, based on community input and what makes sense within the

context of the surrounding community. The design deliberately came in below the maximum allowable buildout in order to more appropriately fit within the surrounding community. He testified that building heights and massing scale down toward the site perimeter, and that the townhome buildings were designed to blend with the scale of the existing apartment buildings. See Pet. Ex. 5. Mr. McGowan testified that, in his professional opinion, the redevelopment is compatible with the surrounding community. Ms. Wagner likewise testified that, from a traffic standpoint, the redevelopment is compatible with the surrounding community.

The record further reflects broad community and institutional support for the VCR's compatibility with the surrounding community. The Planning Board unanimously voted to recommend approval following its December 18, 2025, hearing. The LRCA found that the Petition "generally comports" with the 2025 Master Plan and that it meets the definition of a NT Village Center. See Community Response Statement, Pages 2, 8. Brian Shepter, Deputy Chief of Staff to the County Executive, testified on behalf of the County Administration in support of the vision for the LRVC reflected in the Petition. Erika Chavarria, Executive Director of Columbia Community Care Inc., testified in support of the redevelopment, emphasizing its potential to serve the needs of Long Reach community residents and to uplift the surrounding neighborhoods. The redevelopment is thus compatible with the surrounding community as required by HCZR § 125.0.J.4.a.(8)(i).

10. ***The Village Center will continue to meet the definition of a New Town Village Center.***

RESPONSE: The subject application conforms with the definition of a New Town Village Center for the reasons previously discussed.

**IV. CONFORMANCE WITH ZONING BOARD ACTION CRITERIA PURSUANT TO
HCZR § 125.0.J.5.A.**

In its evaluation of the proposed Major Village Center Redevelopment proposal, the Zoning Board shall make findings on the following:

1. ***Whether the petition complies with the applicable general guides and standards set forth in Howard County Zoning Regulations Section 125.0.B.3;***

RESPONSE: The general guides and standards set forth in this section concern the implementation of the NT District as a matter of law. It is unequivocal that the NT District was established by Howard County and the Subject Property is in the NT District. There is no evidence to support a finding that the proposed application violates or contravenes any of these general guides or standards.

2. ***Whether the proposed Major Village Center Redevelopment complies with the specific definition for a New Town Village Center;***

RESPONSE: Evidence in support of this finding is discussed *supra*.

3. ***Whether the petition complies with the Major Village Center Redevelopment criteria in Section 125.0.J.4.a.(8); and***

RESPONSE: Evidence in support of this finding is discussed *supra*.

4. ***Regardless of the Zoning Board's findings on Subsections 5.a. (1) through (3) above, whether the petitioner's property is within the appropriate boundaries of the New Town Village Center.***

RESPONSE: Except for the limited extension that fronts onto MD 175, the redevelopment area is located wholly within the boundaries of the Long Reach Village Center as established by the 2012 Long Reach Village Center Master Plan. Pet'r's. Ex. 10

V. CONFORMANCE WITH CRITERIA PURSUANT TO HCZR § 125.0.J.5.D.

If the Zoning Board approves the petition, the Decision and Order of the Zoning

Board shall:

1. Approve design guidelines for the village center;

RESPONSE: Petitioner submitted Design Guidelines dated October 2025, which included detailed information related to landscaping, connectivity, public space, uniformity of design, signage and other site and design elements. Petitioner shall ensure that final development plans maintain high-quality materials throughout the development process. The Petitioner should continue to coordinate with the Long Reach Village Board and Design Advisory Panel ("DAP") to ensure these elements are implemented and maintained throughout the approval and development process. For example, regarding architecture, DAP "responded positively to the proposed brick palette, but cautioned against the over prevalence of arches. DAP liked the sense of grandeur the arches conveyed but found them too aggressive, out of context with Columbia's Village Centers, and likely to date the project prematurely." The goal is to ensure this Village Center remains a pleasing community focal point for the next fifty (50) years or more.

2. Approve a concept plan;

RESPONSE: If the Zoning Board approves the petition, the Decision and Order of the Zoning Board shall:

1. Approve design guidelines for the village center;

RESPONSE: Petitioner submitted Design Guidelines dated October 2025, which included detailed information related to landscaping, connectivity, public space, uniformity of design, signage and other site and design elements. Petitioner shall ensure that final development plans maintain high-quality materials throughout the development process. The Petitioner should continue to coordinate with the Long Reach Village Board and Design Advisory Panel ("DAP") to ensure these elements are implemented and maintained throughout the approval and development process. For example, regarding architecture, DAP "responded positively to the proposed brick palette, but cautioned against the over prevalence of arches. DAP liked the sense of grandeur the arches conveyed but found them too aggressive, out of context with Columbia's Village Centers,

and likely to date the project prematurely.” The goal is to ensure this Village Center remains a pleasing community focal point for the next fifty (50) years or more.

2. Approve a concept plan;

RESPONSE: The proposed layout, mix of uses, open space and amenities are carefully considered and planned. The concept plan is responsive to changes in market conditions since Long Reach Village Center was first constructed in 1971 and offers a forward-thinking proposal that harmonizes with the community and surrounding uses. Of particular interest is Building C which serves as a landmark and focal point for the community, as well as the entire Village with its height and unique architecture. The Village Centers are a key part of the NT District and subservient only to Downtown Columbia in terms of community interest, economic activity and placemaking. The Petitioner should continue to coordinate with the Long Reach Village Board and DAP to ensure the development lives up to the promises being made. This includes the phasing plan proposed by Petitioner in Pet. Ex. 5, slide 31. Zoning Counsel recommends restricting Building D to nonresidential uses or additional open space in the event the sports complex proves infeasible. Citizens testified in support of a branch of the Howard County Public Library to be developed on the Property.

3. Establish minima, maxima, precise values and specific requirements concerning, but not limited to, Village Center Amenity Areas, building heights, bulk requirements, parking, density and permitted uses; and

RESPONSE: As a general matter, it is recommended the Zoning Board adopt the design characteristics and specific requirements as presented in Petitioner’s concept plan and design guidelines. However, a further discussion on parking is necessitated.

• **Parking:**

Petitioner provided a summary of parking information that was included as part of the October 17, 2025 Long Reach Village Center Parking Needs Study (“Parking Study”).

developed by Grove Slade. Traffic Engineer Katie Wagner, PE, PTOE, testified to this information. Nevertheless, there is conflicting information regarding the amount of parking required and the actual number of parking spaces proposed. This information is summarized as follows:

Methodology	Parking Needs Study	Presentation
Howard County Requirements	2432 spaces	2445 spaces
ITE ("Institute of Transportation Engineers")	970 spaces with no reductions 830 spaces with reductions	1089 spaces
ULI ("Urban Land Institute")	1007spaces	1007 spaces

Parking Study, pgs. 5-11. Pet'r's. Ex. 5, slide 49.

Despite the conflicting information, the Petitioner stated that they would be providing 1007 on-site parking spaces through a combination of structured and surface parking. Pet. Ex. 5, slide 49. Yet the TSR says Petitioner will provide 949 parking spaces, TSR, pg. 4, whereas the Concept Plan says 943 parking spaces. Concept Plan, C-301.

Protestant, Mr. Joel Hurewitz, disputed the parking study because certain surface parking spaces would be shared with the adjoining church. When Zoning Counsel asked Mr. Hurewitz if the Zoning Board should impose minimum or maximum limits on the number of parking spaces, Mr. Hurewitz's response was limited to him being unaware of the Zoning Board imposing a maximum number of parking spaces. Additional Protestants and Undeclared, Todd Zimmerman, Amy Bennett and Karin Emery believed the proposed number of parking spaces would be insufficient and lead to parking overflowing into adjoining residential developments.

Final parking counts are not required at this stage of the development so the confusion over the number of required and provided parking is not necessary for the

Zoning Board to approve the subject application. However, the parking discussion is important because the Zoning Board can impose minimum and maximum requirements. Petitioner may be entitled to utilize the minimum number of shared parking spaces as calculated by the ULI, albeit updated to reflect the parking needs of the adjoining church. Thus, Petitioner must update their shared parking calculations to ensure that the church's needs are considered part of the minimum number of parking spaces for the entire development. Precedent to use ULI parking calculations have been set through the Wilde Lake Village Center Redevelopment.

In addition to parking standards, Zoning Counsel recommends the Zoning Board limit surface parking except in the existing lot shared with the adjoining church and on-street parking spaces. Petitioner should not be permitted to convert any proposed building to surface parking without seeking an amendment to the PDP.

4. Establish the Village Center boundaries.

RESPONSE: Village Center boundaries were previously adopted; however, consideration should be given as to amending the Village Center boundaries to incorporate the redevelopment area proposed by the Petitioner.

PROTESTANTS ARGUMENTS

Protestant Mr. Hurewitz raised concerns about the accuracy of the financial disclosure statements titled "Affidavit and Disclosure of Contribution" filed by Petitioner and the property owners, as required by the Maryland Public Ethics Law at Md. Code Ann., Gen. Prov. §§ 5-852 through 5-854. Petitioner identified discrepancies in two financial disclosure statements and submitted revised statements to the Zoning Board on March 20, 2026. Petitioner submits that all of the information contained in the financial disclosure statements is accurate as sworn to by the affiants. Petitioner further submits that the content of the financial disclosure statements is not germane to consideration of this Petition and the related approval criteria. Mr. Hurewitz also raised concerns

regarding an easement granting parking rights to a neighboring owner unaffiliated with the VCR on property within the VCR. Whatever encumbrances exist will be binding on the Petitioner as a matter of law and must be honored or renegotiated and resolved by new agreement as the development process moves forward. Any such obligations are subject to review and approval at later development stages and are not relevant to the criteria for Zoning Board approval at this stage.

Regarding the other concerns expressed by opposition witnesses about parking, the record contains substantial expert testimony and documentary evidence supporting the proposed parking program, most notably the Parking Needs Study included as Exhibit 9. Ms. Wagner testified confirming that the proposed 1,007 on-site parking spaces are adequate for the development as proposed, accounting for the mixed-use nature of the site, the time-of-day variations in demand across uses, the availability of public transit, and the vehicle availability and travel behavior characteristics specific to this location. The concerns expressed by opposition witnesses, while reflective of genuine community interest, do not rebut the technical methodology and conclusions of the Parking Needs Study. Further, as noted by the Department of Planning and Zoning, "parking ratio requirements will be determined at the Comprehensive Sketch or Site Development Plan stages DPZ reviews for parking adequacy." See DPZ Technical Staff Report, Page 3.

Several opposition witnesses expressed concern regarding the proposed phasing sequence and timeline. The Petition, as submitted, provides a framework for phased buildout that satisfies the applicable criteria. However, as Mr. McGowan testified, the phasing sequence shown in Exhibit 5 is not immutable. The current proposed phasing is:

Phase 1- street network

Phase 2- Building B (28,700 sq ft commercial) and Building C (mixed use with 20,000 sq ft commercial/retail and 255 rental dwellings)

Phase 3- Building E (mixed use with 73,900 sq ft commercial/retail and 200 rental age

restricted dwellings)

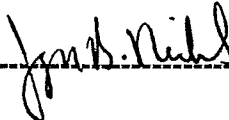
Phase 4- Sports Complex (136,300 sq ft)

Phase 5-Buildings A-1-A-6 (3 story townhouses accessed via an existing road and not through the subject property)

Concerns were articulated that the phasing proposal is front loaded with all the revenue producing development for the Petitioner to be built and occupied before the community features, including the sports complex are begun. Phasing should include a mix of all the uses as the development proceeds as there is a fear that the community features and sports complex may not be constructed despite being the basis for the large residential and commercial/retail component. Alternatives to the phasing sequencing may still be considered at a later stage in the redevelopment process but the Zoning Board must approve a phasing plan now if it approves the Amendment.

An additional concern was that all of the 505 dwelling units are rental and not owner occupied with the exception of the 50 townhouses, creating a disparity in the rental/home ownership market in the Long Reach Community.

Respectfully submitted,



Joyce B. Nichols

Zoning Board Hearing Examiner

April 8, 2026

