

Sayers, Margery

From: Ted Cochran <tedcochran55409@gmail.com>
Sent: Monday, October 29, 2018 12:13 PM
To: CouncilMail
Subject: CB73-2018

Greetings,

Please vote against this legislation. The text of this bill is disingenuous, and obscures its true purpose, which alone should be enough to kill it. If an applicant wants to construct a gas station, let it follow the current regulations.

Sincerely,

Ted Cochran
Columbia, MD.

Sayers, Margery

From: stukohn@verizon.net
Sent: Sunday, October 28, 2018 9:02 PM
To: CouncilMail; howard-citizen@yahogroups.com
Subject: CB73-2018 Needs to Be Voted Down

FYI,

On Monday, 29 October will be the last Legislative Hearing for our County Council Members. They hopefully will indeed go out on a positive note by voting **AGAINST** CB73-2018. We only can hope the Council will do the right thing as this Bill should never have been introduced. It would show the public that our voices really does matter.

The Howard County Citizens Association, HCCA testified **Against** this Bill as did Milton Matthews, President of the Columbia Association. You can read these by going to the link <https://apps.howardcountymd.gov/olis/LegislationDetail.aspx?LegislationID=3172> and then hit "Related Documents", "Public Hearing Testimony" and open the document(s). You will also see Brian England's Testimony. Brian as many of you know is a member of our HCCA Board. For many years, Brian has been a very passionate activist especially regarding Columbia and an advocate of Columbia New Town rules. In addition the Owen Brown Village Board provided very compelling written testimony. To view this it is the same instructions as mentioned but hit "Written Testimony."

It would be very discouraging, disappointing and wrong if our Council were to vote in Favor. This would illustrate the major concerns of constituents doesn't matter and previous Bills such as CB46-2016 <https://apps.howardcountymd.gov/olis/LegislationDetail.aspx?LegislationID=1738> which incorporates Amendment 3 are meaningless. The Council should simply say we made a mistake. Can you imagine the possibility of a Royal Farms with a 20-Pump Gasoline Station having a Convenience Store and Car Wash on Snowden River Parkway. Where is the vision?

We urge our Council Members to just say "**NO.**" Martin Luther King is quoted as saying "The time is always right to do what is right." In the case of CB73-2018 hopefully this quote will prevail as It should.

Sincerely,

Stu Kohn
HCCA, President

Sayers, Margery

From: Sigaty, Mary Kay
Sent: Thursday, October 25, 2018 3:52 PM
To: Feldmark, Jessica; Sayers, Margery
Subject: CB73-2018 Testimony
Attachments: Proposed Royal Farms Site - Columbia, Maryland; CB 73-2018

Metropolitan Rolling Door Inc.

To: Council Members Mary Kay Sigaty,
Jen Terrasa,
Jon Weinstein,
Greg Fox &
Calvin Ball

Chief of Staff Diane Wilson, for County Executive Allan Kittleman

Re: CB 73-2018

My name is Jeff Waterfield. I am one of the owners of Metropolitan Rolling Door, Inc., located at 9620 Gerwig Lane in Columbia. Our firm has been housed at this location since the late 1980s. We are a distributor and servicer of commercial/industrial rolling doors as one would see in shopping malls, fire departments, and similar buildings.

At this location, we primarily operate a service organization and dispatch 7 to 10 work crews daily. Our business does not rely on pass-by traffic. Access to our premises had been typically via Berger Road for years. Development of the land tract west of the proposed Royal Farms site in the last decade or so and then the eventual opening of Minstrel Way as a through street to Gerwig Lane has caused numerous conflicts that did not exist before.

There has already been a substantial increase in both illegal on-street parking and cut-through traffic on Gerwig Lane to avoid the congestion on Snowden River Parkway. The above mentioned development and the opening of Minstrel Way causes traffic to sometimes back up on the westbound Route 32/northbound Broken Land Parkway ramps and continue out to the freeway. It can delay our crews 10 minutes each trip when traveling from Route 32 to our building.

Minstrel Way's existing traffic volumes onto Snowden River Parkway already cause it to fail at certain times. Adding another left turn lane will not mitigate the current situation nor handle the proposed changes.

Building the Royal Farms complex will only result in making a bad situation worse.

I understand that CB 73-2018 would exempt Royal Farms from certain regulations. Given the serious problems that exist, we believe it would be negligent to exempt them from regulations that are intended to address conflicts with other property owners.

In view of these facts, we respectfully request you to vote against this Bill.

Sincerely,



Jeffrey R. Waterfield,
Co-Owner
Metropolitan Rolling Door, Inc.
9620 Gerwig Lane
Columbia, MD 21046
410-995-6336

Sayers, Margery

From: Rick Levitan <ricklevitan@verizon.net>
Sent: Wednesday, October 24, 2018 7:03 PM
To: Sigaty, Mary Kay; Ball, Calvin B; Weinstein, Jon; Jterrasa@howardcountymd.com; Fox, Greg
Subject: CB 73-2018
Attachments: Letter to the Howard County Council Members - CB 73-201818-10-24.docx

Dear County Council Members – I would appreciate it very much if would read the attached letter regarding CB 73-2018. Thank you, Rick Levitan

October 24, 2018

Dear County Council Members:

I am writing today to share my recollection of ZRA 159, CB 46-2016 and urge you to vote **no** on CB – 73-2018.

I was intimately involved with the ZRA and subsequent Bill. My motivation was prompted by my involvement with several gas station petitions (Marriottsville Road, Centre Park Drive, & Snowden River Parkway) that were very costly for me and completely went against the the General Plan and vision that Jim Rouse had laid out in developing Columbia.

I would like you to consider the following:

- A gas station is never a “permitted use by right”. Historically, it required an approved site plan recorded on an FDP in New Town or a Conditional Use Permit in the Euclidean Zone.
- CB 46-2016 specifically was negotiated with a grandfather clause that allowed any conditional use or site development plan (SDP) that had been filed on or before June 27, 2016 and were in process, to be grandfathered. These locations were specifically discussed and identified. The parties never agreed that any subsequent conditional use or SDP submittal would be grandfathered.
- Royal Farms had a SDP on file, that was grandfathered, but they chose not to pursue their full appeal rights and they let the SDP expire. They have now filed a new SDP which was filed after June 27, 2016 and is therefore **not** grandfathered. They knew that only the conditional use and SDP’s that everyone agreed to, prior to CB 46 – 2016 being passed, would be grandfathered.
- If, according to Mr. Oh, that the Grinnell site was “permitted by right” to be a gas station, then it would seem obvious that a major oil company would have placed a station there many, many years ago prior to a warehouse being built there.
- As a former Real Estate Manager for Mobil Oil, I can tell you that we never closed on a gas station site transaction without having building permits in hand. That is standard industry practice. The fact that Royal Farms rolled the dice on the Grinnell site on Snowden River Parkway under the belief it was “permitted by right” should not result in the County passing a statute that essentially exempts them from the zoning structure and grandfathering provisions, we all, including Royal Farms, agreed to with the passage of CB 46-2016.
- The County now has a concrete example of the definition of “blighting influence” according to the zoning regulations. Just drive down to Restaurant Row and you’ll see

the closed Exxon station that went out of business within 90 days of the Royal Farms adding fuel to their location on Route 108.

- Placing gas stations within Village Centers was part of the Jim Rouse vision for his planned community. I have advocated for many years that if the Hypermarketers want to come into the planned community, that they should take over our positions within the Village Centers. However, they do not want to abide by the rules and regulations that have been in place for 50 plus years. Rather than blight the Village Centers, they could help make them stronger. While they couldn't have their traditional footprint, they still could have several additional sites within Columbia.
- Since the Hypermarketers like Royal Farms do not want to abide by the regulations and rules that have been established over the past 50 years, and the County has been moving away from the Rouse vision, I was forced to lease my location in the Owen Brown Village Center to a large distributor who was willing to invest \$800,000 in updating and replacing the underground storage tanks, lines, fuel dispensers and canopies. A small business owner, like myself, could not make that investment given the uncertainty in which the County operates.

I know the Columbia Association; Howard County Citizens Association and the Owen Brown Village Association, as well as others all oppose this Bill. I trust you will look at this logically and concur that they are correct in their opposition and you will vote **No** on this Bill.

Sincerely,

Richard J. Levitan

Rick Levitan
Autostream Car Care
7248 Cradlerock Way
Columbia, MD 21045

Sayers, Margery

From: D Boulton <ddboulton@verizon.net>
Sent: Tuesday, October 23, 2018 10:42 PM
To: CouncilMail
Subject: CB73

I have to be amazed at the tenacity of Two Farms in persisting in its efforts to put a mega gas station/car wash/mini mart that nobody wants on already over-congested Snowden River Parkway. As CA President Milton Matthews and HCCA president Stu Kohn pointed out, CB73, a Two Farms lobbied legislative gambit, violates any number of county charter and procedural policies. It will certainly be challenged.

As you all leave the County Council, is this the tawdry piece of trumped up twaddle what you want to be remembered for?

Dick Boulton
4669 Hallowed Stream
Ellicott City, MD 21042

Sayers, Margery

From: Rebecca Lyter <b1keeper@aol.com>
Sent: Monday, October 22, 2018 9:10 PM
To: CouncilMail
Subject: Re: CB75-2018

I neglected to sign my email below.

I am,

Rebecca Lyter
Ellicott City resident

Sent from my iPhone

> On Oct 22, 2018, at 9:09 PM, Rebecca Lyter <b1keeper@aol.com> wrote:
>
> I am writing in strong opposition to CB75-2018.
>
> This law is entirely unnecessary and is an intentional end run around what just yesterday were considered critical historic preservation protections. Public safety concerns are not a new phenomenon, yet the historic preservation commission adequately did their job all of these years. Why doesn't someone want to let them do their job now? Isn't that curious.
>
> I actually can't believe this law was ever proposed, let alone would be seriously considered. Are we that lost in the political battle of the moment to see the forest from the trees? Instead of being stewards of our historic structures and bolstering our historic preservation laws, our politicians are looking to create holes in them an 18-wheeler could drive through? Why?
>
> This is a very dangerous way to govern/lead. It places historic preservation in the county completely at risk. We can't do that. We need to let the commission do its job. To protect us from ourselves. Please reject this law. Enough is enough.
>
> Sent from my iPhone

Sayers, Margery

From: Rebecca Lyter <b1keeper@aol.com>
Sent: Monday, October 22, 2018 9:09 PM
To: CouncilMail
Subject: CB75-2018

I am writing in strong opposition to CB75-2018.

This law is entirely unnecessary and is an intentional end run around what just yesterday were considered critical historic preservation protections. Public safety concerns are not a new phenomenon, yet the historic preservation commission adequately did their job all of these years. Why doesn't someone want to let them do their job now? Isn't that curious.

I actually can't believe this law was ever proposed, let alone would be seriously considered. Are we that lost in the political battle of the moment to see the forest from the trees? Instead of being stewards of our historic structures and bolstering our historic preservation laws, our politicians are looking to create holes in them an 18-wheeler could drive through? Why?

This is a very dangerous way to govern/lead. It places historic preservation in the county completely at risk. We can't do that. We need to let the commission do its job. To protect us from ourselves. Please reject this law. Enough is enough.

Sent from my iPhone

Sayers, Margery

From: listan 1 <listan1@msn.com>
Sent: Monday, October 22, 2018 8:57 PM
To: CouncilMail
Subject: CB75-2018

Hi, I wanted to email to express my deep concern, in fact outrage, over the proposal of CB75-2018:

PUBLIC SAFETY. THE COMMISSION SHALL APPROVE AN APPLICATION FOR A CERTIFICATE OF APPROVAL IF THE PROPOSED ALTERATION, CONSTRUCTION, MOVING OR DEMOLITION OF THE PROPOSED WORK IS NECESSARY TO PROTECT AGAINST THREATS TO PUBLIC SAFETY, INCLUDING APPLICATIONS FOR STRUCTURES OF UNUSUAL IMPORTANCE.

If passed, this would remove the review and consent responsibilities of the Howard County Preservation Commission and essentially make the HPC and historic preservation concerns irrelevant in potentially a wide range of scenarios. It would require them to approve demolition or other alterations of even the most important historic structures if there is some sort of public safety issue. This is a significant evisceration of the protections for historic buildings that we have built into our laws for years and for such good reason. Every developer will now claim a public safety concern in order to bypass the HPC and important protections for our heritage. The HPC always considers public safety in their reviews and this has worked successfully.

The only reason this law is proposed now is to do an end run around the HPC and our existing laws to get ONE project approved, the pet project of the council person proposing the law to rid himself of a barrier to his project. That is actually outrageous and we should never sanction that way of governing. It is very Trumpian. Or a lesson learned from the GOP Congress. If you can't get what you want, just change the rules. I am so disappointed in what is so clearly bad faith maneuvering. Such a lack of ethics to make this proposal for a singular purpose without any regard for the tremendous repercussions that go well beyond this one project politicians are looking to grease the skids for. This could jeopardize important historical structures all across the county for decades to come and for what? Expediency of the moment. We have no idea how this might threaten historic preservation in the county and it is not the right of any one politician or this council to decide that for the community. This is a shameful time and when we look back 50 years down the road, we will not think favorably of the awful stewards we have been of the county's history.

Please do not pass this law or amend it. It is unnecessary and should be discarded in its entirety.

Lisa Orenstein
Ellicott City, MD

Sayers, Margery

From: Sally Bright <sr.bright01@hotmail.com>
Sent: Monday, October 22, 2018 1:43 PM
To: CouncilMail
Subject: Opposition to CB-75-2018

As a former resident of the Ellicott City historic district for 35 years I am opposed to CB-75-2018.

During the 35 years my wife and I lived in the Ellicott City historic district and raised our family, we were at the forefront of historic preservation along with many others who saw the potential of this special place. We bought and restored two residences, adhering to the design guidelines for historic preservation .

Having traveled extensively throughout this country, I can state that there are not too many towns left that are unique and authentic where one can stroll down its main street and enjoy the variety of shops and restaurants in a truly special setting, one that is not of the cookie cutter variety. Add to that the tremendous history that has come before that has placed Ellicott City on the National Register of Historic Places. Its crown jewel is the B&O Railroad Station listed as a National Landmark. This is why everyone comes to Ellicott City and immediately falls in love with its charms.

One of the most enjoyable experiences I had while living in Ellicott City was serving on the Historic District Commission (now known as the Historic Preservation Commission). I saw firsthand the importance of preserving this town and educating those who came before the Commission on the importance of being a steward of their property, making appropriate changes so as to not drastically alter its exterior, and passing it on to the next generation in the best possible condition.

The reason I am opposed to CB-75 is that it is unnecessary because the Commission already has the power to consider demolition, usually as a last possible alternative. The best example I can relate is when a fire consumed some structures on Main Street. There was no doubt that those buildings were totally destroyed. The Commission gave permission to have them torn down. However, their role did not stop there. Instead the Commission worked with the Restoration Foundation and its architect to collaborate with the owners to come up with an exterior design that was compatible with the streetscape.

Enacting CB-75, whether you replace the wording "shall" with "may", and adding public safety as a standard sends a signal that demolition is on the table, front and center. It is unnecessary and furthermore, demolition precludes any chances for historic tax incentives for rebuilding. The Commission understands its responsibilities under the Howard County charter and the Secretary of the Interior's Standards for Historic Preservation and Rehabilitation, and does not need this legislation to remind them of their role.

Finally, even though I no longer live in the historic district and live in Cambridge taking care of 350-year-old home on a family farm, I do maintain a residence at Waverly Woods in Woodstock and pay Howard County taxes.

Dr. Richard D. Bright