

CB59-2018

Sayers, Margery

From: KRISSAN HIGGINS <KRISSANHIGGINS@GMAIL.COM>
Sent: Monday, July 16, 2018 4:13 PM
To: CouncilMail
Subject: I Support the Erickson Living at Limestone Valley Project

Dear Howard County Members,

I recently heard about the proposal for an Erickson Living community on Route 108. As a resident of Howard County, I am writing in support of this development and would like to see the Erickson Living team work with community leaders and residents to bring a continuing care retirement community to Howard County. Making this project a reality will require the extension of public water and sewer to the property. Therefore, please consider this email my support for the Erickson Living proposal on Clarksville Pike.

Sincerely,

KRISSAN HIGGINS
6311 Leafy Screen
Columbia, MD 21045
KRISSANHIGGINS@GMAIL.COM

Sayers, Margery

From: Diane Thometz <user@votervoice.net>
Sent: Monday, July 16, 2018 6:38 PM
To: CouncilMail
Subject: I Support the Erickson Living at Limestone Valley Project

Dear Howard County Members,

I am a resident of Howard County and believe the proposal for an Erickson Living community in Clarksville makes sense. Erickson Living is a leader in the senior housing industry, and now seems like the perfect time to further meet the growing demand for senior housing in our community. My hope is that you will do everything possible to make this senior living community possible, including supporting the need for public water and sewer to the property. Thank you.

Sincerely,

Diane Thometz
7013 Helmsdale Ct
Clarksville, MD 21029
dithometz@aol.com

Sayers, Margery

From: Rick Menz <rickmenz@creativetoo.net>
Sent: Monday, July 16, 2018 3:29 PM
To: CouncilMail
Subject: I Support the Erickson Living at Limestone Valley Project

Dear Howard County Members,

I am contacting your office to voice my support for the Erickson Living at Limestone retirement community proposal. By extending public water and sewer to the proposed development site, the County will be helping meet the local demand for senior housing. Please work with residents and the Erickson Living team to bring a continuing care retirement community to Howard County. Consider this email my support for the Erickson Living proposal on Clarksville Pike.

Sincerely,

Rick Menz
10425 Kingsbridge Rd
Ellicott City, MD 21042
rickmenz@creativetoo.net

Sayers, Margery

From: Lou Ulman <ulmanlouis@gmail.com>
Sent: Monday, July 16, 2018 3:03 PM
To: CouncilMail
Subject: I Support the Erickson Living at Limestone Valley Project

Dear Howard County Members,

I recently heard about the proposal for an Erickson Living community on Route 108. As a resident of Howard County, I am writing in support of this development and would like to see the Erickson Living team work with community leaders and residents to bring a continuing care retirement community to Howard County. Making this project a reality will require the extension of public water and sewer to the property. Therefore, please consider this email my support for the Erickson Living proposal on Clarksville Pike.

Sincerely,

Lou Ulman
10201 Wincopin Cir
Columbia, MD 21044
ulmanlouis@gmail.com

Sayers, Margery

From: David Smith <d42smith@gmail.com>
Sent: Monday, July 16, 2018 12:20 PM
To: CouncilMail
Subject: I Support the Erickson Living at Limestone Valley Project

Dear Howard County Members,

Erickson Living is proposing a continuing care retirement community on Route 108 in Clarksville. I am a strong supporter of this project. I want to see Howard County leaders and Erickson work together to make this senior living community a reality, including extending public water and sewer. Please consider this email my letter of support.

Sincerely,

David Smith
3338 Brantly Rd
Glenwood, MD 21738
d42smith@gmail.com

Sayers, Margery

From: Ellen Hamburg <user@votervoice.net>
Sent: Monday, July 16, 2018 9:16 AM
To: CouncilMail
Subject: I Support the Erickson Living at Limestone Valley Project

Dear Howard County Members,

I am contacting your office to voice my support for the Erickson Living at Limestone retirement community proposal. By extending public water and sewer to the proposed development site, the County will be helping meet the local demand for senior housing. Please work with residents and the Erickson Living team to bring a continuing care retirement community to Howard County. Consider this email my support for the Erickson Living proposal on Clarksville Pike.

Sincerely,

Ellen Hamburg
10613 Glass Tumbler Path
Columbia, MD 21044
ellenhamburg@verizon.net

July 16, 2018

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

RE: Council Bill No. 59-2018 General Plan Amendment to Expand the PSA

Dear Chairperson Sigaty,

I am writing to you to express my strong support for CB No. 59-2018. I am the owner of Mary's Land Farm, a 160 acre working farm located 2 miles north of the proposed project at 4979 Sheppard Lane.


I am very familiar with Erickson Living communities as both my grandmother and great aunt were residents in the communities. Both are happy customers and I am delighted to see the care they receive.

Most importantly, as an active, working farm, with a food store on site and over 30,000 feet of greenhouses about to be installed, we very much welcome the CCRC community to our farm. The residents of the Erickson community will help support our farm as employees, volunteers, and customers. These are the types of residents needed in our area of Howard County.

Additionally, I am delighted that Erickson will fix the Sheppard Lane and Rt. 108 intersection. This is potentially the poorest designed and most dangerous intersection left in Howard County and I am sure the reason it is not fixed is the amount of money that will be required to fix it. Repairing the intersection will be a major contribution to fixing the problems of traffic flow in Clarksville.

In closing, as a farmer in Howard County, I would like the Council and Planning board to know the Erickson project has my support. It will be beneficial to my farm and other farms in the area.

Sincerely,



Thomas V. Cunningham

CC: Calvin Bell
Greg Fox
Jen Terrasa
Jon Weinstein

Sayers, Margery

From: Glenda Kline <Glenda@faredge.info>
Sent: Saturday, July 14, 2018 6:56 PM
To: CouncilMail
Subject: CB 59-2018

Testimony regarding CB 59-2018
July 14, 2018

Members of the Howard County Council:

As 30-year residents of Howard County and seniors looking at opportunities for moving to a Continuing Care Retirement Community, we support CB 59-2018. While we appreciate the quality of amenities and care offered by the existing CCRCs, there are long waiting lists, especially for 2-bedroom units. With the growing senior population in Howard County, we seniors need additional possibilities. We have looked at other Erickson communities outside of Howard County and have been very pleased with their choices of apartments and the amenities and care that they offer. However, we would prefer to stay in Howard County and have many friends of our age who feel the same. A Clarksville location would be ideal to keep us near our friends, our doctors, and all of the amenities that Howard County offers.

Respectfully,
Ron & Glenda Kline
11811 Far Edge Path
Columbia, MD 21044

Sayers, Margery

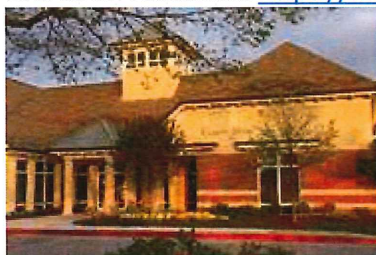
From: Susan Smith <manager@villageofriverhill.org>
Sent: Friday, July 13, 2018 5:58 PM
To: CouncilMail
Cc: 'Steven Montgomery'; Scott Templin
Subject: CB59-2018 Input
Attachments: CB59-2018 RHCA Input 7.13.18.pdf

Please find the attached the River Hill Community Association's written input on CB59-2018
We also expect to have a Board Member at the meeting to provide testimony.

Susan M. Smith, Village Manager
River Hill Community Association
6020 Daybreak Circle, Clarksville, MD 21029
410-531-1749

www.villageofriverhill.org

Like us on Facebook: <https://facebook.com/RiverhillCommunityAssociation>



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July 13, 2018

Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

RE: CB59 - 2018

Dear Members of the County Council,

The River Hill Community Association's (RHCA) Board of Directors supports CB59-2018 to expand the Planned Service Area, adjust the Growth Tier Designation and Maps, and change the Designated Place type of the approximately 61 acres of property identified in the bill. As outlined in *PlanHoward 2030*, Howard County has a growing senior population with diverse housing needs. Supporting the needs of this population is County policy. The Association recognizes the value of having another continuing care retirement community (CCRC) in the County. Critical to the Association's support for CB59-2018 is Erickson Living Properties II, LLC's proposal to change the zoning of the affected properties to a Community Enhancement Floating – Mixed (CEF – M) zone. Approval of CB59-2018 will enable Erickson to continue to work with the County, the State, the Association and others to refine and improve their plans for the CCRC and related community enhancements. The Association also supports the inclusion of measures to make the General Plan changes contingent on rezoning the properties to establish a CCRC and requiring a connection between the property and public water and sewer infrastructure within 10 years of the effective date of the bill.

Adjusting the boundaries of the County's Planned Service Area (PSA) should not be taken lightly. However, it is the Association's view that given its location eventually these properties will be developed in some fashion. It is in the best interest of River Hill residents to insure what is built benefits the community without opening the doors to more dense development to the west. Given the location of the site, its scenic nature, the agricultural easements on properties to the west, and existing and planned commercial and residential development along MD 108 in Clarksville, the extension of the PSA must be tied to a specific project. The future use must be acceptable to the community, serve as a transition between the residential and institutional uses to the east and Clarksville's commercial core, and provide amenities that might not otherwise be achievable in the near term. The Association opposed changing the zoning of 12171 Route 108 (former River Hill Garden Center) to a commercial (B-1) use and does not support a traditional commercial use on the parcels defined in this legislation.

Beginning in May 2017, and throughout the process to date, Erickson Living has engaged with Clarksville/River Hill residents, businesses, organizations and institutions. They have informed the community of the need for senior housing in the County, about CCRC's and those that

Erickson operates, and their vision for their Clarksville project. Erickson's staff and their consultants have met numerous times with RHCA's Development Advisory and Traffic and Safety Committees and with the Board. Members of Erickson's team have also met with individual River Hill residents. Erickson has listened and been responsive to many concerns that have been raised by the community. The Association has also had conversations with representatives from the State Highway Administration who are aware of the community's traffic and safety related concerns and have agreed to take them into consideration when evaluating the project.

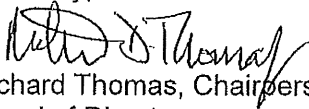
The CCRC plans propose changes along MD 108 that are consistent with the vision and design goals supported by the RHCA and outlined in the *Clarksville Pike Streetscape Plan and Design Guidelines* (February 2016). Erickson's plans include the extension of Linden Linthicum Lane across MD 108 and the addition of a signal at this intersection. A signal at this intersection is an improvement that the Association and many River Hill residents have been requesting for years. The proposed extension of Linden Linthicum Lane also provides an opportunity to improve ingress and egress to businesses fronting on Clarksville Pike which could be a positive for the community. In response to concerns raised by RHCA, Erickson Living has modified their designs to enhance the integration of the CCRC into the Clarksville/River Hill community. Erickson has:

- Enhanced views from MD 108 into the site's stream valley and beyond;
- Extended pedestrian and bicycle connections along MD 108 and the Linden Linthicum Lane extension;
- Added open space amenities such as pickleball courts, a dog park, a playground, and an amphitheater that will be accessible to the public and will encourage greater social interaction; and
- Agreed to require CCRC staff and to encourage their residents to use the proposed entrance from Linden Linthicum Lane extended for ingress and egress.

Erickson Living is aware of the Association's concerns regarding the safety of the proposed entrance on MD 108, especially for drivers turning into the property when approaching from the south. They have been receptive and have agreed to explore options to address these concerns. They have also committed to having the traffic improvements completed early in the construction process.

We believe that a new CCRC and the types of community enhancements proposed in the Erickson project will benefit Howard County. We encourage you to approve CB59-2018. Let's create the opportunity for Erickson Living, LLC's rezoning request to be considered.

Sincerely,



Richard Thomas, Chairperson
Board of Directors

CC: Steven Montgomery, Erickson Living II, LLC
Scott Templin, Erickson Living II, LLC
Linden Linthicum United Methodist Church
Steve Breeden, Security Development Corporation
Village Board/Council Representative

Sayers, Margery

From: Robert Cahn <nutteditcheese@gmail.com>
Sent: Friday, July 13, 2018 3:55 PM
To: CouncilMail
Subject: CB59-2018 Submission

To: CouncilMail <CouncilMail@howardcountymd.gov>
Subject: Submission regarding CB59-2018

Dear Council Members,

Please accept the following as our testimony and submission opposing CB 59-2108

Erickson Living's "Proposed Continuing Care Retirement Community" is not a GP Policy 6.1a "limited" expansion of the Planned Service Area, is not "consistent with" GP Policy 6.1a and, therefore, should not become law

Preliminarily, we refer you to page 70 of the General Plan ("GP") and its reference to a "minor expansion of the Planned Service Area" ... "adjoining Clarksville" for which the GP noted that it "is preferable to include these properties in the PSA" to achieve Bay restoration goals. Bill 59-2018's proposed Sites do not include the referenced minor expansion. *September 19, 2017 Montgomery letter to chairperson Weinstein.* Accordingly, unlike the proposed minor expansions referenced on page 70 of the GP, Bill 59-2018's requested expansion was not considered by the drafters of GP and was not considered or enacted into law as part of the GP.

Page 70 of the GP provides that "[i]n the future, it should be anticipated that there may be isolated situations where minor PSA adjustments may be appropriate." No reasonable person could consider Bill 59-2018's requested expansion "minor."

GP Policy 6.1a (GP p.171) allows for "Limited Planned Service Area Expansion[s]" if consistent with the General Plan. The word "limited" is not discussed or mentioned anywhere in Erickson's petition which is now being considered as Council Bill 59-2018. Although Erickson has chosen not to address the issue of whether it's requested expansion of the PSA is "limited" and thus consistent with GP Policy 6.1a, this Council has a duty to recognize and resolve this issue.

The word "limited" must include consideration of something else other than the existence of a physical boundary. Otherwise any expansion would be allowed as long as it has boundaries.

The GP provides specific guidance regarding the term "limited." Reference is again made to page 70 of the GP:

"Expansions to the Planned Service Area (PSA) for water and sewer service since 1990 have been very limited. In 1993, the County Council voted to extend water service to include the area around the Alpha Ridge Landfill. This extension was done solely out of concern for potential future groundwater contamination that might originate from the

Alpha Ridge Landfill; therefore, only water service is provided in this area.” (Emphasis added).

The GP, which is enacted Howard County law, provides an example and an explanation of what makes a PSA expansion “limited.” Contamination from the Alpha Ridge Landfill is a limited risk. It was not a risk to locations outside the area of expansion. Accordingly, a “limited” expansion was approved.

The Alpha Ridge expansion was limited to the area of risk. Accordingly, developers and other parties cannot persuasively cite the Alpha Ridge expansion of the PSA as precedent for another expansion unless they can prove a similar groundwater risk. The Alpha Ridge expansion was, accordingly, limited. The GP expressly provided the Alpha Ridge expansion as an example of a limited expansion. Because the GP was enacted into law, its reasoning and language are binding on this Council.

Unlike the expansion 25 years ago, Bill 59-2018's expansion is in no way limited. The next developer can cite 59-2018 as precedent to obtain an expansion of the PSA to build housing for additional economically advantaged elderly. Similarly, granting Bill 59-2018's requested expansion would be precedent for a expansion to accommodate, for example, a nursing home or housing for other population groups.

Granting of Bill 59-2018's expansion will eventually allow for expansion of the PSA for any reason relating to housing. If Bill 59-2018 becomes law, the nature of Howard County will be permanently changed. It may be that housing is more important than environmental and open space considerations. This issue, however, should be specifically addressed and addressed in the context of a new General Plan.

Erickson's proposal submitted as Bill 59-2018 makes no mention of GP Policy 6.1a's requirement that PSA expansions be “limited.” That is understandable, Erickson has a fiduciary duty to its shareholders. Unlike Erickson, this Council has a duty to apply the requirements of the General Plan. Because Bill 59-2018's expansion is not “limited” as required by GP Policy 6.1a, Bill 59-2018 is not “consistent” with GP Policy 6.1a and should not become law.

Erickson has failed to meet its burden of proof to show that its proposed Community is “consistent with the General Plan and Smart Growth policies”

It is Erickson that is requesting an amendment of the GPI and Erickson bears the burden of proof. As to the degree of Erickson's burden, it has been over 25 years since the Alpha Ridge expansion of the PSA and 25 years of precedent should and must be considered. This Council should require Erickson to convince the Council, with certainty, that its proposal is consistent with the GP policies.

As reviewed in the prior section, because Erickson's proposal is not “limited” under GP Policy 6.1a, it is, by definition, not “consistent” with GP Policy 6.1a and should not become law.

Putting aside GP Policy 6.1a's requirement that PSA expansions be “limited” and putting aside the GP's example and definition of the word “limited” on page 70 of the GP, Erickson has failed to meet its burden of proof.

In Bill 59-2018, Erickson quotes Policy 9.4 of GP to meet its burden of proof. Policy 9.4 provides as follows:

“Policy 9.4 – Expand housing to accommodate the County’s senior population who prefer to age in place and people with special needs.”

- a. Universal Design. Expand partnerships with public, private, and nonprofit organizations to assist senior citizens and residents with special needs by universal design renovations.
- b. Promoting Self-Sufficiency. Enhance the development of personal service and home maintenance businesses to promote self-sufficiency for those choosing to age in place.
- c. Increasing Awareness. Expand outreach to senior citizens and residents with disabilities to increase awareness of existing County, nonprofit, and business services.
- d. Transportation and Transit. Incorporate transportation options.”

Erickson fails to cite or quote the 4 subsections under Policy 9.4. These subsections make it clear that Policy 9.4 is directed at seniors who want to continue to live in the home they are currently in or wish to move to a home in the community in which they live.

Erickson’s proposed community is a new and separate community. Erickson’s web page specifically provides:

“Our communities are largely self-sufficient with robust transportation services for residents and staff. Erickson Living campuses are uniquely self-sufficient, and provide their own security. They also manage their own road repair, snow removal, and other services typically funded by the local government.”

Erickson’s “Limestone Community” is not and will not be the same community as Clarksville, Columbia or any other Howard County community. If a resident of Clarksville or Columbia wishes to walk or drive on the sidewalks and roads of Erickson, he or she can be prohibited from doing so at the discretion of Erickson. In other Erickson “communities”, a non-resident must check in at the gate and, if not a visitor of a resident, cannot go in. Unlike any other Howard County community Erickson even provides its own “security.”

Contrary to Erickson's representation, separate communities of economically advantaged seniors are not consistent with Howard County Policy 9.4

Separate communities of economically advantaged seniors are not consistent with the GP Policy 9.2 which establishes that developing affordable housing for diverse income levels is a Howard County Policy. Bill 59-2018 does nothing for housing for low or moderate income individuals.

Separate communities of economically advantaged seniors like the one proposed by Erickson sets a poor precedent. There are wealthy communities in Howard County. They do not, however, have their own police force and do not prevent people from entering the community.

Finally, reference is made to Policy 5.1. GP page 167. It is the policy of Howard County to "establish a distinct and readily identifiable research and technology brand in the global marketplace as a top global tech center." The jobs provided by Erickson's proposed community will be relatively low wage with comparatively limited opportunity for advancement. They likely will not be held by Howard County residents but will be filled by individuals who commute into Howard County by automobile. The jobs that will be provided by Erickson are inconsistent with GP Policy 5.1.

Thank you for your consideration.

Robert S. Cahn

Arlene J. B. Cahn

12016 Misty Rise Court, Clarksville, MD 21029