

Sayers, Margery

From: Feldmark, Jessica
Sent: Monday, July 8, 2019 2:36 PM
To: David Yungmann - HCMove; Deb Jung - Verizon; Jones, Opel; Jung, Deb; Opel Jones - Gmail; Rigby, Christiana; Walsh, Elizabeth; Yungmann, David
Cc: Sayers, Margery
Subject: FW: HCAS submitted testimony re CR 97-2019
Attachments: Plantz testimony on behalf of HCAS.pdf

Jessica Feldmark
Administrator
Howard County Council
410-313-3111
jfeldmark@howardcountymd.gov

-----Original Message-----

From: Mark Dunham <jmarkdunham@gmail.com>
Sent: Monday, July 8, 2019 1:58 PM
To: Feldmark, Jessica <jfeldmark@howardcountymd.gov>
Subject: HCAS submitted testimony re CR 97-2019

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hi Jessica – attached is a submitted statement in support of the Robinson Overlook resolution by Matthew Plantz on behalf of the Howard County Autism Society.

Thank you,
Mark

Mark Dunham
Consultant
Howard County Autism Society

Sayers, Margery

From: Jennifer Y. Grams <jygrams@gmail.com>
Sent: Monday, July 8, 2019 2:35 PM
To: CouncilMail
Subject: Council Resolution 97-2019
Attachments: Mobilize HoCo Schools Statement on Council Resolution 97-2019.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Attached please find a position statement on CR97-2019 on behalf of Mobilize HoCo Schools.

Thanks,
Jennifer Grams

Sayers, Margery

From: Leonardo McClarty <lmclarty@howardchamber.com>
Sent: Monday, July 8, 2019 10:32 AM
To: CouncilMail
Cc: Feldmark, Jessica
Subject: CR 97 Letter of Support
Attachments: CR 97 Letter of Support_07.08.19.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Councilmembers,

Please find attached a letter from the Howard County Chamber stating our support for CR 97.

Thanks

Leonardo McClarty, CCE
President/CEO
lmclarty@howardchamber.com



Howard County Chamber
410-730-4111 x107
6240 Old Dobbin Lane, Suite 110
Columbia, MD 21045
www.howardchamber.com



The Mission of the Howard County Chamber is to provide advocacy, connections, and access to timely information to advance the growth and success of the business community.



HOWARD COUNTY AUTISM SOCIETY

**Howard County Council
CR97-2019
Payment in Lieu of Taxes – Robinson Overlook Ltd. Partnership
Public Hearing
July 8, 2019**

TESTIMONY

**Matthew Plantz
Member, Board of Directors
Howard County Autism Society**

My name is Matthew Plantz. I am a Howard County resident and a person with disabilities. I am also a member of the Board of Directors of the Howard County Autism Society, on whose behalf I offer this testimony. We are in full support of CR97-2019, which would provide a PILOT for the Robinson Overlook project and allow it to advance as a Special Housing Opportunity under APFO.

The County Council is required under APFO to take into account the capacity of the County's school capacity alongside the affordable housing needs of County residents in approving a PILOT. HCAS is particularly supportive of this project because it will provide nine affordable, accessible housing units for individuals with disabilities in Howard County.

The need for affordable housing for people with disabilities is extreme – and growing. A Rental Housing Survey from 2014 commissioned by HCHC notes the following:

- o Persons with disabilities in Howard County experience poverty at 5 times that of the overall county average.
- o 28% of persons with disabilities living in the Normandy submarket lived in poverty and 21% of those living in Columbia did as well.

In addition, Maryland statewide data from the Technical Assistance Collaborative report *Priced Out* (2016), reveals that a person with a disability who relies solely on SSI (\$733/month), would need to spend 167% of household income to rent a moderately priced one-bedroom unit. Data from this report for Columbia reveals that this household would need to spend **150% of their income** for the same sized unit.

Meanwhile, HCAS estimates that approximately 600 students with learning disabilities, autism, developmental delay, or intellectual disabilities are expected to transition out of Howard County high school in the next five years. Where will these people with disabilities, many of them relying totally on SSI payments as their primary income, live?

Robinson Overlook – and other projects like it – are essential if we are to address the availability of housing for persons with disabilities in Howard County. Surely we can manage to find effective compromises that balance the capacity needs of Howard County schools with the pressing demand for affordable housing for people with disabilities.

Please support CR97-2019.

Thank you.

Matthew Plantz

Member, Board of Directors

Howard County Autism Society

Mobilize HoCo Schools Statement on Council Resolution 97-2019

7/7/19

The goal of Mobilize HoCo Schools is to support and advocate on behalf of all children - existing and new - in our school system. We firmly believe that each and every one of our students deserves a seat inside a brick and mortar classroom. Anything less is unacceptable.

For this reason, we have serious concerns about the Robinson Overlook project (Council Resolution 97-2019).

The Robinson Overlook project is the first affordable housing project exemption request to come before the County Council under Amendment 3 to the 2018 Adequate Public Facilities Ordinance (APFO) legislation (CB1-2018). Amendment 3 was added in during the final deliberations of the bill and gives the Council authority to allow certain developments to skip the schools test and proceed to be built in a school attendance area that is otherwise closed for development due to overcrowding.

The Council's action on Council Resolution 97-2019 will be very important as it will set a precedent on exemptions going forward. We believe that for any APFO exemption, we should be looking at the school system capacity holistically to determine whether the infrastructure can support it. While one development may be projected to add just 10-15 students to the school system, that number of students coming from many developments across 250 square miles certainly adds up. And, as we heard during budget discussions, taken as a whole, our school system is already overcapacity.

Exemptions for development when our schools are well over 100% as a whole should not be granted. We simply do not have the infrastructure to support it. Kids need to be inside their schools and every exemption risks moving us further and further away from that.

As a community, Mobilize HoCo Schools acknowledges and understands that we have an affordable housing issue in our county. That has been allowed to happen because of fee-in-lieu options and other loopholes that our county has provided to let developers off the hook for building affordable units. The irony is that developers are now flipping the script and making it seem like affordable housing is a priority for them, because they want the exemptions to move their projects forward.

We are concerned about those who seek to make affordable housing a wedge issue that pits our community against itself. Calling each other names during this discussion only serves to divide our community, which is exactly what developers and certain politicians are hoping to see.

Our group will continue to focus on identifying and addressing the root causes of school overcrowding and education funding shortfalls. We will seek to forge a holistic path forward to create a solid infrastructure which serves all children, rather than continuing to make myopic decisions which set us back.

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6240 Old Dobbin Lane ■ Suite 110 ■ Columbia, MD 21045

July 8, 2019

Christiana Rigby
Chairperson, Howard County Council
3430 Court House Drive
Ellicott City, MD 21043

RE: Robinson Overlook - Council Resolution 97-2019

Dear Councilwoman Rigby:

For the last couple of years, the Howard County Chamber watched intently as the Adequate Public Facilities Ordinance (APFO) debate took place. We participated in the public input process and expressed our concern as the final policy was adopted. One area of concern was the impact the new ordinance would have on housing affordability. Howard County is extremely fortunate to be a place where many desire to live but with this desirability also comes challenges particularly for those whose professions pay low wages, live on fixed incomes or who are beset by developmental disabilities.

Our APFO concerns aside, the legislation did allow for developments to take place through the Special Affordable Housing Opportunities Provision if the development met five specific criteria. Before the council body is the Robinson Overlook project (CR 97-2019), a 43-unit affordable housing development of which nine are for persons with disabilities. This project meets four of the five criteria. The fifth criteria involved several other circumstances that are triggered by payments in lieu of taxes (PILOT) and ultimately involve the developments impact on local elementary schools.

In reviewing the project memorandum from the Department of Planning & Zoning (DPZ), this project's PILOT Agreement shows that there are three adjacent elementary schools with a capacity utilization rate of less than 100 percent (Clarksville, 73.1%; Swansfield, 83.4%; Dayton Oaks, 86.4%). Moreover, this project will yield just a projected 28 students (12 elementary school, 7 middle school, 9 high school). At the present time, the Howard County Public School System is undergoing a Boundary Review process which provides three options for redistricting elementary schools in the "southwestern" area of Howard County. All three options move the Robinson Overlook development to Clarksville Elementary School, and in all three options, the capacity utilization of Clarksville Elementary School remains at less than 100 percent.

It is widely known that Howard County has a housing affordability problem as noted in the 2018 Howard County Rental Survey, which estimates that an affordable housing gap of over 5,500 units exists countywide. A failure to address housing affordability will ultimately impact both employee

Robinson Overlook - CR97-2019
July 8, 2019
p. 2

attraction and retention. The Howard County Chamber understands that many are concerned about development and its impact on schools and infrastructure. Equally important is access to housing as the inability to have affordable housing also bears impact on our infrastructure as people travel greater distances to employment centers. For the reasons noted above, we ask that you support CR97-2019. Should you have any questions or concerns, do not hesitate to reach out.

Respectfully,



Leonardo McClarty, CCE
President/CEO, Howard County Chamber

CC: Howard County Council
Dr. Calvin Ball, Howard County Executive
Howard County Chamber Board of Directors
Howard County Legislative Affairs Committee

Sayers, Margery

From: Sandy Cederbaum <manager@oaklandmills.org>
Sent: Saturday, July 6, 2019 11:36 AM
To: CouncilMail
Cc: Jonathan Edelson; Bill McCormack Jr
Subject: Testimony in Support of CR97_2019
Attachments: CR97-2019 Testimony_Oakland Mills Board of Directors July 8_2019.pdf

Importance: High

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Attached is testimony from the Oakland Mills Community Association Board of Directors in support of CR97-2019.

We support this legislation and ask for your support when it is considered on Monday, July 8, 2019.

Thank you in advance.

Sandy Cederbaum, Village Manager

Oakland Mills Community Association
The Other Barn ~ 5851 Robert Oliver Place
Columbia, MD 21045
Office: 410-730-4610
fax: 410-730-4620

<http://oaklandmills.org> – follow link on right of web homepage to JOIN OUR LISTSERV
Visit us on Facebook at **Oakland Mills Village** and **The Other Barn**

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July 8, 2019

Council Members, the testimony attached is being submitted in support of CR97-2019 on behalf of the Oakland Mills Board of Directors and its Education Committee and Housing Committee chaired respectively by Jonathan Edelson and William R. McCormack Jr. Thank you in advance for your consideration.

Education Committee

OMCA supports the proposed Robinson Overlook mixed income development and urges you to support this, including granting an APFO waiver, if necessary. Howard County has both a housing and schools problem. There is much inequity in the availability of affordable housing throughout the county, and there is a large achievement gap among children from less economically advantaged backgrounds. It's time to open the county to families from different backgrounds, and it's time to end the stark differences among school populations in schools that are just miles apart, in some cases.

Robinson Overlook presents an opportunity to give Howard County families the chance to live in a part of the county where there is currently nothing available to them. It also presents an opportunity to begin balancing school demographics. All of the schools this development would currently attend have far fewer students from lower income backgrounds than the county average of over 20 percent. These schools currently have rates of children receiving free and reduced meals that come in at half or even a quarter of the county average. Contrast that with schools serving existing Housing Commission properties where rates are as high as 67 percent. We can address this and provide more opportunity in Howard County. Desegregated schools lift everyone.

School overcrowding is certainly a concern in Howard County - until someone is told they may have to leave their preferred school due to overcrowding. Then attention turns to moving someone else out of a school or preventing someone else from attending. Robinson Overlook is not an example of a developer getting rich at the expense of our children. In fact, it's quite the opposite. It's an example of opening more of Howard County to more children. For this reason alone, APFO should be waived for such a development.

Affordable housing advocates raised concerns that APFO could be used to block affordable housing. Some accused these advocates of being influenced by wealthy developers. Allowing APFO to stop this development would confirm just what the affordable housing advocates feared. Furthermore, the school system is embarking on another attempt at comprehensive attendance area boundary adjustments. Only one school that would serve Robinson Overlook is considered closed right now. Other nearby schools are not closed. This is an opportunity for both the County Council and our Board of Education to come down

on the right side of history. Waive APFO, allow the development to continue, and work with the Board of Education to ensure the boundary adjustments accommodate the few more children who would be introduced to the schools.

A comprehensive housing plan for the county would be an even greater step toward a more open Howard County. With such a plan, there would be no need for individual hearings on each affordable housing development. Such a plan could also remove roadblocks to affordable housing such as APFO or claims of lacking public transportation. The Housing Commission, transportation officials, and school officials could refer to this plan and make their own plans accordingly, or better yet, they could work together to ensure the plan can be executed successfully. Such a plan would also provide a much better perspective on the imbalances in housing availability throughout the county. Many mistakes have been made over the years, and these mistakes are clearly reflected in cold hard data if you look at the distribution of affordable housing in the county, the different demographics of neighborhoods, and school populations that look nothing like the county averages or the reality of our society.

Housing Committee

Oakland Mills Community Association supports the waiver of APFO restrictions to approve the Robinson Overlook project by the Howard County Housing Commission.

- Almost all Howard County Housing Commission complexes are located east of Route 29. Robinson Overlook is west of Rt. 29. This is literally a step in the right direction.
- This area of the county has little or no affordable housing.
- As of January, 2019, the local elementary school which would serve Robinson Overlook had 5.2% FARM students, the middle school had $\leq 5.0\%$ and the high school had 15.7%. These are well below the county average of 22.5%.
- There is a good tenant income spread in the 43 affordable units from 30% to 60% of Area Median Income with the majority of the units at 60%. Five units at market rate.
- The architecture for Robinson Overlook continues the Housing Commission trend of creating projects that blend in with surrounding communities.
- Where there are roads, there can be buses. Robinson Overlook doesn't have to locate on an existing bus line. A bus line can adjust its route to add the complex.

The issues facing Robinson Overlook underscore the need for the creation of the Comprehensive Housing Master Plan recently approved by the current administration.

The Oakland Mills Village Center Community Plan filed with the county in 2015 calls for a Comprehensive Housing Plan. "...it is crucial for the county to implement a Comprehensive Housing Plan to provide ample opportunities for tenants at all income levels throughout the county." OMCA is for an equitable distribution of affordable housing throughout all of Howard County.

The Comprehensive Housing Master Plan needs to address several issues.

- The starting point must be the creation of a base line map and data base of Howard County of all affordable housing from all providers.
- Placement of affordable housing must take into account socio-economic factors. Key is the percent of Free and Reduced Meal (FARM) students in each elementary, middle and high school. The FARM rate has a strong inverse correlation with school test scores. Prospective home buyers/renters will move into the best school test score district they can afford.
- The master plan must provide for a central point of control for the equitable distribution of affordable housing throughout the county. Without proper controls, the plan will not meet its goals. The current massive imbalance of affordable housing was caused by no plan and no control.
- A long term goal of the plan must be that all schools will have a FARM percentage in the range of two-thirds to one and a half times the county-wide average for each level of school.
- A moratorium must be placed on all affordable housing from any provider in elementary, middle and high school districts where FARM percentages are in excess of one and a half times the county-wide FARM average for the level of school. To accomplish this a new ordinance is needed. Just as APFO guides development based on measurable factors, so must a new FARM Adequate Public School Space Ordinance (APSSO) guide placement of affordable housing. For areas of low FARM rates APSSO overrides APFO.
- The plan must include a de-concentration plan for those areas of the county that have a concentration of low and moderate income housing. The 2011 Analysis of Impediments to Fair Housing Choice study sites these concentrations, mainly the five older villages in Columbia and north Laurel, and faults the county for the lack of a de-concentration plan. To our knowledge no de-concentration plan was ever created. It is our understanding that a new analysis will be done in 2019.
- The plan must include changes in the Fee in Lieu and Alternative Compliance regulations. Money paid into fee in lieu must be used in the same local area. There can no longer be a migration of affordable housing from one part of the county to another part of the county through fee in lieu and alternative compliance.
- The plan must create zoning recommendations to provide for better intermingled placement of single family detached, town home and multi-family housing in the same school district, and prevent concentrations of multi-family dwellings in close proximity.

With Robinson Overlook and the implementation of a Comprehensive Housing Master Plan Howard County will take a leadership position in providing opportunity for everyone.

Closing Statement

For years, we have heard County officials state that the inequities and imbalances among the school populations were a school system problem, while the school system indicated it is a housing problem. Robinson Overlook is a step in the right direction. Here's an opportunity for both sides to do the right

thing; please take it. Please be the Council that comes down on the right side of history and opens more of Howard County to all.



Bill Subject: Council Resolution 97-2019

Date: June 20, 2019

Position: Favorable

The Maryland Multi-Housing Association (MMHA) is a professional trade association established in 1996. Our membership consists of owners and property managers of more than 205,000 rental homes in over 870 apartment communities throughout the State. MMHA members manage over 17,600 apartments in Howard County. MMHA is a member of the Howard County Housing Affordability Coalition, which advocates for the preservation of existing affordable housing and the expansion of Howard County's affordable housing inventory.

Resolution 97-2019 supports approval of the terms and conditions of a Payment in Lieu of Taxes Agreement (PILOT) by and between Howard County, Maryland and Robinson Overlook Limited Partnership (Partnership) for the development of a 48-unit mixed-income rental housing development.

There is a significant undersupply of affordable housing in Howard County. As cited in Howard County Department of Housing and Community Development's January 2019 Director's Report, low-income residents that pay a high percentage of their income to housing expenses can become unstable and face homelessness due to a first-time crisis, loss of income, or health issues. Many County employees, healthcare workers, and the elderly cannot afford to live in Howard County. 48 new affordable units is a step in the right direction to resolve this undersupply. Additionally, because this area has no existing affordable housing, this project will also work to mitigate the imbalance of affordable housing in certain geographic areas in the County. For the reasons listed above, MMHA supports the passage of CR 97-19.

Jessie Keller, MMHA Government and Community Affairs Manager, 410-413-1420

Katherine Kelly Howard, MMHA Legislative Committee Chair, 410-539-2370

