HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350
Voice/Relay

Amy Gowan, Director FAX 410-313-3467

TECHNICAL STAFF REPORT

April 1, 2021

Planning Board Meeting of April 15, 2021
County Council Hearing to be scheduled

Case No./Petitioner: GPA 2021-01/County Executive at the Request of Erickson Living Properties II, LLC

Request: An ACT requesting a two year timeline extension to a General Plan amendment as adopted in Council Bill No. 59-2018. CB59 amended the 2030 General Plan by adjusting the Planned Service Area (PSA); Growth Tier Map; and Designated Place Type for approximately 61 acres of land consisting of two adjoining parcels located in Clarksville for the purposes of establishing a Community Enhancement Floating District before October 6, 2021.

I. Overview

Erickson Living is the contract purchaser of approximately 61 acres of land consisting of two adjoining parcels located in Clarksville and identified as Tax Map 34, Parcel 185 and p/o Map 28, Parcel 100. On September 19, 2017, Erickson Living filed a Petition to amend the General Plan of Howard County by amending the Planned Service Area (PSA); Growth Tier Maps; and Designated Place Types as reflected in PlanHoward 2030.

On April 18, 2018, the Planning Board held a public meeting on General Plan Amendment 2018-01 (GPA 2018-01) and recommended the County Council approve the GPA with a vote of 4-1. The GPA technical staff report, and Planning Board recommendation letter are attached as Attachment A and B. This process resulted in the introduction and subsequent approval of Council Bill 59-2018 (CB 59)- see attachment C

Council held a public hearing on July 16, 2018 and approved CB 59 on July 27, 2018. The effective date of the legislation was October 6, 2018. CB 59 allowed the Zoning Board an opportunity to hear and consider Erickson Living's Petition to Amend the Zoning Map to establish a Community Enhancement Floating District (CEF-M District) for three adjoining properties located in Clarksville (the site as well as an additional property containing the Freestate Gasoline Service Station and identified as Tax Map 35, Parcel 259). The proposed CEF-M consisted of a continuing care retirement community (CCRC) and the renovation and relocation of the existing Freestate Gasoline Service Station currently located on Parcel 259.

The final version of CB 59 contained provisions that would cause the approved General Plan amendments to become null and void if certain conditions were not met within specified time frames. Specifically, the amendments to the General Plan will become null and void if 1) The Howard County Zoning Board shall fail to issue a Decision and Order approving a Petition to Amend the Zoning Maps of Howard County to rezone the Property to CEF-M for the stated purpose of developing a CCRC community within 3 years from the effective date of the Act; or (2) The connection between the Property and the public water and sewer infrastructure for the purpose of serving a CCRC development is not made within 10 years of the effective date of the Act. CB-59 became effective on October 6, 2018, therefore, the actions associated with it expire on October 6, 2021.

On November 6, 2018, Erickson Living filed a Petition to Amend the Zoning Maps of Howard County, which was not scheduled for a hearing until March 4, 2020. Further delays occurred due to the COVID-19 pandemic, resulting in the need to conduct Zoning Board hearings in a virtual format via the internet. To date, there have been a total of 9 hearings before the Zoning Board and there are additional proceedings planned in the coming months before a Decision and Order can be issued. In accordance with CB 59, the amendments to the General Plan become null and void on October 6, 2021.

As the Zoning Board continues their proceedings into this calendar year, it is possible that there will not be adequate time prior to October 6, 2021, for the public to present their testimony to the Zoning Board and for the Zoning Board to issue its Decision & Order. Therefore, a time extension request has been requested by Erickson Living.

II. Description of GPA 2021-01

GPA 2021-01 proposes to extend by two years, the General Plan Amendment as adopted in Council Bill No. 59-2018. CB 59 amended *PlanHoward* 2030's Policy Maps as follows:

1. Change in the Planned Service Area (PSA) boundary for public water and sewer service to include the Property (only Parcel 259 is currently within the PSA);
2. Change the Property's Growth Tier designation from Tier IV to Tier I; and
3. Change the Property's Designated Place Type from Rural Conservation to Growth and Revitalization.

Addition details about the amendments and an evaluation can be found in the GPA-2018-01 Technical Staff Report dated April 19, 2018 (Attachment A).

Amy Gowan, Director — Date: 4/1/21

Attachments

A. GPA 2018-01 Technical Staff Report
B. Planning Board Recommendation Letter to County Council
C. Approved Council Bill 59 -2018
D. GPA 2021-01 Petition and Draft Bill

Introduced 7/2/18
Public hearing 7/16/18
Council action 7/27/18
Executive action 8/6/18
Effective date 10/6/18

County Council of Howard County, Maryland

2018 Legislative Session

Legislative day # 10

BILL NO. 59 – 2018

Introduced by:
The Chairperson at the request of Erickson Living Properties II, LLC

AN ACT amending the General Plan for Howard County ("PlanHoward 2030") by adjusting the Planned Service Area boundary for water and sewer service to include approximately 61 acres of property located west of Clarksville Pike (MD Route 108) and south of Sheppard Lane, in Clarksville, Howard County, Maryland; to adjust the Growth Tier Maps of Howard County to reflect the incorporation of said property into the Planned Service Area and the designation of said property within the Growth Tier 1 area of Howard County; and further designating said property as a Targeted Growth and Revitalization Designated Place Type; and providing that certain adjustments will be null and void unless certain conditions are met; and generally relating to PlanHoward 2030.

Introduced and read first time July 2, 2018. Ordered posted and hearing scheduled.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on July 16, 2018.

By order Jessica Feldmark
Jessica Feldmark, Administrator

This Bill was read the third time on July 27, 2018 and Passed ___, Passed with amendments ✓, Failed _____.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 30th day of July, 2018 at 11 a.m./p.m.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive Aug 6, 2018

Allan H. Kittleman
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

WHEREAS, the General Plan for Howard County ("PlanHoward 2030") establishes the Planned Service Area, which is the area within which the County provides public water and sewer service; and

WHEREAS, PlanHoward 2030 also establishes the Growth Tier Maps of Howard County which maps were adopted by Howard County in fulfillment of its obligations under the Sustainable Growth and Agricultural Preservation Act of 2012 (Senate Bill 236); and

WHEREAS, PlanHoward 2030 further establishes the Designated Place Type Maps of Howard County which maps were also adopted by Howard County in fulfillment of its obligations under the Sustainable Growth and Agricultural Preservation Act of 2012 (Senate Bill 236); and

WHEREAS, PlanHoward 2030 provides that any requests for a General Plan amendment for the expansion of the Planned Service Area for water and sewer service should be denied unless the following minimum criteria are met: the proposed expansion of the Planned Service Area is part of a zoning proposal and is consistent with the General Plan and Smart Growth policies; or the proposed expansion of the Planned Service Area is intended to provide for a public or institutional use such as a religious facility, charitable or philanthropic institution, or academic school; and

WHEREAS, the proposed expansion of the Planned Service Area boundary to include approximately 61 acres of property located west of Clarksville Pike (MD Route 108) and south of Sheppard Lane, in Clarksville, Howard County, Maryland is further identified as Tax Map 34, Parcel 185 and a part of Tax Map 28, Parcel 100 (the "Property"), as shown on attached **Exhibit A** and **Exhibit B**; and

WHEREAS, the proposed expansion of the Planned Service Area is a part of a specific zoning proposal to rezone the Property from RC-DEO to CEF-M for the stated purpose of providing a continuing care retirement community ("CCRC") to consist of independent living units; assisted living; and skilled nursing care; and

WHEREAS, the establishment of a CCRC on the Property in accordance with the Petitioner's stated purpose advances a number of stated land use policies within the General Plan and will satisfy in part a growing and well documented need for continuing care retirement communities

within Howard County for people over the age of 62.

WHEREAS, the establishment of such a CCRC at the proposed location will afford the County's senior population much needed additional flexibility to age in place within the County; and

WHEREAS, Chapter 6 (Growth) of the Howard County General Plan notes the following:

> *[w]hereas the total U.S. population grew by 9.7% from 2000 to 2010, those entering the 45 to 64 year age cohort, the approximate ages of the baby boomers, increased by 31.5% during that time period. Baby boomers currently make up about 29% of the countywide population and are starting to move into the 65-plus age cohort.*
>
> *PlanHoward, Chapter 6 (Growth), pg. 66*

In addition, Chapter 6 (Growth) of the Howard County General Plan makes the following pertinent finding:

> *[w]hereas the overall County population increased by 16%, those 65 and over increased by 57%. There are now 10,577 more residents 65 and older compared to ten years ago – 29,045 total in 2010 compared to 18,468 in 2000. Almost 27% of the total increase of 39,243 residents over the decade was comprised of those aged 65 and older. The very old, 85 and over, increased by 47%. This trend will continue as the baby boomers continue to age.*
>
> *PlanHoward, Chapter 6 (Growth), pg. 66*

Furthermore, Policy 9.4 of the Howard County General Plan aims to "expand housing options to accommodate the County's senior population who prefer to age in place and people with special needs." In support of that Policy Goal, the Howard County General Plan finds that the

> *County's housing stock should support the aging population and will need to continue General Plan 2000 policies to promote diverse senior housing for those that wish or need to downsize to more easily maintained units as they age. The policies should also continue to support seniors who choose to age in place in their own homes or in their own communities...The County also recognizes that as older residents' ability to live independently diminishes, they often need to move to housing that provides support services. There are both*

nursing and assisted living options for seniors in the County, offering a continuum of services, from acute care to congregate and group housing to in-home services. In order to accommodate the projected 19% of residents age 65 or older by 2030, the County's support of continuing care housing and services must be maintained.

PlanHoward, Chapter 9 (Housing), pp. 130-131; and

WHEREAS, the Property is adjacent to the existing boundary of the Planned Service Area and that the inclusion of the Property will continue the linear boundary of the Planned Service Area without including an intervening privately owned parcel currently not located in the Planned Service Area; and

WHEREAS, the Planning Board has reviewed and recommended approval of the proposed expansion.

Now, Therefore,

Section 1. Be It Enacted by the County Council of Howard County, Maryland that the PlanHoward 2030 policy maps identified below are amended to expand the Planned Service Area, the Growth Tier I Area, and the Growth and Revitalization Designated Place Type area to include approximately 61 acres of property located west of Clarksville Pike (Md Route 108) and south of Sheppard Lane, in Clarksville, Howard County, Maryland and further identified as Tax Map 34, Parcel 185 and a part of Tax Map 28, Parcel 100 (the "Property"), as shown on attached **Exhibit A** and **Exhibit B**. Amended Policy Maps include: Map 4-1; Map 5-1; Map 6-2; Map 6-3; and Map 8-1.

Section 2. Be It Further Enacted by the County Council of Howard County, Maryland that the provisions of this Act providing for expansion of the Planned Service Area and amendments to the Growth Tier Maps and Designated Place Types for Howard County shall be null and void and the Planned Service Area, Growth Tier Map, and Designated Place Type as it relates to this Property, shall revert to the Planned Service Area, Growth Tier, and Designated Place Type in place prior to this Act without any additional action of the County Council if:

(1) The Howard County Zoning Board shall fail to issue a Decision and Order approving a Petition to Amend the Zoning Maps of Howard County to rezone the Property to CEF-M for the stated purpose of developing a CCRC community within 3 years from the effective date of this Act; or

(2) The connection between the Property and the public water and sewer infrastructure ~~are~~ for the purpose of serving a CCRC development is not made within 10 years of the effective date of this Act.

Section 3. Be It Further Enacted by the County Council of Howard County, Maryland that this amendment be attached to PlanHoward 2030.

Section 4. Be It Further Enacted by the County Council of Howard County, Maryland that if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity shall not affect other provisions or any other application of this Act which can be given effect without the invalid provisions or application, and for this purpose the provisions of this Act are severable.

Section 5. Be It Further Enacted by the County Council of Howard County, Maryland that this Act shall become effective 61 days after its enactment.

EXHIBIT A

SURVEYED DESCRIPTION
PROPOSED PARCEL

BEING PART OF THE PROPERTY ACQUIRED BY LIMESTONE VALLEY FARM, A MARYLAND GENERAL PARTNERSHIP FROM BARBARA L. WARFIELD BY DEED DATED AUGUST 8, 1995 AS RECORDED IN LIBER 3583 FOLIO 234, AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE INTERSECTION OF THE DIVISION LINE BETWEEN THE LANDS OF BREEDEN FAMILY LIMITED LIABILITY COMPANY (LIBER 5341 FOLIO 656) ON THE WEST, AND THE LANDS OF LENORE, LLC (LIBER 11056 FOLIO 243) AND SERVILLE LLC (LIBER 11119 FOLIO 401) ON THE EAST, WITH THE DIVISION LINE BETWEEN THE LANDS OF LIMESTONE VALLEY FARM (LIBER 3583 FOLIO 234) ON THE NORTH AND THE SAID LANDS OF LENORE, LLC AND SERVILLE LLC ON THE SOUTH, THENCE WITH SAID DIVISION LINE;

A. SOUTH 67° 25'003" EAST, 365.13 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID DIVISION LINE AND WITH A LINE THROUGH THE SAID LANDS OF LIMESTONE VALLEY FARM, THE FOLLOWING FIVE COURSES AND DISTANCES

1. NORTH 07° 01' 21" WEST, 154.40 FEET, THENCE;

2. CONTINUING, NORTH 17° 32' 18" WEST, 123.97 FEET, THENCE;

3. CONTINUING, NORTH 64° 44' 46" EAST, 193.40 FEET, THENCE;

4. CONTINUING, SOUTH 86° 08' 09" EAST, 802.70 FEET, THENCE;

5. CONTINUING, SOUTH 74° 18' 35" EAST, 781.09 FEET TO THE CENTERLINE OF SHEPARD LANE (VARIABLE WIDTH AND PRESCRIPTIVE RIGHT-OF-WAY), THENCE WITH SAID CENTERLINE;

6. SOUTH 14° 10' 35" EAST, 458.61 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTHERLY SIDE OF CLARKSVILLE PIKE - MD RTE. 108 (PRESCRIPTIVE RIGHT-OF-WAY), THENCE WITH SAID SOUTHERLY SIDE;

7. SOUTH 39° 34' 56" WEST, 372.59 FEET; THENCE DEPARTING SAID SOUTHERLY SIDE OF CLARKSVILLE ROAD AND WITH A LINE THROUGH SAID CLARKSVILLE PIKE AND WITH THE EXTENSION OF THE DIVISION LINE OF THE SAID LANDS OF LIMESTONE VALLEY FARM ON THE NORTH, AND THE LANDS OF LENORE, LLC (LIBER 11056 FOLIO 243) AND SERVILLE LLC (LIBER 11119 FOLIO 401) ON THE SOUTH;

8. NORTH 67° 25' 03" WEST, 1674.87 FEET TO THE PLACE OF BEGINNING.

CONTAINING 1,054,111 SQUARE FEET OR 24.199 ACRES

I HEREBY CERTIFY THAT THE METES AND BOUNDS DESCRIPTION HEREIN WAS PREPARED BY ME PERSONALLY OR UNDER MY DIRECTION AND THAT THIS DESCRIPTION AND ANY SURVEY WORK REFLECTED HEREIN WAS PREPARED IN COMPLIANCE WITH COMAR 09.13.06.12.

7/2/18

ROBERT C. HARR, JR. DATE
STATE OF MARYLAND
PROFESSIONAL LAND SURVEYOR NO. 21587
EXPIRATION DATE JANUARY 16, 2019

S:\Surveys\2017\SD172015\Admin\Metes and Bounds\SURVEYED DESCRIPTION-SHEPARD LANE NEW with COMAR.docx

SURVEYED DESCRIPTION

BEING PART OF THE PROPERTY ACQUIRED BY LENORE, LLC AS TO AN UNDIVIDED 50% INTEREST FROM LENORE R. SHAVELL BY DEED DATED NOVEMBER 29, 2007 AS RECORDED IN LIBER 11056 FOLIO 243 AND BY SERVILLE LLC AS TO AN UNDIVIDED 50% INTEREST FROM IRENE C. GLASER BY DEED DATED JANUARY 30, 2008 AS RECORDED IN LIBER 11119 FOLIO 401, AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE DIVISION LINE BETWEEN THE LANDS OF BREEDEN FAMILY LIMITED LIABILITY COMPANY (LIBER 5341 FOLIO 656) ON THE WEST, AND THE LANDS OF LENORE, LLC (LIBER 11056 FOLIO 243) AND SERVILLE LLC (LIBER 11119 FOLIO 401) ON THE EAST, WITH THE DIVISION LINE BETWEEN THE LANDS OF LIMESTONE VALLEY FARM (LIBER 3583 FOLIO 234) ON THE NORTH AND THE SAID LANDS OF LENORE, LLC AND SERVILLE LLC ON THE SOUTH, THENCE WITH SAID DIVISION LINE;

1. SOUTH 67° 25' 03" EAST, 2026.07 FEET TO THE INTERSECTION OF SAID DIVISION LINE, WITH THE DIVISION LINE BETWEEN THE SAID LANDS OF LENORE, LLC AND SERVILLE LLC ON THE WEST, AND THE LANDS OF STEPHEN KLEIN & ASSOCIATES, LLC (LIBER 5082 FOLIO 679) ON THE EAST, ALSO BEING THE CENTERLINE OF CLARKSVILLE PIKE – MD RTE. 108 (PRESCRIPTIVE RIGHT-OF-WAY), THENCE WITH SAID DIVISION LINE;

2. SOUTH 40° 23' 40" WEST, 548.04 FEET, THENCE CONTINUING WITH A LINE THROUGH SAID CLARKSVILLE PIKE;

3. SOUTH 17° 13' 42" EAST, 33.00 FEET, THENCE CONTINUING WITH SAID THROUGH LINE AND FURTHER CONTINUING WITH THE DIVISION LINE BETWEEN THE SAID LANDS OF LENORE, LLC AND SERVILLE LLC ON THE NORTH, AND THE LANDS OF CLARKSVILLE FREESTATE, LLC (LIBER 16629 FOLIO 30), CLARKSVILLE AUTO PROPERTIES, LLC (LIBER 3903 FOLIO 315), LOT 2, FOSTER PROPERTY (PLAT NO. 14068) AND THE LANDS OF CLARKSVILLE SQUARE, LLC (LIBER 4516 FOLIO 389) ON THE SOUTH;

4. SOUTH 86° 46' 18" WEST, 1582.00 FEET TO THE INTERSECTION OF SAID DIVISION LINE, WITH THE SAID DIVISION LINE BETWEEN THE LANDS OF BREEDEN FAMILY LIMITED LIABILITY COMPANY ON THE WEST, AND THE LANDS OF LENORE, LLC AND SERVILLE LLC ON THE EAST, THENCE WITH SAID DIVISION LINE;

5. NORTH 02° 21' 22" EAST, 1317.16 FEET TO THE PLACE OF BEGINNING.

CONTAINING 1,583,544 SQUARE FEET OR 36.353 ACRES

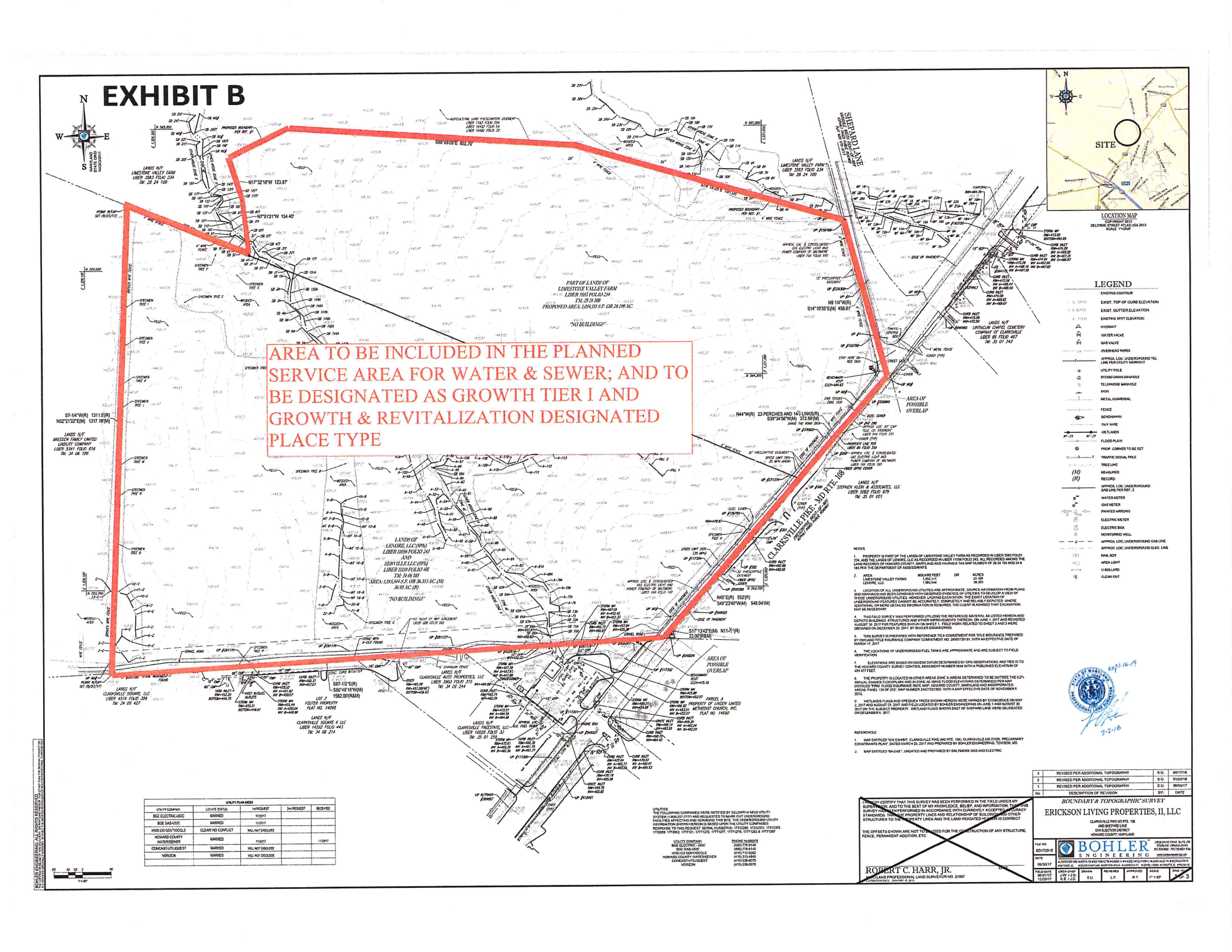
I HEREBY CERTIFY THAT THE METES AND BOUNDS DESCRIPTION HEREIN WAS PREPARED BY ME PERSONALLY OR UNDER MY DIRECTION AND THAT THIS DESCRIPTION AND ANY SURVEY WORK REFLECTED HEREIN WAS PREPARED IN COMPLIANCE WITH COMAR 09.13.06.12.

7/2/18

ROBERT C. HARR, JR. — DATE
STATE OF MARYLAND
PROFESSIONAL LAND SURVEYOR NO. 21587
EXPIRATION DATE JANUARY 16, 2019.

RT/rl
S:\Surveys\2017\SD172015\Admin\Metes and Bounds\SURVEYED DESCRIPTION-ROUTE 108.docx

EXHIBIT B


AREA TO BE INCLUDED IN THE PLANNED SERVICE AREA FOR WATER & SEWER; AND TO BE DESIGNATED AS GROWTH TIER I AND GROWTH & REVITALIZATION DESIGNATED PLACE TYPE
SITE
LOCATION MAP
LEGEND
NOTES
REFERENCES
UTILITIES
UTILITY PLAN INDEX
BOUNDARY & TOPOGRAPHIC SURVEY
ERICKSON LIVING PROPERTIES, II, LLC
ROBERT C. HARR, JR.
BOHLER ENGINEERING

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on August 6, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2018.

_____
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2018.

_____
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2018.

_____
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2018.

_____
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2018.

_____
Jessica Feldmark, Administrator to the County Council

Offit | Kurman®
Attorneys At Law

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March 4, 2021

Amy Gowan, Director
Department of Planning and Zoning
3430 Court House Drive
Ellicott City, MD 21043

Re: Request for General Plan Amendment

Dear Director Gowan:

I am writing on behalf of Erickson Living Properties II, LLC ("Erickson Living"), for the purpose of petitioning for the introduction of legislation providing for an extension of certain dates specified in Council Bill No. 59 – 2018 ("CB59"). As you are aware, CB59 amended the General Plan of Howard County by amending the Planned Service Area (PSA); Growth Tier Maps; and Designated Place Types as reflected in PlanHoward 2030.

Erickson Living is the contract purchaser of approximately 61 acres of land consisting of two adjoining parcels located in Clarksville and identified as Tax Map 34, Parcel 185 and p/o Map 28, Parcel 100 (the "Subject Property"). On September 19, 2017, Erickson Living filed a Petition to amend the General Plan of Howard County by amending the Planned Service Area (PSA); Growth Tier Maps; and Designated Place Types as reflected in PlanHoward 2030. This Petition resulted in the introduction and subsequent approval of CB59. The effective date of the legislation was October 6, 2018.

The purpose for the enactment of CB59 was to afford the Zoning Board for Howard County a reasonable opportunity to hear and consider Erickson Living's Petition to Amend the Zoning Maps to establish a Community Enhancement Floating District ("CEF-M District") for three adjoining properties located in Clarksville (the Subject Property as well as an additional property containing the Free State Gasoline Service Station and identified as Tax Map 35, Parcel 259). Erickson Living's purpose for filing the CEF-M rezoning petition is to seek zoning approval for a continuing care retirement community (CCRC) and to also permit the renovation and relocation of the existing Freestate Gasoline Service Station currently located on Parcel 259.

The final version of CB59 contained provisions that would cause the approved General Plan amendments to become null and void if certain conditions were not met within specified time frames. Specifically, the amendments to the General Plan will become null and void if 1) The Howard County Zoning Board shall fail to issue a Decision and Order approving a Petition to Amend the Zoning Maps of Howard County to rezone the Property to CEF-M for the stated purpose of developing a CCRC community within 3 years from the effective date of this Act; or (2) The connection between the Property and the public water and sewer infrastructure for the

purpose of serving a CCRC development is not made within 10 years of the effective date of this Act.

On November 6, 2018, Erickson Living filed a Petition to Amend the Zoning Maps of Howard County. Due to circumstances beyond Erickson Living's control, the zoning petition was not scheduled for an initial hearing before the Zoning Board until March 4, 2020 (nearly 1 year, 4 mos. later). Following this unexpected delay, the proceedings before the Zoning Board have been further delayed by the Covid-19 pandemic and the resulting need to conduct Zoning Board hearings in a virtual format via the internet. To date there have been a total of 9 hearings before the Zoning Board (on average, one hearing per month). In accordance with CB59, the amendments to the General Plan become null and void on October 6, 2021.

Erickson Living concluded the presentation of its case-in-chief on October 28, 2020. Since that time, parties in opposition to the zoning petition have been presenting their case-in-opposition. Judging by the pace of the Zoning Board proceedings thus far, it is likely that there will not be sufficient time prior to October 6, 2021 for the public to present their testimony to the Zoning Board and for the Zoning Board to issue its Decision & Order. Erickson Living believes that it is in the public interest that the Zoning Board have a reasonable and adequate time to carefully consider the testimony of all interested parties - both in favor and against the zoning petition.

For the reasons set forth above, Erickson Living respectfully requests that legislation be introduced to amend CB59 by extending for 2 years the specified dates on which the amendments to the General Plan will become null and void. To facilitate the introduction of appropriate legislation, I have taken the liberty of drafting a proposed Council Bill. (See attached **Exhibit A**.)

On behalf of Erickson Living, I would like to thank you for your consideration of this request. Please be assured that my client is fully cognizant and understands that the Chairperson of the Council is often requested to introduce legislation at the request of a constituent or the County Executive so that it may be considered by all members of County Council. Erickson Living further understands that the introduction of the proposed legislation by Chairperson of the Council should not be construed in any way as an endorsement of the proposed amendment to PlanHoward 2030.

If you require additional information or if you have any questions, please feel free to have a member of your staff contact me.

Sincerely,

William E. Erskine

cc: Calvin Ball, County Executive

EXHIBIT A

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. _____

Bill No._____ -2021

Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the General Plan for Howard County ("PlanHoward 2030") by adjusting the Planned Service Area boundary for water and sewer service to include approximately 61 acres of property located west of Clarksville Pike (Md Route 108) and south of Sheppard Lane, in Clarksville, Howard County, Maryland; to adjust the Growth Tier Maps of Howard County to reflect the incorporation of said property into the Planned Service Area and the designation of said property within the Growth Tier 1 area of Howard County; and further designating said property as a Targeted Growth and Revitalization Designated Place Type; and providing that certain adjustments will be null and void unless certain conditions are met; and generally relating to PlanHoward 2030.

Introduced and read first time _____, 2021. Ordered posted and hearing scheduled.

By order_____
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2021.

By order _____
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2021 and Passed ___, Passed with amendments _____, Failed _____.

By order _____
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___day of _____, 2021 at ___ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive _____, 2021

_____
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

WHEREAS, the General Plan for Howard County ("PlanHoward 2030") establishes the Planned Service Area, which is the area within which the County provides public water and sewer service; and

WHEREAS, PlanHoward 2030 also establishes the Growth Tier Maps of Howard County which maps were adopted by Howard County in fulfillment of its obligations under the Sustainable Growth and Agricultural Preservation Act of 2012 (Senate Bill 236); and

WHEREAS, PlanHoward 2030 further establishes the Designated Place Type Maps of Howard County which maps were also adopted by Howard County in fulfillment of its obligations under the Sustainable Growth and Agricultural Preservation Act of 2012 (Senate Bill 236); and

WHEREAS, on July 27, 2018, the County Council unanimously approved Council Bill No. 59-2018 (a copy of which is attached as Exhibit A); and

WHEREAS, Council Bill No. 59-2018 was signed by the County Executive and enacted on August 6, 2018; and

WHEREAS, among other things, Council Bill No. 59-2018 had the effect of modifying the Planned Service Area boundary to include approximately 61 acres of property located west of Clarksville Pike (Md Route 108) and south of Sheppard Lane, in Clarksville, Howard County, Maryland and further identified as Tax Map 34, Parcel 185 and a part of Tax Map 28, Parcel 100 (the "Property"); and

WHEREAS, as enacted, the final version of Council Bill No. 59-2018 contained a reversionary provision that provided:

> ***Section 2. Be It Further Enacted*** *by the County Council of Howard County, Maryland that the provisions of this Act providing for expansion of the Planned Service Area and amendments to the Growth Tier Maps and Designated Place Types for Howard County shall be null and void and the Planned Service Area, Growth Tier Map, and Designated*

Place Type as it relates to this Property, shall revert to the Planned Service Area, Growth Tier, and Designated Place Type in place prior to this Act without any additional action of the County Council if:

(1) The Howard County Zoning Board shall fail to issue a Decision and Order approving a Petition to Amend the Zoning Maps of Howard County to rezone the Property to CEF-M for the stated purpose of developing a CCRC community within 3 years from the effective date of this Act; or

(2) The connection between the Property and the public water and sewer infrastructure for the purpose of serving a CCRC development is not made within 10 years of the effective date of this Act.

WHEREAS, on November 6, 2018, a Petition to Amend the Zoning Maps of Howard County to rezone the Property to CEF-M for the stated purpose of developing a CCRC community (the "Zoning Petition") was filed with the Howard County Zoning Board ("Zoning Board"); and

WHEREAS, subsequent to the filing of the Zoning Petition, the initial public hearing on the Rezoning Petition was not scheduled until March 4, 2020; and

WHEREAS, after the initial public hearing on the Rezoning Petition unforeseen circumstances arose that further delayed the ability of the Zoning Board to schedule and conduct public hearings related to the Rezoning Petition. Foremost among these unforeseen circumstances was the outbreak of the Covid-19 pandemic; and

WHEREAS, as a result of the Covid 19 pandemic the County Executive issued an Emergency Order directing County owned buildings to be closed to the public; and

WHEREAS, subsequent to the issuance of the County Executive's Emergency Order, the Zoning Board has held numerous internet-based and well-attended virtual public hearings relating to the Rezoning Petition but the hearings have not concluded as of the submission of this request; and; and

WHEREAS, in consideration of the above described unforeseen circumstances that include the Covid-19 pandemic, the County Council believes it to be in the public interest that the Zoning Board have additional time to fully consider the testimony of all interested parties as it considers the Rezoning Petition without the impending time constraints as currently imposed by the provisions of Council Bill No. 59-2018.

Now, Therefore,

Section 1. Be It Enacted by the County Council *of Howard County, Maryland that the Section 2 of Council Bill No. 59-2018 (page 2, lines 1 through 7) is hereby amended as provided in Section 2, below.*

Section 2. And Be It Further Enacted *by the County Council of Howard County, Maryland that the provisions of this Act providing for expansion of the Planned Service Area and amendments to the Growth Tier Maps and Designated Place Types for Howard County shall be null and void and the Planned Service Area, Growth Tier Map, and Designated Place Type as it relates to this Property, shall revert to the Planned Service Area, Growth Tier, and Designated Place Type in place prior to this Act without any additional action of the County Council if:*

(1) The Howard County Zoning Board shall fail to issue a Decision and Order approving a Petition to Amend the Zoning Maps of Howard County to rezone the Property to CEF-M for the stated purpose of developing a CCRC community within 5 years from the effective date of this Act; or

(2) The connection between the Property and the public water and sewer infrastructure are not made within 12 years of the effective date of this Act.

Section 3. And Be It Further Enacted *by the County Council of Howard County, Maryland that this amendment be attached to PlanHoward 2030.*

Section 4. And Be It Further Enacted *by the County Council of Howard County, Maryland that if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity shall not affect other*

provisions or any other application of this Act which can be given effect without the invalid provisions or application, and for this purpose the provisions of this Act are severable.

Section 5. And Be It Further Enacted *by the County Council of Howard County, Maryland that this Act shall become effective 61 days after its enactment.*

BY THE
COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on _____, 2021.

_____
Michelle Harrod, Administrator to the County Council

BY THE
COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Councilnotwithstanding the objections of the Executive, stands enacted on_____, 2021.

_____
Michelle Harrod, Administrator to the County Council

BY THE
COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within tendays of its presentation, stands enacted on_____, 2021.

_____
Michelle Harrod, Administrator to the County Council

BY THE
COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, standsfailed for want of consideration on_____, 2021.

_____
Michelle Harrod, Administrator to the County Council

1

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350
Voice/Relay

Valdis Lazdins, Director FAX 410-313-3467

TECHNICAL STAFF REPORT

April 19, 2018

Planning Board Meeting of March 29, 2018
County Council Hearing to be scheduled

Case No./Petitioner: GPA 2018-01/Council Chairperson at the Request of Erickson Living Properties II, LLC

Request: AN ACT amending the General Plan for Howard County (PlanHoward 2030) to adjust the Planned Service Area for water and sewer service to include approximately 61 acres, located west of Clarksville Pike (Md Route 108) and south of Sheppard Lane, in Clarksville, Howard County, Maryland; to adjust the Growth Tier Maps and incorporate the property within Growth Tier 1; and further designate the property as a Targeted Growth and Revitalization Designated Place Type; and provide that certain adjustments will be null and void unless certain conditions are met; and generally relating to PlanHoward 2030.

I. Overview

Erickson Living Properties II, LLC, proposes a continuum of care residential campus west of the Clarksville Pike (MD 108) and Sheppard Lane intersection in Clarksville. To realize this development, the Petitioner proposes rezoning the properties to CEF (Community Enhancement Floating) District. CEF criteria require the district to be within the planned service area (PSA) for both public water and sewer service. Since most of the site lies outside the PSA, the General Plan must be amended to modify the service district boundaries. The various County policies identified and reviewed in this report make this amendment challenging, since the conclusions are not necessarily clear-cut.

The CEF process involves multiple steps and review by the County Council and various boards. The County Council would consider the General Plan update, with a recommendation from the Planning Board. The Zoning Board and Planning Board would address the CEF zone criteria and the Development Concept Plan. The Design Advisory Panel (DAP) has already provided design and site planning recommendations on the overall concept plan to the Department of Planning and Zoning (DPZ) - to be reflected in a staff report if, or when the Planning Board considers the CEF. In turn, the Zoning Board will consider the Planning Board's recommendations, as well as DAP recommendations and the DPZ staff report, as it considers the case. Ultimately, the Zoning Board will decide on the CEF zone and the overall development plan.

The General Plan Amendment (GPA 2018-01) includes approximately 61 acres on three parcels (p/o Map 28, Parcel 100, Map 34, Parcel 185 and Map 35, Parcel 259) located west of Clarksville Pike (MD 108) and south of Sheppard Lane in Clarksville (the Property). The Petitioner, Erickson Living Properties II, LLC., submitted to DPZ an initial Development Concept Plan (DCP) July 28, 2017, that proposed a Continuing Care Retirement Community (CCRC) consisting of 1,200 independent living units, 240 health care units, 108,000 square feet of mixed accessory uses, and 1,680 parking spaces. The plan also expands and relocates the existing gasoline service station on Parcel 259.

GPA 2018-01 requests: (1) change the Planned Service Area (PSA) boundary for public water and sewer service to include the Property (only Parcel 259 is in the PSA); (2) change the Property's Growth Tier designation from Tier IV to Tier I, and (3) change the Property's Designated Place Type from Rural Conservation to Growth and Revitalization.

County Code Section 16.900 requires the Planning Board to recommend to the County Council whether to adopt a General Plan amendment. The GPA 2018-01 submission includes the following:

- Development Concept Plan, Erickson Living Properties N, LLC
- Draft Council Bill
- Supplemental Materials

Sub-sections A-C below describe the *PlanHoward* 2030 provisions that apply to this request and Section D describes demographic trends that were used to develop PlanHoward 2030 and inform DPZ's evaluation of the GPA.

A. Expansion of the Planned Service Area

In the future, it should be anticipated that there may be isolated situations where minor PSA adjustments may be appropriate. A PSA revision requires a General Plan Amendment to Map 6-2. Any requests for a General Plan Amendment for expansion of the PSA should be denied unless either:

1. *The proposed expansion of the Planned Service Area is intended to provide for a public or institutional use such as a religious facility, philanthropic institution, or academic school; or*

2. *The proposed expansion of the Planned Service Area includes a zoning proposal that is consistent with the General Plan and Smart Growth policies. Sewer and water infrastructure capacity and costs must be analyzed to confirm the feasibility and availability of scheduled capacity.*

B. Growth Tiers

New restrictions on the development of major subdivisions using septic systems in rural areas were adopted by the Maryland General Assembly in April 2012 through the Sustainable Growth and Agricultural Preservation Act (Senate Bill 236). This Act requires local jurisdictions to classify land into one of four "Growth Tiers" based on the following:

- *Tier I - designated growth area served by public sewer;*
- *Tier II - designated for future extension of public sewer service;*
- *Tier III - not planned for sewer service, not dominated by agricultural or forest, and planned for large lot development with septic systems;*
- *Tier IV - not planned for sewer service, dominated by agricultural and forest land planned for resource protection.*

PlanHoward 2030, Chapter 6 (Growth), page 73

C. Designated Place Types – Future Residential Development

As indicated at the beginning of this chapter, PlanMaryland asks local jurisdictions to refine their Priority Funding Areas (PFA) by identifying more focused target areas for future growth. These include three designated place types within the PFA: Targeted Growth and Revitalization areas, Established Community areas, and Future Growth areas... The other two place types are for rural areas outside the PFA: Low Density Development areas and Rural Resource areas where agricultural land preservation has priority…

PlanHoward 2030, Chapter 6 (Growth), page 71

D. Demographic Trends: Aging Population and Housing

Aging Population

Howard County's aging population is addressed in the following General Plan sections:

Whereas the total U.S. population grew by 9.7% from 2000 to 2010, those entering the 45 to 64 year age cohort, the approximate ages of the baby boomers, increased by 31.5% during that time period. Baby boomers currently make up about 29% of the countywide population and are starting to move into the 65-plus age cohort.

Whereas the overall County population increased by 16%, those 65 and over increased by 57%. There are now 10,577 more residents 65 and older compared to ten years ago – 29,045 total in 2010 compared to 18,468 in 2000. Almost 27% of the total increase of 39,243 residents over the decade was comprised of those aged 65 and older. The very old, 85 and over, increased by 47%. This trend will continue as the baby boomers continue to age.

PlanHoward 2030, Chapter 6 (Growth), page 66

A 2015 report by the Department of Community Resources and Services, *Planning for the Growth of the Older Adult Population in Howard County: Creating an Age-Friendly Community (*DCRS 2015 Report) further identifies a growing number of older adults. **Figure 1** shows that over the next two decades, Howard County residents will become significantly older. Between 2010 and 2035 the total population will increase from 287,085 to 363,499, an increase of 26.6%. During that same period, the population over 50 years old will grow from 87,237 to 140,175 (60.7% increase) - more than double the total growth rate. The percentage of the population over 50 years old will increase from 30.39% in 2010 to 38.56% in 2035.

Figure 1: Howard County Census by Age Groups, 2010 to 2035

Age	2010		2020		2035	
0 to 49 years	199,848	70%	213,578	69%	223,324	61%
50 to 74 years	75,808	26%	99,233	30%	100,638	28%
75 years and older	11,429	4%	19,438	6%	39,537	11%
Total	**287,085**	**100%**	**332,249**	**100%**	**363,499**	**100%**

Source: MDP 2013 Population Projections

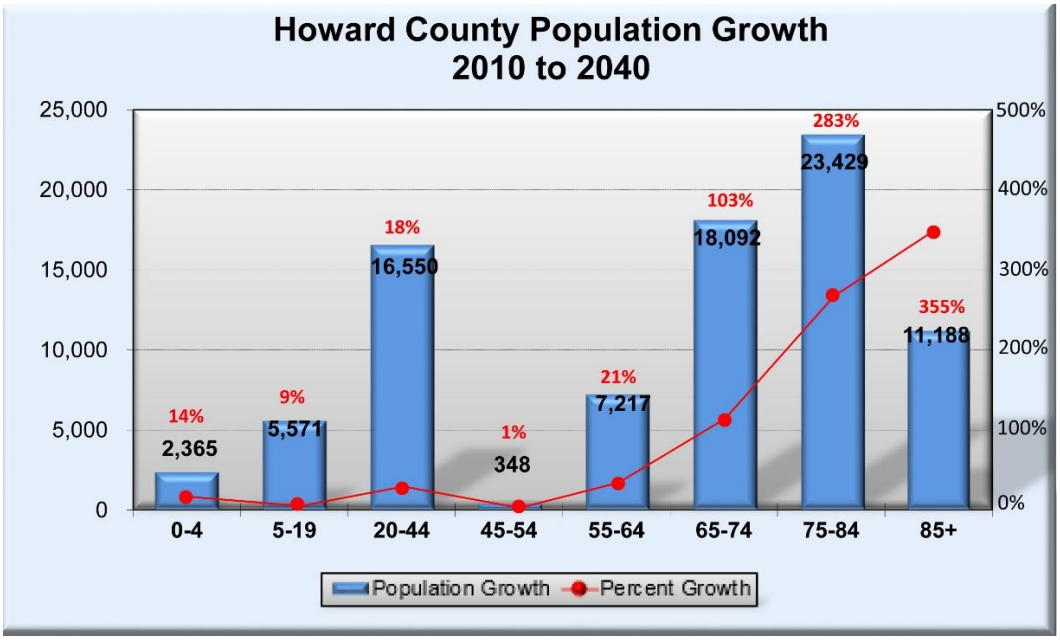
Figures 2 and 3 show population projections by age group through 2040. The increase in population more than 65 years old is significant relative to other age groups. Compared to 2010, the population 65 to 74 years old will increase by 103% to 18,092, those 75 to 84 years old will increase by 283% to 23,429, and those 85 years and older will increase by 355% to 11,188.

Figure 2: Howard County Population by Age, 2010 to 2040

								2010 to 2040	
Age	**2010**	**2015**	**2020**	**2025**	**2030**	**2035**	**2040**	**Growth**	**% Change**
0-4	17,363	19,103	20,447	21,802	21,920	20,747	19,728	2,365	14%
5-19	63,360	65,220	67,076	69,037	71,187	70,632	68,931	5,571	9%
20-44	92,961	98,817	107,624	114,504	115,243	113,308	109,511	16,550	18%
45-54	49,585	49,634	44,896	42,934	44,825	46,947	49,933	348	1%
55-64	34,771	41,095	46,353	45,500	41,354	39,805	41,988	7,217	21%
65-74	17,616	24,730	30,619	35,243	39,099	38,454	35,708	18,092	103%
75-84	8,277	10,678	14,884	20,402	24,853	28,396	31,706	23,429	283%
85+	3,152	4,082	5,022	6,270	8,332	11,212	14,340	11,188	355%
TOTAL	**287,085**	**313,359**	**336,921**	**355,692**	**366,813**	**369,501**	**371,845**	**84,760**	**30%**
0-4	6%	6%	6%	6%	6%	6%	5%		
5-19	22%	21%	20%	19%	19%	19%	19%		
20-44	32%	32%	32%	32%	31%	31%	29%		
45-54	17%	16%	13%	12%	12%	13%	13%		
55-64	12%	13%	14%	13%	11%	11%	11%		
65-74	6%	8%	9%	10%	11%	10%	10%		
75-84	3%	3%	4%	6%	7%	8%	9%		
85+	1%	1%	1%	2%	2%	3%	4%		
TOTAL	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**		

Source: U.S Census Bureau, Projections from DPZ Research Division Round 9 & MDP Cohort Model

Figure 3: Howard County Population by Age, 2010 to 2040



Source: U.S Census Bureau, Projections from DPZ Research Division Round 9 & MDP Cohort Model

Housing

Housing for seniors and individuals with disabilities is described in the following General Plan sections:

The County's housing stock should support the aging population and will need to continue General Plan 2000 policies to promote diverse senior housing for those that wish or need to downsize to more easily maintained units as they age. The policies should also continue to support seniors who choose to age in place in their own homes or in their own communities.

The County also recognizes that as older residents' ability to live independently diminishes, they often need to move to housing that provides support services. There are both nursing and assisted living options for seniors in the County, offering a continuum of services, from acute care to congregate and group housing to in-home services. In order to accommodate the projected 19% of residents age 65 and older by 2030, the County's support of continuing care housing and services must be maintained.

PlanHoward 2030, Chapter 9 (Housing), pages 130-131

The 2015 DCRS report identifies six priorities to achieve a future age-friendly community across the lifespan of county residents; among these are the following housing-based focus areas:

- *Ensure that diverse housing options are available for Howard County residents to age in community and to function as independently as possible.*
- *Prepare residents for the implications of the new demographic reality at both the personal and community level.*

Planning for the Growth of the Older Adult Population in Howard County: Creating an Age-Friendly Community, pages 39 and 46

The Department of Planning and Zoning (DPZ) monitors development activity as part of the County's Adequate Public Facilities regulations. **Figure 4** summarizes housing activity for restricted unit types compared to the total units built. As of December 2017 nearly 20% of all units built have been 55+ age-restricted, 10% assisted living, and 2% planned senior/continuing care.

Figure 4: Restricted Housing Type Built Compared to Total Units, 2004 to 2017

Unit Category: SFD, SFA, APT	Total Units	% Total Units
55+ Age Restricted	3,635	18%
Assisted Living	1,925	10%
Planned Senior/Continuing Care*	299	2%
Other	14,480	71%
Sub Total	**20,339**	**100%**

*Includes Lutheran Village at Miller's Grant.
Source: DPZ 2018 Development Monitoring System Report and Land Use Database

II. Description of GPA 2018-01

GPA 2018 proposes the following changes to *PlanHoward* 2030's Policy Maps:

1. Change in the Planned Service Area (PSA) boundary for public water and sewer service to include the Property (only Parcel 259 is currently within the PSA);
2. Change the Property's Growth Tier designation from Tier IV to Tier I; and
3. Change the Property's Designated Place Type from Rural Conservation to Growth and Revitalization.

These amendments include Map 4-1, Map 5-1, Map 6-2, Map 6-3 and Map 8-1 as shown in Figures 1-10.

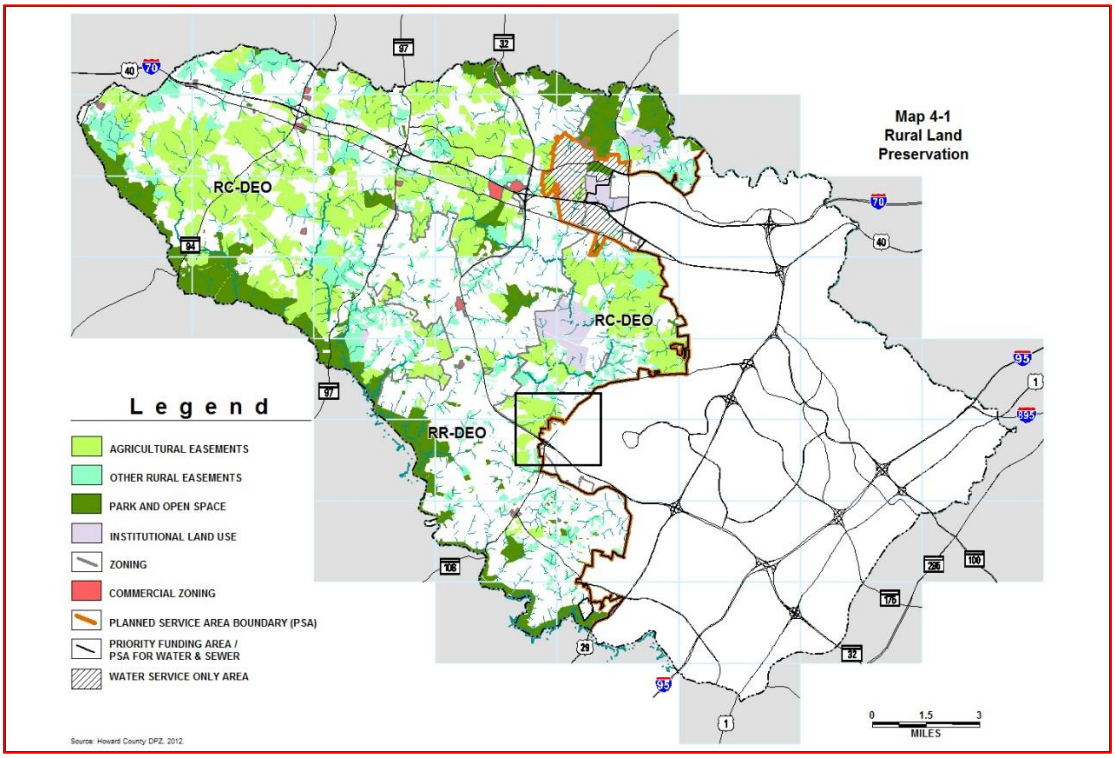


Figure 1: Amended Map 4-1 Rural Land Preservation Planned Service Area Boundary (PSA) and Priority Funding Area Boundary (PFA).

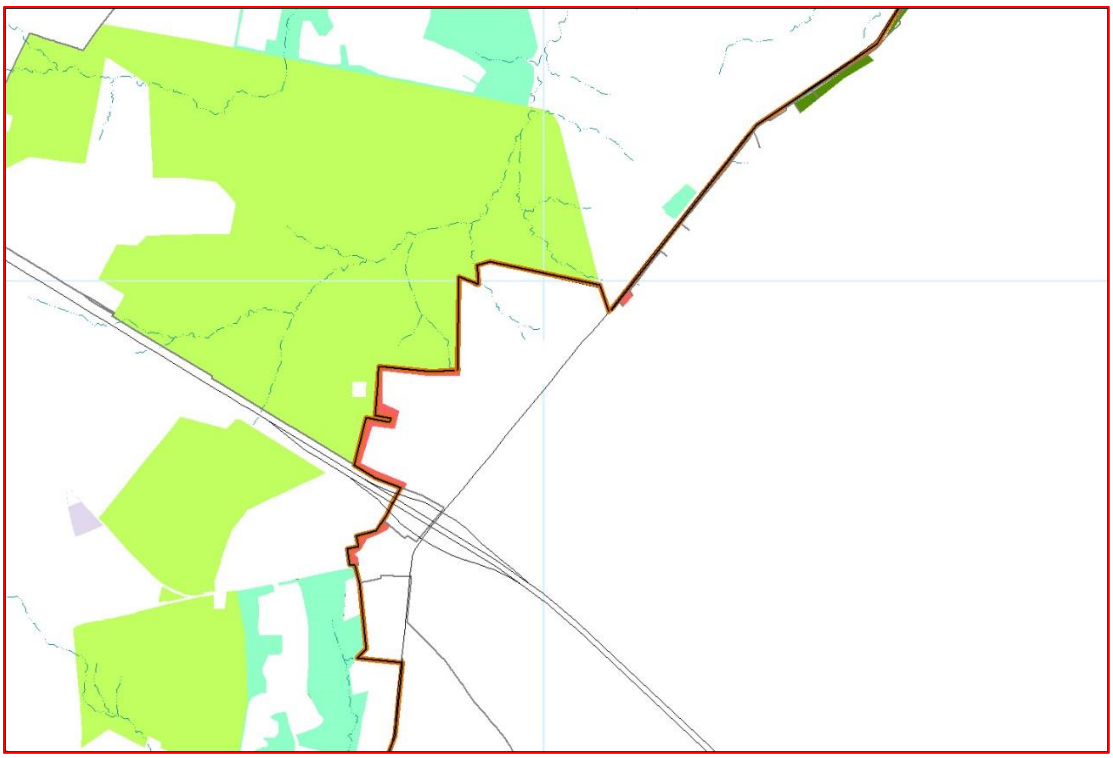


Figure 2: Figure 1, Map 4-1 Inset.

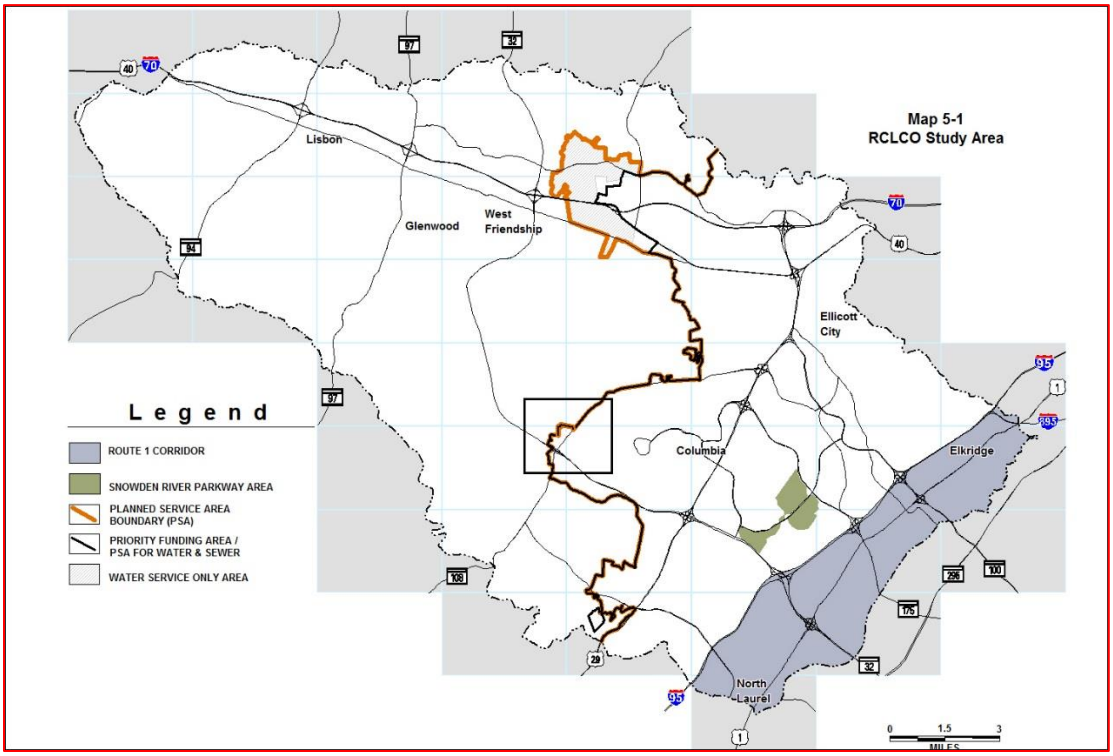


Figure 3: Amended Map 5-1 RCLCO Study Area Planned Service Area Boundary (PSA) and Priority Funding Area Boundary (PFA).

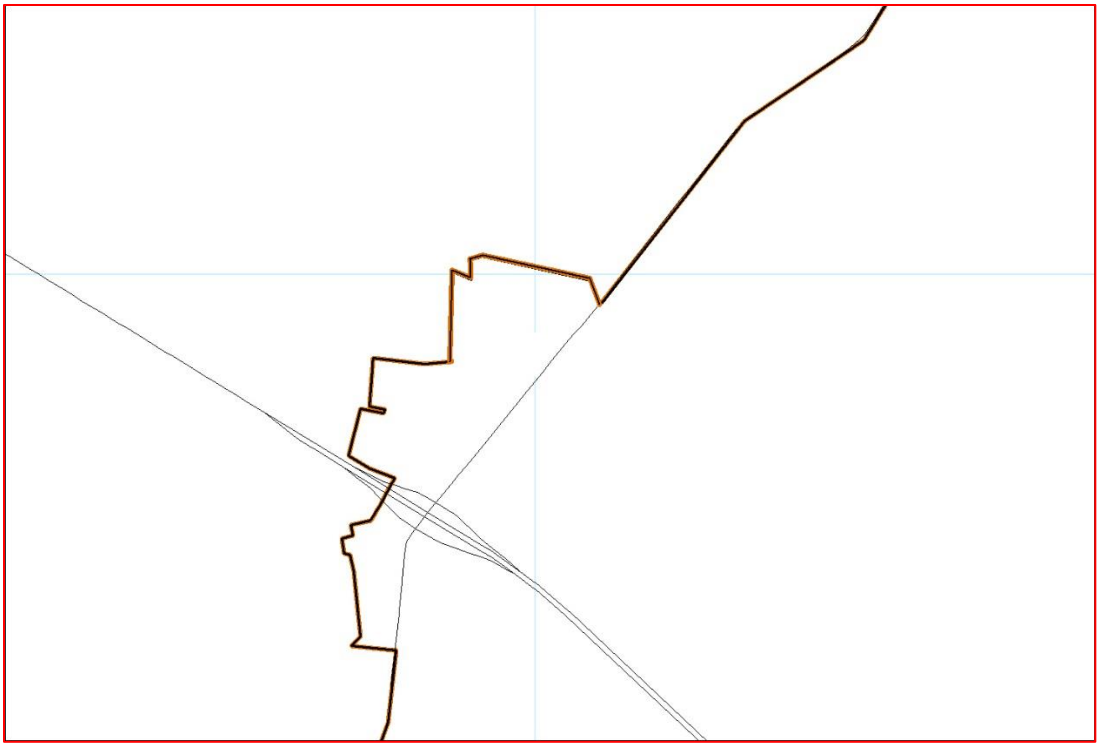


Figure 4: Figure 3, Map 5-1 Inset.

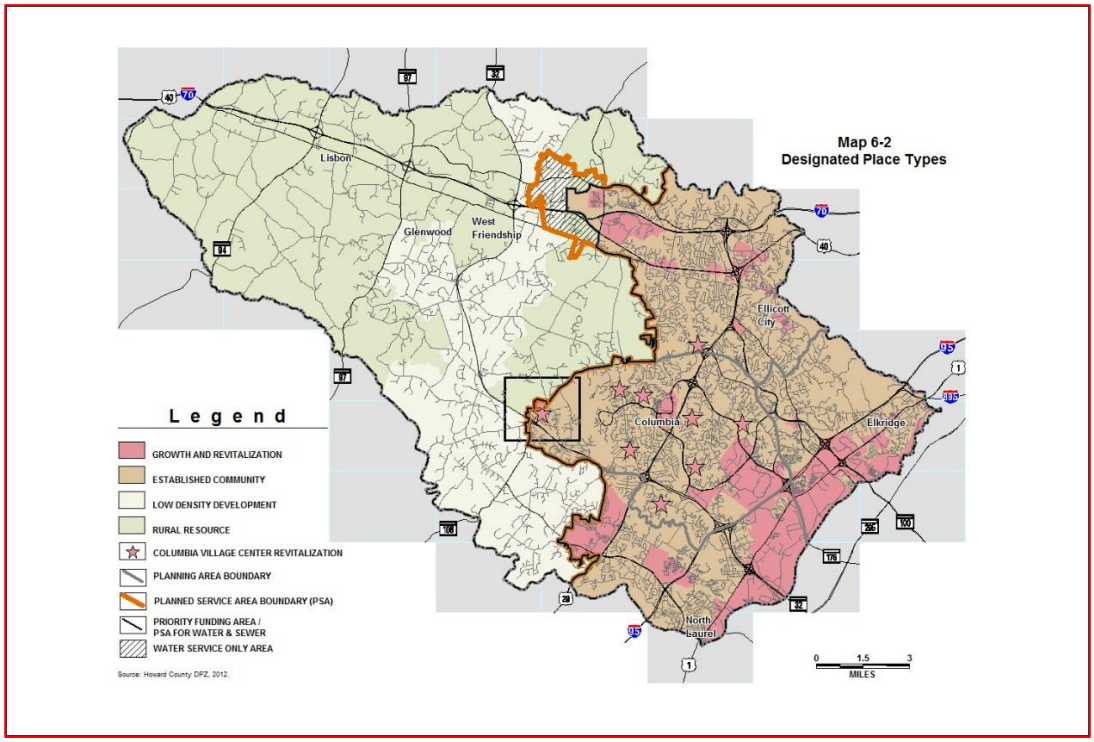


Figure 5: Amended Map 6-2 Designated Place Types Planned Service Area Boundary (PSA) and Priority Funding Area Boundary (PFA).

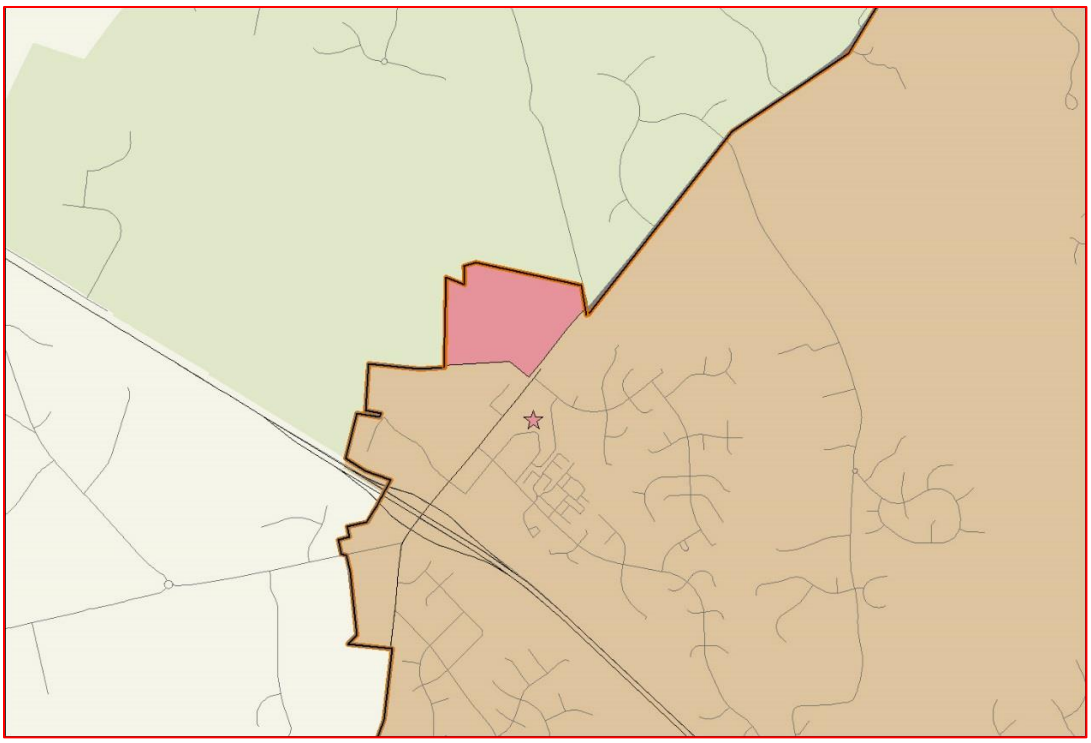


Figure 6: Figure 5, Map 6-2 Inset.

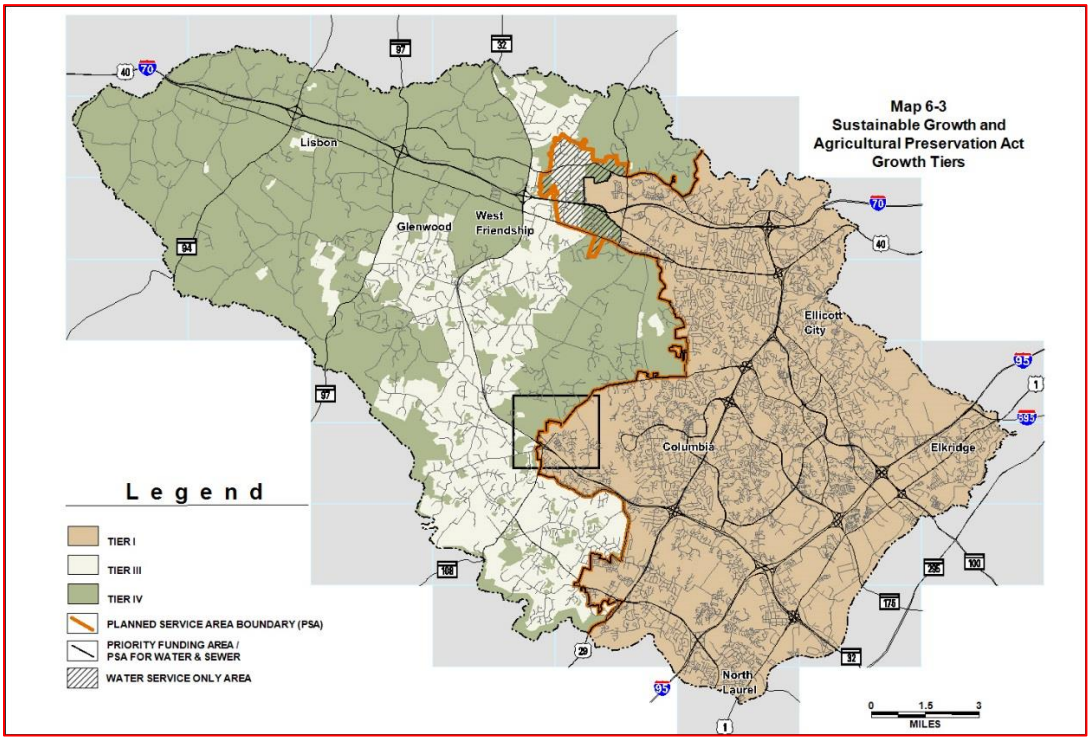


Figure 7: Amended Map 6-3 Sustainable Growth and Agricultural Preservation Act Growth Tiers Planned Service Area Boundary (PSA) and Priority Funding Area Boundary(PFA).

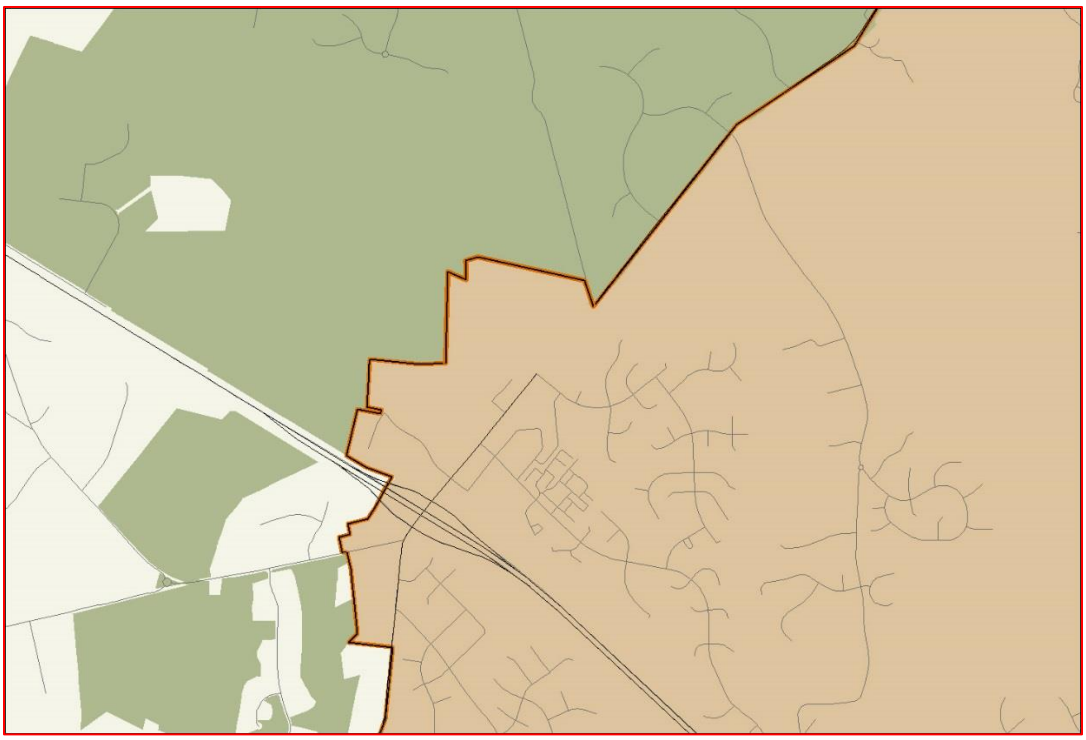


Figure 8: Figure 7, Map 6-3 Inset.

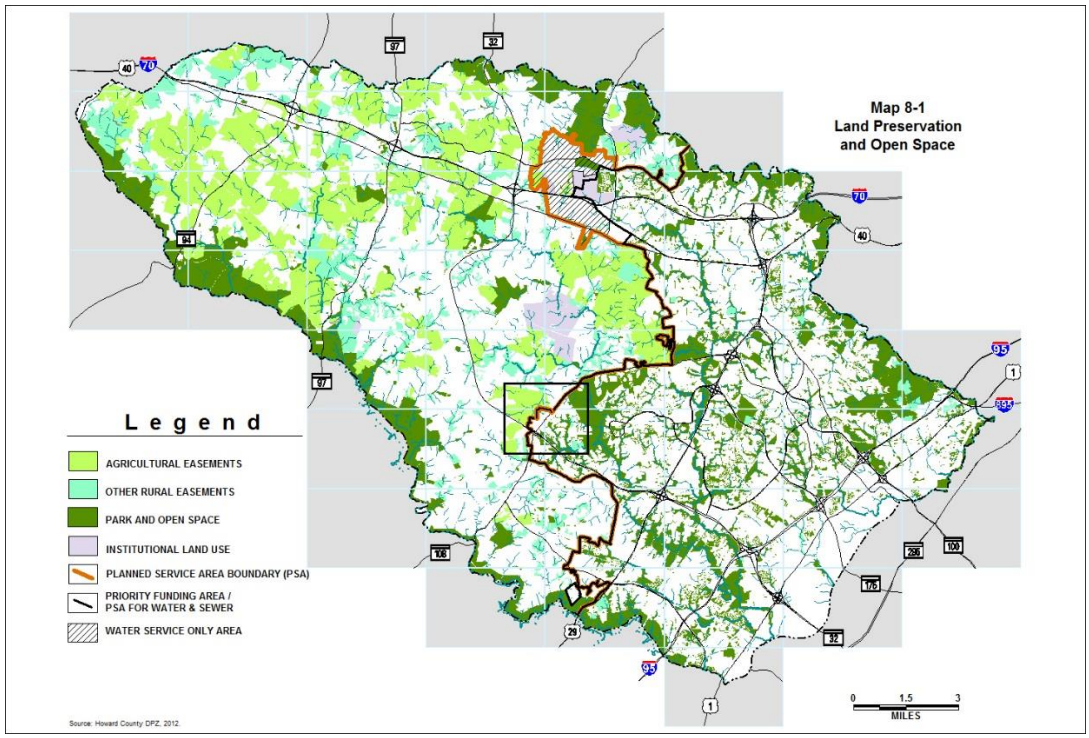


Figure 9: Amended Map 8-1 Land Preservation and Open Space Planned Service Area Boundary (PSA) and Priority Funding Area Boundary (PFA).

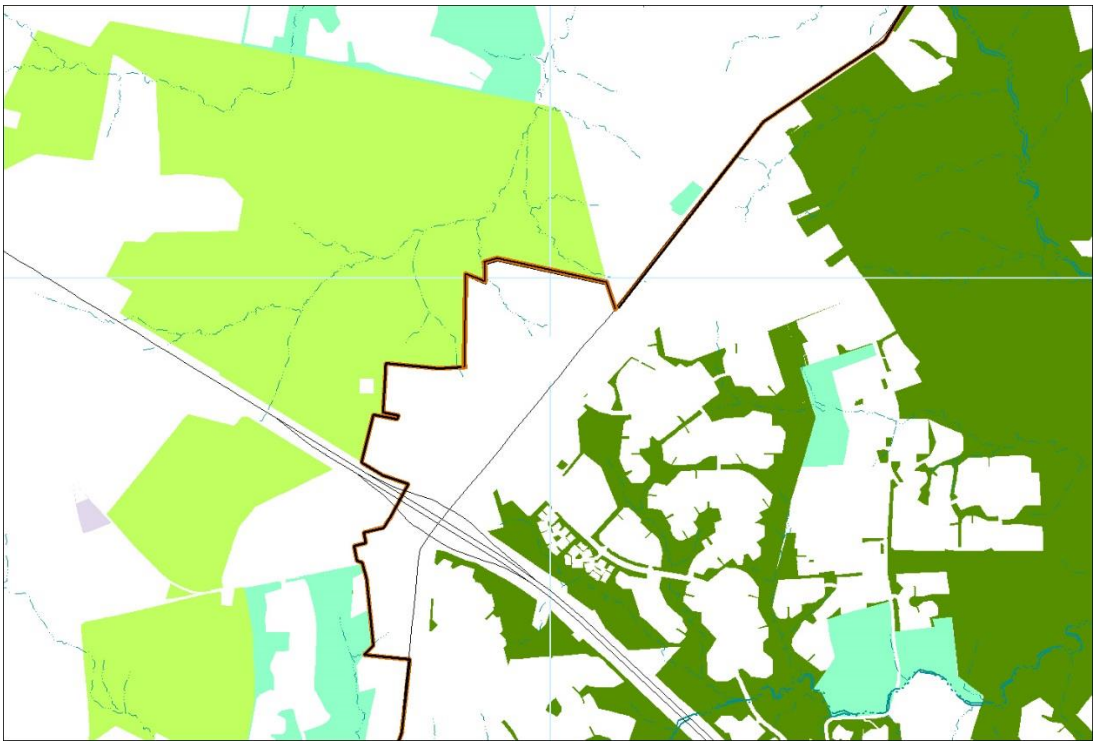


Figure 10: Figure 9, Map 8-1 Inset.

III. Evaluation

This section evaluates GPA 2018-01 for conformance with applicable *PlanHoward 2030* polices.

Chapter 4: Resource Conservation

POLICY 4.1 – Promote additional agricultural preservation opportunities.
a. Future Application Cycles. Facilitate additional Agricultural Land Preservation Program application cycles and recruit owners of uncommitted land to preserve their farms.

GPA 2018-01 facilitates development of the Property rather than agricultural preservation; therefore, it does not further the General Plan's preservation policy. However, the Plan does mention "*isolated situations where minor PSA adjustments may be appropriate* (**see IA**)*."* The key consideration is what constitutes a minor adjustment. If this request is viewed from the perspective of the entire county, then a PSA adjustment of less than 61 acres could be viewed as being minor.

While the Property is currently not preserved under state or county preservation programs, it does adjoin land encumbered by agricultural easements to the west and north and residential development farther north. The Property is also adjacent to and includes land within the PSA to the east and south. This limits possible PSA expansions now and/or in the future. *PlanHoward* 2030 adopted a similar minor PSA expansion in the Clarksville area for the Hoddinott property. Given the surrounding land uses and preserved land, the PSA is not likely to expand west, beyond the subject Property. (**see Fig. 1 and 2**).

Chapter 6: Growth

POLICY 6.1 – Maintain adequate facilities and services to accommodate growth.
a. Limited Planned Service Area Expansion. Zoning requirements for approved PSA expansions should include a development proposal that is consistent with the General Plan and establishes a transition that is compatible with and enhances surrounding communities and provides an environmental benefit.

Expansion of the Planned Service Area

PlanHoward 2030 states that "any requests for a General Plan amendment for expansion of the Planned Service Area should be denied unless either:

1) The proposed expansion of the Planned Service Area is intended to provide for a public or institutional use such as a religious facility, charitable or philanthropic institution, or academic school; or
2) The proposed expansion of the Planned Service Area includes a zoning proposal consistent with the General Plan and Smart Growth policies. Sewer and water infrastructure capacity and costs must be analyzed to confirm the feasibility and availability of scheduled capacity (**see IA**).

Some aspects of the CEF-M and GPA 2018-01 proposals are consistent with PlanHoward 2030 and Smart Growth policies, as they would facilitate expanding care and housing opportunities within a compact, pedestrian-oriented community for the county's growing senior population – in this case near a Columbia Village center and on the Route 108 commercial corridor.

Sewer and water infrastructure capacity was reviewed by the Department of Public Works (DPW) and their comments are attached to this report. Their analyses evaluated water supply (pumping), water conveyance (pipelines), water storage (tanks), wastewater conveyance (pipelines), and wastewater treatment capacities. As a result, the Erickson CCRC would immediately increase the need for water storage in the Columbia-Clarkesville area and to address this, DPW recommends the developer work closely with the County to ensure that the needed utility system components can be accommodated on the property.

Additionally, DPW advised that a flow monitoring program, along with an engineering report, would be necessary to demonstrate that all downstream facilities are sized to support the flow of wastewater from the development. To satisfy this, DPW recommends the developer work with the County to address the sewer capacity issue.

To prepare a full water and sewer capacity and cost analysis, the results of Erickson's sewerage flow monitoring would need to be completed and included in the evaluation.

Policy 6.5 – Plan compact, well designed, and complete communities through the Comprehensive Zoning process.

c. Planned Unit Development. Consider Planned Unit Development (PUD) zoning to allow increased flexibility for unique, well designed, site specific developments which provide benefits and protections to surrounding communities.

The General Plan says that, "More flexibility is needed within the Zoning Regulations to allow and promote context sensitive design rather than uniform approaches. Planned Unit Development (PUD) zoning allows for such flexibility and should be included as a zoning strategy during a Comprehensive Zoning Process." In February 2013, shortly before the 2013 Comprehensive Zoning plan, Council approved CB-23-2012 establishing a CEF District. The 2018 Howard County Development Regulation Assessment authored by Clarion Associates, states that the CEF district "functions very similarly to a negotiated Planned Unit Development District." Therefore, applying the CEF district to this CCRC to promote compact, well-designed, and complete communities is comparable to applying a PUD, as the General Plan policy suggests.

Commercial development is to the southwest of the site and undeveloped land within agricultural preservation easements and single-family residential is to the north and west. Commercial and institutional uses are located across MD 108 to the immediate east (**see Figures 11 and 12** and single-family residential is farther east. While the DCP is conceptual in nature, it proposes building locations and a mix of uses to create neighborhood transitions to these areas, addressing building scale, height, mass and architectural character. The proposed CCRC consists of a series of one to five story buildings, internal roadways, and open spaces, parks, and pedestrian connections that link to nearby residential and commercial neighborhoods. Following a redesign of especially the Route 108 frontage, the DAP found that the DCP and the design of the landscape and architectural character of buildings appropriately responded to these off site conditions.

Figure 11 shows the DCP, which proposes one to three story buildings along the Shephard Lane frontage. Building height increases up to four stories along Clarksville Pike as a transition between lower density residential/ agricultural uses and higher intensity commercial ones. Additionally, the existing gas station is shown as being redeveloped with enhanced landscaping and streetscape improvements that incorporate improved lighting and environmental controls and enhanced circulation and pedestrian safety features.

Figure 12 illustrates a one-half mile walking radius from the Property and shows that existing off-site destinations, such as the River Hill Village Center, are within reasonable walking distance (approximately a 15-minute walk) from the Erickson CCRC (see also **Figure 13**).

Figure 11: Development Concept Plan Supplement: Illustrative Site Plan.

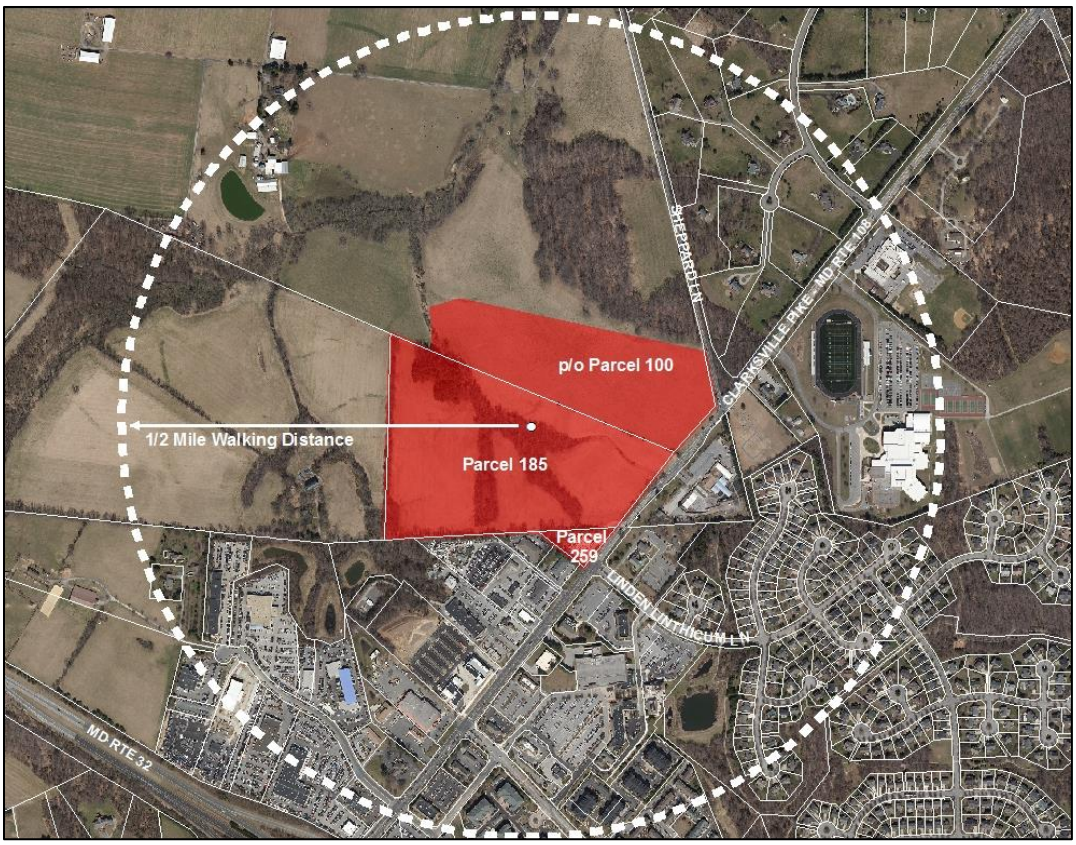


Figure 12: 1/2 Mile Walking Distance from Property Center.

Figure 13: Existing Land Uses Within 1/2 Mile Walking Distance of Property

Residential	Commercial	Gov't School	Institutional*	Open Space	Ag Preservation
361 units	135,459 sf	261,700 sf	62,328 sf	18 ac	174 ac

* Does not include Linthicum Cemetery.
Source: Howard County DPZ 2017/2018 Land Use Database

Designated Place Types – Future Residential Development
Sustainable Growth and Agricultural Preservation Act of 2012

GPA 2018-01 proposes to change the Property's Designated Place Type from Rural Resource to Growth and Revitalization (**see Fig. 5 and 6**) and include it in Growth Tier I (**see Fig. 7 and 8**). The growth tier amendment is proposed to allow consistency with those areas in the county that are served by public water and sewer. However, such a change should occur only if the PSA expansion is approved.

The amendment to change place types from Rural Resource to Growth and Revitalization is a significant shift for this area. Except for Maple Lawn and Turf Valley, areas in the county targeted for growth and revitalization have generally been in the east and on, or near, commercial corridors. While Route 108 borders Rural Resource land, it also abuts the PSA and is a commercial corridor. These characteristics could open the door to consider a change in the designated place type. Although an Established Community place type may be more appropriate, given the scale and character of the proposed development, the Growth and Revitalization designation provides the necessary housing allocations. As with any major change like this, the potential consequences should be weighed against the potential benefits of the CCRC to the County. These may include housing and continuing care for a rising senior population, transportation improvements, and community amenities, which will be assessed more thoroughly during the CEF rezoning process and site development review.

Policy 7.3 – Prioritize and pursue cost-effective, long-term capacity improvements to the road and highway network to support future growth in accordance with place type designations.
c. Targeted, Strategic Investments. … focus road improvements to support existing communities and future growth areas, and limit rural road improvements to safety rather than capacity improvements.

Policy 7.6 – Reduce highway congestion, energy consumption, and greenhouse gases by increasing the number of residents using alternate modes of transportation.
d. Evaluate Alternative Mobility Options. Evaluate the options to meet the needs of seniors and people with disabilities.

Policy 7.7 – Reduce highway congestion, energy consumption, and greenhouse gases.
e. Alternative Modes of Transportation. Make pedestrian, bicycle, and transit modes of transportation attractive and viable options.

To implement these policies the DCP proposes the following transportation improvements to Clarksville Pike, Sheppard Lane, and new public road that could be extended in the future: (**see Fig. 11**):

***"Streetscape/Pedestrian/Bicycle Improvements**:*
Route 108 Corridor frontage

- *Construct multi-use pathway, connecting crosswalks, gathering areas and landscape in accordance with the Clarksville Pike Streetscape and Design Guidelines*
- *Potential multi-use path extensions both north and south of the Site*

***Road Improvements**:*
Route 108 Corridor, west of Linden-Linthicum Lane

- *Construct a public access road with the potential to connect to adjoining commercial properties to the west of the site, providing signalized access for these properties to Route 108.*

Linden Linthicum Lane at intersection with Route 108

- *Provide funding for signalization at the intersection with Route 108 when approved by SHA;*
- *Convert the eastbound and westbound turn lanes to a shared through/right lanes;*
- *Provide additional lanes on the east side of the intersection.*

Access to Site

- *Install a separate, dedicated left turn lane from Route 108 into the site;*
- *Provide an acceleration lane for vehicles exiting west from site onto Route 108;*
- *Install channelization to restrict exiting left turns from the site onto Route 108;*
- *Install a deceleration lane for traffic entering the site from the east.*

Sheppard Lane

- *Provide a continuous eastbound left turn lane on Route 108;*
- *Realign the intersection at Route 108 to improve safety;*
- *Widen Sheppard Lane to provide two lanes at the approach to Route 108;*
- *Widen the westbound approach to provide two through lanes and a right turn lane along Route 108;*
- *Provide traffic signal interconnections from Sheppard Lane to the Route 32 interchange.*

Additionally, the DCP proposes an integrated network of roads, sidewalks, and walking paths, as well as enclosed, internal pedestrian links connecting buildings throughout the CCRC. The application states that the enclosed building connections will enhance access and walkability for seniors and those with disabilities (**see Fig. 11**).

The Office of Transportation commented that the proposed changes to residential densities and the age restricted CCRC land uses are associated with a higher demand for paratransit service. To better meet the goals and intent of *PlanHoward* 2030, the burden to fund these added trips and overall transportation operations must be managed in a cost-effective manner. They also provided detailed comments about the multi-use path, bicycle and pedestrian circulation, and the proposed new public road. However, these are all premature as they will be addressed either during preliminary development plan or site development plan review, should the project proceed.

Overall, the transportation related improvements propose upgrades to Sheppard Lane and Route 108 and address missing multimodal facilities within the larger vicinity. These improvements are generally consistent with *PlanHoward* 2030 goals and policies. If GPA 2018-01 were to be approved, specific recommendations and their feasibility would be further evaluated as detailed plans are processed for CEF review.

Chapter 9: Housing

Policy 9.2 – Expand full spectrum housing for residents at diverse income levels and life stages, and for individuals with disabilities, by encouraging high quality, mixed income, multigenerational, well designed, and sustainable communities.

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

PlanHoward 2030 defines full spectrum housing as that which accommodates residents at various income levels and life stages. **Figure 14** summarizes housing activity for age restricted units compared to total units built in the county. The added 1,440-units increases the percent of available Senior/Continuing Care housing from 2% to 8%. This represents a 300% increase in a housing type that is currently limited in supply (only 299 existing units county-wide). It also provides a greater diversity of housing options to accommodate a growing number of older adults who may prefer to age in place. However, it is not clear if these added units will result in accommodating residents at various income levels. According to the Department of Community Resources and Services (DCRS), who oversees the Office on Aging and Independence, "The greatest housing need for the aging population is for high quality options for older adults in the moderate, middle and low income groups. The proposed development is a large-scale project that has the opportunity to be a nice mixture in one community but instead continues to develop for the same population of older adults with higher incomes and doesn't directly speak to those issues." Further, the Department of Housing and Community Development cited potential challenges fulfilling Moderate Income Housing Unit (MIHU) requirements and requested that "…the developer work with the County to create an alternative compliance proposal that would meet the MIHU requirement and provide a more appropriate and socially beneficial use to enhance the surrounding community." (See attached comments)

Figure 14: Restricted Housing Type Built Compared to Total Units, 2004 to 2017

Unit Category: SFD, SFA, APT	Total Units	% Total Units	GPA 2018-01 Adjusted	
			Total Units	% Total Units
55+ Age Restricted	3,635	18%	3,635	17%
Assisted Living	1,925	10%	1,925	9%
Planned Senior/Continuing Care*	299	2%	1,739	8%
Other	14,480	71%	14,480	66%
Sub Total	**20,339**	**100%**	**21,779**	**100%**

*Includes Lutheran Village at Miller's Grant and proposed Erickson CCRC.
Source: DPZ 2018 Development Monitoring System Report, Land Use Database and Erickson Initial Development Concept Plan

Chapter 10: Community Design

Policy 10.1 – Protect and enhance established communities through compatible infill, sustainability improvements, and strategic public infrastructure investments.

Although not within the Established Community Designated Place Type, the Property is located near established areas and would utilize existing roads and other infrastructure in the Clarksville-River Hill area (see **Fig. 5 and 6**). Transportation infrastructure, previously discussed with Chapter 7 policies, is proposed to be significantly upgraded and missing multimodal facilities within the larger vicinity are to be provided. The specific parameters of such improvements would be the subject of subsequent steps in the CEF zoning and site development process, should GPA 2018-01 be adopted.

PlanHoward 2030 also provides guidance regarding sustainability to create more complete and successful communities:

New complete communities should be designed to ensure that they:

- *Exhibit housing, jobs, and service diversity; Have streets and buildings that are well integrated and of a human-scale design;*
- *Are walkable, bikeable, and have access to good transit service;*
- *Support shared parking;*
- *Contain vibrant public spaces and activity-filled destinations as well as access to green space and natural areas;*
- *Minimize adverse impacts and restore degraded environment features;*
- *Meet green building standards including use of renewable energy; and*

PlanHoward 2030 (Community Design), page 137

While most of the design, architectural, and site planning details would be topics for the subsequent CEF zoning and site development review process, the Development Concept Plan submitted with GPA 2018-01 does provide an initial framework to assess whether the principals of complete community design have been addressed. As described, the CCRC is a compact, walkable, pedestrian-oriented community, compatible in scale with, and accessible to, nearby commercial, residential and institutional uses. The DAP assessment and their recommendations acknowledge that these principles have been met. Additional discussion is included with Chapter 6 polices. Proposed improvements along the Clarksville Pike frontage include several amenity areas accessible to both CCRC residents, its staff, and the broader Clarksville community. As shown in **Figure 15**, the following spaces are proposed for consistency with complete community objectives:

Amenity Areas:

- Dog park
- Shared parking lots
- Playground
- Outdoor recreation area
- Pickle ball courts
- Amphitheater
- Open lawn
- Welcome center
- Multi-use pathway

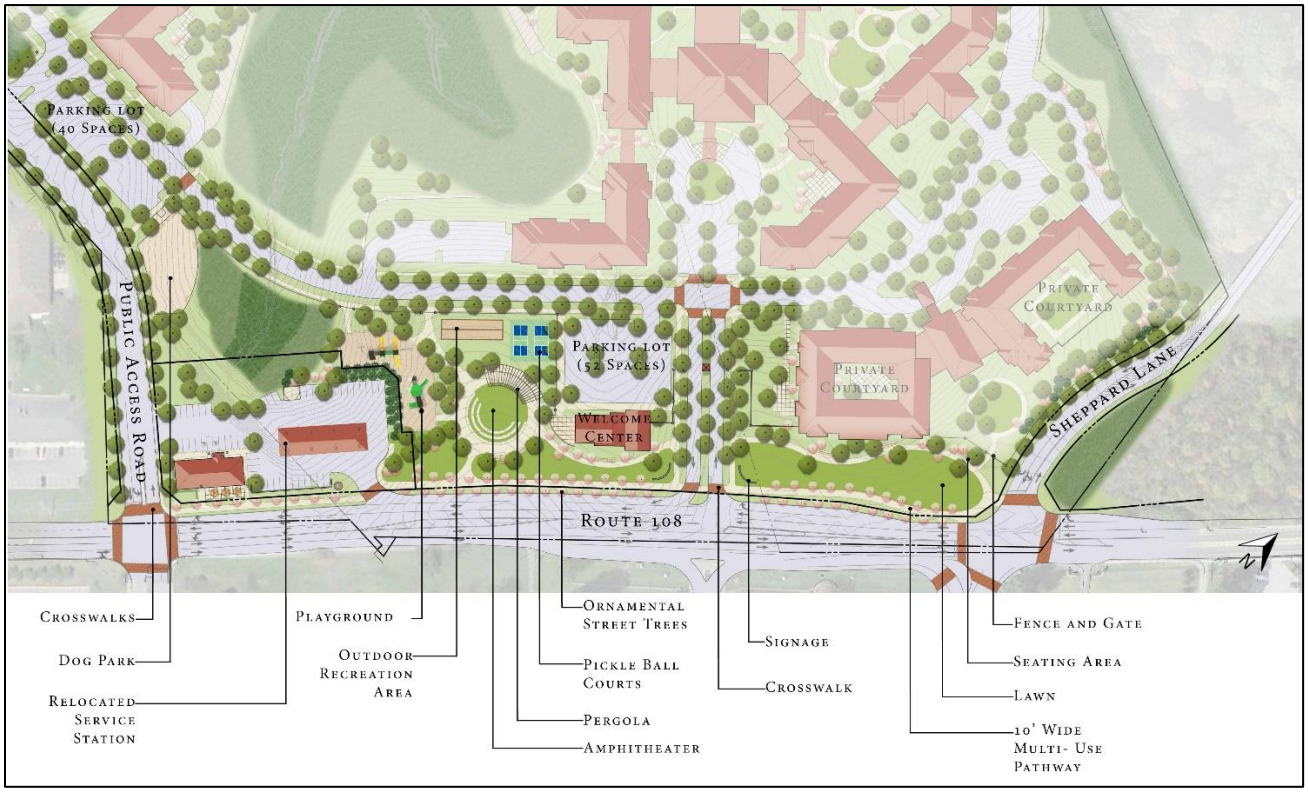


Figure 15: Development Concept Plan Supplement: Illustrative Site Plan, Clarksville Pike Frontage

Agency Comments

The following agencies comments are attached to this report:

- Police Department
- Department of Community Resources and Services
- Department of Fire and Rescue
- Department of Housing and Community Development
- Department of Inspections, Licenses and Permits
- Department of Public Works
- Department of Recreation and Parks
- Office of Community Sustainability
- Office of Transportation
  Howard County Health Department
- Howard County Public School System

RECOMMENDATION

This General Plan Amendment touches on multiple *PlanHoward* 2030 General Plan topics and policies; however, the Plan does not prioritize them in any fashion. Consequently, one can conclude they are all equal and each is important as the other. DPZ's staff report has raised various issues, such as adequate water/sewer capacities, housing choice for various income levels, impacts to transit and related cost consequences, and the preservation of rural land. All of these questions must be weighed against the proposed CCRC and the benefits it may provide to address an aging county population, roadway improvements to address problems that exist today and that are unrelated to this development, and various other community assets that are being proposed. Unfortunately, most of that discussion and the weighing of benefits against costs cannot fully occur as part of this GPA decision. To have that discussion, the Property must be added to the PSA so that the Petitioner can apply for a CEF-M. At that point, the benefits and enhancements of the CCRC can be fully identified and evaluated against potentially competing General Plan policies.

DPZ finds this to be a beneficial approach and recommends that the proposed amendments to expand the PSA and change the Growth Tier and Place Type designation be approved to allow a further discussion to occur. Additionally, DPZ recommends that if the Zoning Board chooses not to approve the CEF-M district, specifically for a CCRC, that all approvals revert to the Planned Service Area, Growth Tier and Designated Place Type in place prior to the amendment.

Additionally, DPZ requests that the Planning Board and County Council consider the following issues and if appropriate, include language to address them in a proposed bill that the developer:

1. Water Storage Capacity (Water Tanks): Work with the Department of Public Works to ensure that the needed utility system components can be accommodated on the Property.
2. Wastewater Conveyance Capacity (Pipelines): Work with the Department of Public Works to address sewer capacity issues.
3. Work with the Department of Housing and Community Development to create an alternative compliance proposal that meets MIHU requirements and provides more appropriate and socially beneficial uses to enhance the surrounding community.
4. Work with Office of Transportation to ensure the burden on transportation operations is managed in a cost-effective manner.

Valdis Lazdins, Director — 3/15/18 (Date)

Attachments

1. Agency Comments
2. GPA 2018-01 Submission:
    - Initial Submission: Development Concept Plan, Erickson Living Properties N, LLC
    - Council Legislation
    - Supplemental General Plan Amendment Materials

Attachment 1

Agency Comments

HOWARD COUNTY DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT
6751 Columbia Gateway Drive, 3rd Floor ■ Columbia, Maryland 21046 ■ 410-313-6318
Voice/Relay

Kelly A. Cimino, Director FAX 410-313-5960

February 5, 2018

Attn: Val Lazdins
Department of Planning and Zoning
3430 Court House Drive
Ellicott City, MD 21043

Re: Proposed Erickson Living General Plan Amendments

Dear Mr. Lazdins,

Thank you for the opportunity to provide comments for the Erickson Living project. The Housing and Community Development Board reviewed the developer's proposal at their meeting on December 14, 2017, and provided the following comments:

The MIHU requirement in CEF zoning is 10%. The general plan statistics quoted in the developer's zoning change request regarding the growing senior population and need for senior housing units are correct; however, the developer's proposal to address that need with another continuing care retirement community is not supported based on the needs assessment completed by the housing department. Our assessment shows that seniors need rental units that are affordable for households earning less than 60% of Howard County area median income and resources to modify their homes to be able to age in place and maintain affordability. Based on the sheer size of the proposed community, finding 120 seniors that would meet the income criteria necessary to fill the required number of MIHUs, and have the funds to pay the entrance fee, would be particularly challenging.

Currently, Lutheran Village at Miller's Grant, another age-restricted continuing care community, is not able to meet its MIHU requirement of renting 29 apartments to income-eligible seniors. The entrance fee of more than $250,000 is cost prohibitive to low- and moderate income households that would otherwise qualify based on their household income.

The Board would like the developer to work with the County to create an alternative compliance proposal that would meet the MIHU requirement, but also provide a more appropriate and socially beneficial use to enhance the surrounding community. Some proposals could include providing housing and employment opportunities for disabled adults or youths aging out of foster care as part of the overall project. If additional information is needed, please contact my office.
Thank you for your consideration.

Kelly A. Cimino
Kelly A. Cimino, Director

Caroline Harper, Ph.D. Chairperson

HOWARD COUNTY DEPARTMENT OF COMMUNITY RESOURCES AND SERVICES
6751 Columbia Gateway Drive ▪ Columbia, Maryland 21046 ▪ 410-313-6400 voice/relay

Jacqueline R. Scott, Director
communityresources@howardcountymd.gov

FAX 410-313-6424

Memorandum

To: Valdis Lazdins, Director
Department of Planning and Zoning

From: Jacqueline Scott, Director
Department of Community Resources
And Services

Date: March 9, 2018

RE: Proposed Erickson Living General Plan Amendment

Director Lazdins,

On behalf of the Department of Community Resources and Services and the Office on Aging and Independence I have reviewed the proposed Erickson Living General Plan Amendment and would like to provide the following feedback:

In brief, we don't have any additional comments or objections to the project. We know Erickson's work and their ability to provide quality locations with lots of amenities. Our concern is more that we continue to develop for the same population of older adults and are not creating enough high-quality options for those older adults who will find themselves in the moderate, middle, and low-income groups. The greatest housing need for the aging population is for high-quality options for older adults in the moderate, middle and low-income groups. The proposed development is a large-scale project that has the opportunity to be a nice mixture in one community but instead continues to develop for the same population of older adults with higher incomes and doesn't directly speak to those issues.

Thank you for the opportunity to engage in the review process. DCRS is happy to continue to provide feedback, consultation, and support to DPZ on this project moving forward as needed.

Howard County
Internal Memorandum

Subject: Proposed Erickson Living General Plan & PSA Amendment

To: Valdis Lazdins, Director, Department of Planning & Zoning

Thru: James Irvin, Director, Department of Public Works

From: Donald Campbell, Chief
Water & Sewer Planning Division
DPW/Bureau of Utilities

Date: March 15, 2018

We have reviewed your request dated November 16, 2017 for an analysis of the proposal by Erickson Living Properties II, LLC ("Erickson") to add approximately 61 acres of property in the Clarksville area to the Planned Service Area (PSA) for public water and sewerage service. We have also received and reviewed the updated concept plan and supplemental materials submitted by Erickson on February 26, 2018. As requested, the proposal was analyzed for scheduled water and sewer capacity including (1) water supply, conveyance and storage capacity to provide potable water to the proposed project site, and (2) wastewater conveyance and treatment capacity to process the wastewater received from the site.

The development concept plans for the "Erickson Living at Limestone Valley" project propose 1,200 residential living units, 240 health care bed spaces, and 108,000 square feet of mixed accessory services. Using design criteria published in the Howard County Design Manual, it is estimated that the proposed facility will generate an average daily water demand of approximately 260,000 gallons per day (gpd), and an average daily wastewater volume of approximately 280,000 gpd. The Erickson Living project proposes expansion of the PSA. The water and wastewater flow projections for the project are not included with the residential and commercial water and wastewater flow projections for the PSA published in the 2015 Amendment of the "Master Plan for Water & Sewerage". A summary of our analysis is provided below.

Water System Analysis

The property adjoins the western portion of the County's 630 West (630W) water pressure zone, which includes Columbia and Clarksville. Water is supplied to this portion of the 630W zone by the Columbia Water Pumping Station. Water storage is provided within the Harpers Choice water tank located on Cedar Lane.

Water Supply Capacity (Pumping)

The Columbia Pumping Station currently has sufficient capacity to satisfy the average and maximum day demand of the western portion of the 630W zone through the Year 2040 with the

additional demand from the proposed Erickson Living project. The additional demand generated by the project can be satisfied by operating the existing pumps for longer periods. No increase in pump capacity or the number of pumps would be required.

To improve the reliability of the water supplied to the Columbia and Clarksville portion of the 630W water zone and provide redundancy, Howard County is in the process of designing and constructing a second water pumping station under Capital Project W-8328. The new pumping station is being designed to match the capacity of the existing station and will operate in a similar manner to provide 100% backup capability.

Water Conveyance Capacity (Pipelines)

Water is conveyed to Clarksville by two 16-inch diameter water transmission mains, one along Clarksville Pike and one along Little Patuxent Parkway. The Erickson Living project site will have frontage to an existing 12-inch diameter water main along Clarksville Pike that is hydraulically connected to both 16-inch transmission mains.

The County's water model was used to determine the adequacy of the water distribution network for current and future demand with the addition of the Erickson Living demand. The distribution system was evaluated for current and future maximum day demand conditions with fire flow in accordance with the Design Manual requirements. The water distribution system is adequate to support the additional projected water demand from the Erickson site.

Water Storage Capacity (Water Tanks)

A 2014 study of water storage capacity within the County's water distribution system determined that a minor water storage deficit (100,000 gallons) would arise in the 630W zone beginning in Year 2020 but, due to stable water demands, the deficit would not increase and could be managed until the Year 2035 without the need to construct additional storage capacity.

The additional demand of the Erickson Living site will increase the need for water storage in the 630W zone, and specifically for the Columbia-Clarksville area. Storage volume is calculated based on maximum day demand; therefore, it is estimated that the storage deficit will increase by 150,000 gallons. The Developer will need to work closely with the County to ensure that the needed utility system components can be accommodated within the 630W water zone to address the storage deficit.

Sewerage System Analysis

The project site is located at the upper reaches of the Middle Patuxent sewer drainage area, which is part of the sewer service area of Howard County's Little Patuxent Water Reclamation Plant (LPWRP) in Savage, Maryland. Wastewater generated by the Erickson Living project site would be conveyed by the Middle Patuxent interceptor sewer to the Little Patuxent interceptor sewer, and by the Little Patuxent Interceptor to the LPWRP for treatment and discharge.

Wastewater Conveyance Capacity (Pipelines)

DPW maintains a comprehensive hydraulic model for the County sewerage system for all major sewer pipelines 12-inch diameter and larger. The model, updated in 2015 for the Master Plan amendment, shows that the main branch "MP1CA" of the Middle Patuxent Interceptor and downstream sewer pipelines have sufficient unused capacity available through the Year 2040 to convey the projected wastewater volume received from the Erickson site to the Little Patuxent Interceptor, and then to the LPWRP facility.

The Erickson Living project will be required to provide the sewers necessary to convey sewerage from the project site to an acceptable connection point along the Middle Patuxent Interceptor sewer. The sewers must have the capacity to convey the peak hourly flow, which DPW estimates will be 607 gallons per minute for the Erickson Living project.

There are three, existing 8-inch diameter gravity collector sewers with potential to convey wastewater from the Erickson Living site to the Middle Patuxent Interceptor. Gravity collector sewers smaller than 12-inch diameter are not included in the County's model so it is unknown if unused capacity is available in the three collector sewers. Each of the collector sewers must be separately evaluated to determine if unused capacity exists to accommodate the sewage flow from the Erickson project.

On October 25, 2017, engineering representatives for Erickson Living met with DPW staff to identify and assess the need for sewerage capacity in the County system. **The Erickson Living representatives were advised that a flow monitoring program along with an engineering report is necessary to demonstrate that all downstream facilities are sized to support the flows from the development as specified in the Design Manual.** If sufficient unused capacity does not exist, the Erickson Living project will have the difficult task of designing, acquiring and constructing an alternative sewer route to convey sewage to the Middle Patuxent interceptor.

DPW staff recommended that a flow monitoring program take place during February-March 2018 to capture sewer flows during wet weather events and determine if unused capacity is available within the County collector sewers. Acceptance into the Planned Service Area should be conditioned upon the developer working with the County to address the sewer capacity issue.

Wastewater Treatment Capacity

The current treatment capacity of LPWRP is 29 million gallons per day (MGD). The current average annual sewer flow is approximately 20.0 MGD and is projected to increase to 23.5 MGD by the Year 2020, and to 25.9 MGD by the Year 2040. The Erickson Living project will increase the projected flows to LPWRP by 0.28 MGD; therefore, the LPWRP currently has capacity available for the Erickson Living project.

The Maryland Department of the Environment (MDE) requires that municipalities begin reporting and managing their facility capacity when actual flows reach 80% of capacity (i.e., 23 MGD for the LPWRP facility) to ensure that capacity is effectively managed. The addition of the Erickson Living project to the LPWRP service area may require that the County begin reporting and

managing the wastewater treatment capacity in the LPWRP service area soon after completion of the Erickson Living project.

Should there be questions regarding this matter, please contact me at extension 1438.

dfc/

cc: Art Shapiro

Howard County
RECREATION & PARKS

7120 Oakland Mills Road, Columbia, Maryland 21046

John R. Byrd, Director
jbyrd@howardcountymd.gov

Phone: 410-313-4640
www.howardcountymd.gov/rap

Fax: 410-313-1699
Tdd: 410-313-2323

To: Department of Planning and Zoning
From: Director, Department of Recreation and Parks

SUBJECT: CEF Rezoning Plan: Erickson Living At Limestone Valley
DATE: September 6, 2017

We have the following advisory comments:

1) **All stream buffers, wetlands and associated buffers and forest conservation areas shall be fee-simple transferred to the Department.**

Reviewed By: Paul Walsky
Paul Walsky
Recreation and Parks
J.M. 9/8/2017
A.R.D.

Approved By: Director, Department of

Howard County
Internal Memorandum

Subject: **Proposed Erickson Living General Plan Amendment**

To: **Department of Planning and Zoning**
Valdis Lazdins
Amy Gowan
Kristin O'Connor

From: James Caldwell, Director
Office of Community Sustainability

Date: March 9, 2018

The Office of Community Sustainability (OCS) has been asked to comment on whether the General Plan amendments proposed by Erickson Living Properties II, LLC (Erickson), for the purpose of developing a Continuing Care Retirement Community (CCRC), are consistent with General Plan policies.

The General Plan advises, in Chapter 6, that adjustment of the PSA may be appropriate under certain circumstances but, "Any requests for a General Plan Amendment for expansion of the PSA should be denied unless either: 1) The proposed expansion of the Planned Service Area is intended to provide for a public or institutional use such as a religious facility, philanthropic institution, or academic school; or 2) The proposed expansion of the Planned Service Area includes a zoning proposal that is consistent with the General Plan and Smart Growth policies. Sewer and water infrastructure capacity and costs must be analyzed to confirm the feasibility and availability of scheduled capacity."

Under the "Limited Planned Service Area Expansion" section of Chapter 6, the Plan states: "Zoning requirements for approved PSA expansions should include a development proposal that is consistent with the General Plan and establishes a transition that is compatible with and enhances surrounding communities and provides an environmental benefit". If a decision is made to move forward with this plan amendment, OCS is available to assist in project improvements designed to mitigate possible adverse impacts to ecosystem services, aesthetics and sustainable development initiatives

Erickson's petition accurately cites the General Plan, which states, "The County's support of continuing care housing and services must be maintained." However, the Plan also states that the County "needs to evaluate trends over the next 5-10 years to determine how older citizens will choose to live so that policies and resources can be appropriately adopted and adjusted." Without evidence that the County is likely to fall behind in providing for the elderly without these amendments, the benefit of adjusting the PSA for this purpose will need further assessment.

The County's Office of Aging's website states: "Older adult housing options are numerous, and include independent apartment communities, assisted living facilities, and nursing homes." However, if the County finds that more adult housing options are indeed needed, that there are no appropriate alternative sites for such a facility within the PSA, and that the benefits of providing a CCRC outweigh the benefits of the current land use, then OCS is available to offer insight into how

the site might be planned so that it meets the community enhancement and environmental benefit requirements associated with moving the PSA and creating a CEF district.

Thank you and please feel free to contact us with questions or concerns about these comments.

HOWARD COUNTY
PUBLIC SCHOOL SYSTEM

TO: Valdis Lazdins, Director, Department of Planning and Zoning

FROM: RMK Renée M. Kamen, AICP, Manager, School Planning

DATE: January 3, 2018

SUBJECT: Proposed Erickson Living General Plan Amendment

Thank you for the opportunity to review the above-mentioned General Plan amendment. The applicant indicates that the proposed development is 1,200 independent living units and 240 health care units, along with ancillary spaces necessary to operate this type of "age in place" community for residents over the age of 62. The intended uses of the healthcare units are assisted living, memory care and skilled nursing facilities.

The Howard County Public School System does not anticipate that any students will be generated from the proposed development based on the application submitted; and therefore, has no comments regarding the proposed General Plan amendment. We look forward to working with the Department of Planning and Zoning as the process for this application continues.

Should you have any questions, please contact me at 410-313-7184 or renee_kamen@hcpss.org.

cc: Anissa Brown Dennis, Chief Operating Officer
Bruce Gist, Executive Director, Capital Planning and Operations

HOWARD COUNTY HEALTH DEPARTMENT

Bureau of Environmental Health
8930 Stanford Blvd | Columbia, MD 21045
410.313.2640 - Voice/Relay
410.313.2648 - Fax
1.866.313.6300 - Toll Free

Maura J. Rossman, M.D., Health Officer

MEMORANDUM

TO: Val Lazdins
Department of Planning and Zoning

FROM: Jeff Williams
Program Supervisor, Well & Septic Program

RE: Erickson Living General Plan Amendments

DATE: February 2, 2018

The Health Department has reviewed the General Amendment request for Erickson Living and there are no objections to the amendments. We do have the following comments regarding the overall project.

- Prior to Health Department approval of a building permit, demolition permit, or record plat on the subject property, any existing wells or sewage disposal systems must be properly abandoned with documentation submitted to the Health Department. Also, any existing underground fuel storage tanks associated with the existing gas station must be properly removed by certified personnel in coordination with the Maryland Department of the Environment Oil Control Program.

Howard County
Internal Memorandum

Subject: Proposed Erickson Living General Plan Amendments

To: Valdis Lazdins, Director
Department of Planning and Zoning

From: David Cookson
Howard County Office of Transportation

Date: March 9, 2018

The Howard County Office of Transportation offers the following comments on the Erickson Living General Plan Amendments for consistency with PlanHoward 2030.

Overview:

This evaluation of the project for consistency with PlanHoward 2030 is based on materials submitted to the Office of Transportation (OOT) on November 20, 2017 and February 28, 2018.

These materials consist of:

1. A cover letter from the Howard County Department of Planning and Zoning (DPZ) outlining the proposed amendments to PlanHoward2030. These amendments are:

    - Changing the Planned Service Area boundary to include approximately 61 acres in Clarksville, west of Clarksville Pike (MD Route 108) and Sheppard Lane- currently in the No Planned Service Area

    - Changing the Growth Tier designation from Tier IV to Tier I

    - Amending the Designated Place Type map from a Rural Resource designation to a Growth and Revitalization area.

2. A cover letter from the petitioner proposing the amendment to PlanHoward2030. and detailing the previous letter to DPZ outlining the petitioner's case to change the current zoning for the property to a Community Enhancement Floating (CEF) zone, along with concept plans for the project. The petitioner referenced Exhibits A and B. Exhibit A is a copy of the original proposal submitted to DPZ for CEF designation and Exhibit B, a draft of proposed legislation. Most of Exhibit A was provided, except for the traffic impact statement. Exhibit B was not provided.

The petitioner is proposing to develop a continuing care retirement community on about 61 acres, with 1,200 independent living units, 240 continuing care units, 1,680 parking spaces, and 108,000 square feet of accessory spaces/uses. The project would serve residents 62 years or older. The petitioner did not provide information on the number of employees

Evaluation:

The Office of Transportation is basing its evaluation on the information provided in the above referenced material and will focus:

- On determining if the petitioner's project is consistent with policies 7.3 C, 7.4.B and F, 7.6.D and 7.7.E of PlanHoward 2030.

- On the petitioner's request to amend the Designated Place Type map from Rural Resource to a Growth and Revitalization area. For the purposes of this evaluation OOT is treating the petitioner's property as if the property is in a Growth and Revitalization area.

- On determining if the petitioner's project reflects the guidance and goals in Howard County's approved functional master and corridor plans; Bike Howard; Pedestrian Master Plan and the Clarksville Streetscape Design Guidelines and two pending plans; Central Maryland Transit Development Plan and Walk Howard.

1. PlanHoward 2030 details four transportation policies and their related implementing actions.

- Policy 7.3 states *"Prioritize and pursue cost-effective, long-term capacity improvements to the road and highway network to support future growth in accordance with place type designations".*

    - Implementation action 7.3.C states, "*Targeted, Strategic Investments. Evaluate new and innovative approaches to maximize the use of highway investments such as High Occupancy Vehicle (HOV) lanes and/or express toll lanes, focus road improvements to support existing communities and future growth areas, and limit rural road improvements to safety rather than capacity improvements"*

- Policy 7.4 states "*Enhance the accessibility and quality of existing and future transit services. Land Use Decisions. Establish and enhance policies and regulations that integrate land use decisions with connectivity and transportation accessibility"*

    - Implementation action 7.4.F. Land Use Decisions, states *"Establish and enhance policies and regulations that integrate land use decisions with connectivity and transportation accessibility"*

- Policy 7.6 states "*Reduce highway congestion, energy consumption, and greenhouse gases by increasing the number of residents using alternate modes of transportation".*

    - Implementation action 7.6.D states "*Evaluate Alternative Mobility Options. Evaluate the options to meet the needs of seniors and people with disabilities."*

- Policy 7.7 states "Reduce highway congestion, energy consumption, and greenhouse gases. In PlanHoward 2030 Implementation actions 7.7.B and E states:

    - *Alternative Modes of Transportation. Make pedestrian, bicycle, and transit modes of transportation attractive and viable options.*
    - *TDM Program. Study and develop the Downtown Columbia Transportation Demand Management Plan as well as additional TDM programs as mechanisms to mitigate traffic/ congestion.*

2. On Page 136, PlanHoward 2030 states the following:

"… *whereas the Targeted Growth and Revitalization areas offer opportunities to create more compact, complete communities at densities that can support a mix of uses and transportation options. Higher density, mixed-use development is critical to accommodating future growth that minimizes impacts on the environment, existing communities, and the Rural West. New, complete communities should be designed to ensure that they:*

- *Exhibit housing, jobs, and service diversity;*
- *Have streets and buildings that are well integrated and of a human-scale design;*
- *Are walkable, bikeable, and have access to good transit service;*
- *Support shared parking;*
- *Contain vibrant public spaces and activity-filled destinations as well as access to green space and natural areas;*
- *Minimize adverse impacts and restore degraded environment features;*
- *Meet green building standards including use of renewable energy; and*
- *Are compatible with neighboring uses. "*

4. PlanHoward 2030, on Page 140 and Figure 10.1 identifies a key transportation strategy for developing a connected street pattern and paths within corridors and the plan text articulates the strategy. While PlanHoward 2030's text specifically refers to Downtown Columbia, Route 1, and Route 40, these areas are all located in Growth and Revitalization areas, and since the petitioner is proposing to revise PlanHoward 2030 to place the property in a Growth and Revitalization area, the same principles apply.

"By identifying road connections for streets linked through new development and redevelopment areas, a more interconnected street pattern expands the local travel network and reduces reliance on more heavily traveled roadways such as Route 1."

5. Bike Howard, on page 108, identifies Structured Project Number 64, as a short-term priority in the county's bicycle master plan. The plan calls for developing a shared use path from Guilford Road to Trotter Road on the west side of Clarksville Pike/MD 108, including pedestrian related improvements and signal/crosswalk improvements.

6. The Howard County Pedestrian Master Plan calls for the development of pedestrian related improvements between Great Star Drive to River Hill High School.

7. The Central Maryland Transit Development Plan Transit Development Plan calls for implementing a new route from Columbia to River Hill, travelling via Cedar Lane, Harpers Farm Road and MD 108.

Discussion and Recommendations:

1. The Central Maryland Transit Development Plan proposes a new bus route to serve the MD 108 corridor, including the River Hill Village Center. The Americans with Disability Act mandates that fixed route transit services provide paratransit services to origins and destinations within ¾ mile of a fixed route. The petitioner is proposing both a significant change in residential density coupled with a land use type associated with high paratransit demand. An analysis by the Regional Transportation Agency of Central Maryland estimates this development could generate 1,134 paratransit trips a month. To meet this demand would cost approximately $680,000 a year.

To ensure consistency with PlanHoward 2030's policies, OOT recommends the petitioner work with OOT to develop a plan to meet the goals and intent of PlanHoward 2030, with a focus on policy 7.6.D.to ensure the burden on transportation operations is managed in a cost-effective manner.

2. The petitioner is proposing internal and external pedestrian/bicycle access in and out of the proposed project, including streetscape enhancements along the project frontage of MD 108 partially in accordance with the Clarksville Pike Streetscape Plan and Design Guidelines, Bike Howard, and the Pedestrian Master Plan. The proposed improvements, as shown, do not show convenient access for cyclists and pedestrians and connections to adjacent communities.

To ensure consistency with PlanHoward 2030's policies, OOT recommends the petitioner work with OOT to ensure the proposed enhancements meet the goals of PlanHoward 2030 and show these changes at the appropriate plan stage.

These should include the following elements:

- Extending the proposed streetscape/shared use path to Trotter Road and Great Star Drive.
- At the first plan submission, provide a bicycle/pedestrian circulation plan for both internal circulation and external access.

3. The petitioner is proposing a series of new roads, road realignments, and reconfigurations on the MD 108 corridor and Sheppard Lane, as described below.

Route 108 Corridor, west of Linden-Linthicum Lane	Sheppard Lane	Access to Site
Construct Public Access Road with the potential ability to connect to adjoining commercial properties to the west of the Site to provide a signalized access to such properties to Route 108.	Widen Sheppard Lane to provide 2 lanes at the approach to Route 108	Install a separate dedicated left turn lane from Route 108 into Site
Linden Linthicum Lane at intersection with Route 108	Realign intersection at Route 108 to improve safety	Provide an acceleration lane for vehicles exiting west from site onto Route 108
Provide funding for signalization at intersection with Route 108 when approved by SHA	Provide traffic signal interconnection from Sheppard Lane to the Route 32 interchange	Install a channelization to restrict exiting left turns from the Site onto Route 108
Convert the eastbound and westbound turn lanes to a shared thru/right lane	Provide continuous eastbound left turn lane on Route 108	Install a deceleration lane for traffic entering the Site from the east
Provide additional lanes on east side of the intersection.	Widen the westbound approach to provide two thru lanes and a right turn lane along Route 108	

- The petitioner is proposing an enhancement to "Construct Public Access Road with the potential ability to connect to adjoining commercial properties to the west of the site to provide a signalized access to such properties to Route 108". However, the petitioner does not provide information how the connections would be realized. PlanHoward 2030, in figure 10.1 clearly illustrates how projects in Growth and Revitalization areas, should be connected.

- The petitioner is proposing a significant realignment of Sheppard Lane; however, bicycle lanes are not shown. Bike Howard recommends bike lanes for Sheppard Lane.

To ensure consistency with PlanHoward 2030's policies, OOT recommends the petitioner work with OOT to develop a plan to meet the goals and intent of PlanHoward 2030 and show these changes at the appropriate plan stage. These should include the following elements:

- Detail how the public access road can connect to adjacent properties and to ensure the intent of PlanHoward 2030's guidelines for connected streets in Growth and Revitalization areas are realized.
- Ensure the proposed access drive is built with bicycle lanes and sidewalks.
- Ensure Sheppard Lane is built with bicycle lanes and/or accommodations.

HOWARD COUNTY DEPARTMENT OF FIRE AND RESCUE SERVICES
6751 Columbia Gateway Drive, Suite 400, Columbia, Maryland 21046
410-313-6000

JOHN S. BUTLER, FIRE CHIEF • ALLAN H. KITTLEMAN, COUNTY EXECUTIVE

Memorandum

SUBJECT: Proposed Erickson Living General Plan Amendments

TO: Valdis Lazdins, Director
Department of Planning and Zoning

FROM: Gordon Wallace, Assistant Chief
Department of Fire & Rescue Services, Office of the Fire Marshal

DATE: 4/4/2018

The intent of this memorandum is to provide general comments regarding the proposed Erickson Living facility (Limestone Valley) in Clarksville, MD. We have reviewed the conceptual plans and would need to have the following comments addressed, should the proposed legislation regarding amendment to the General Plan of Howard County be allowed;

- **NFPA 1 (Fire Code) 18.2.3.2.2 -** Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46 m) from fire department access roads as measured by an approved route around the exterior of the building or facility. The proposed plan allows only for limited access to many of the structures on site. This will need to be addressed.
- **18.2.3.4.4 Dead Ends -** Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around.
- **18.2.3.4.2 Surface -** Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.
- **18.5.3 (2) Hydrants (as locally amended) -** Should the adjacent parcels be incorporated into the Public Service Area (PSA), hydrants will be required no more than 350’ apart throughout the complex.
- DFRS requests to know the type of automatic sprinkler protection that is intended. The recommendation would be for a fully compliant NFPA 13 system.

cc: Amy Gowan, Deputy Director, DPZ
Kristin O’Connor, Chief, DPZ

Attachment 2

GPA 2018-01 Submission

- **Initial Submission: Development Concept Plan**
- **Council Legislation**
- **Supplemental General Plan Amendment Materials**

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Attorneys At Law

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WASHINGTON, DC

William E. Erskine
Tel: 301-575-0363
WErskine@offitkurman.com

September 19, 2017

The Honorable Jon Weinstein, Chair
Howard County Council
3430 Court House Drive
Ellicott City, Maryland 21043

RE: General Plan Amendment to
Revise the Planned Service Area;
Tier Maps & Designated Place Types
of Howard County

Dear Chairperson Weinstein:

I am writing to you today on behalf of my client, Erickson Living Properties II, LLC (the "Petitioner"), for the purpose of petitioning for the introduction of legislation providing for an amendment to the General Plan of Howard County to revise the Planned Service Area (PSA); Growth Tier Maps; and Designated Place Types as reflected in PlanHoward 2030. By way of background, my client is the contract purchaser of approximately 61 acres of land consisting of two adjoining parcels located in Clarksville and identified as Tax Map 34, Parcel 185 and p/o Map 28, Parcel 100 (the "Subject Property"). On July 28, 2017, my client submitted an Initial Community Enhancement Floating District Proposal with the Department of Planning and Zoning. This initial submission was made for the purpose of proposing a Community Enhancement Floating District ("CEF-M District") for three adjoining properties located in Clarksville, Howard County, Maryland (the Subject Property as well as an additional property containing the Free State Gasoline Service Station and identified as Tax Map 35, Parcel 259). The purpose of the CEF-M rezoning submission is to begin the process of seeking zoning approval for a continuing care retirement community (CCRC) and to permit the expansion/relocation and architectural enhancement of the existing Freestate Gasoline Service Station currently located on Parcel 259. Please see the copy of the Initial CEF Proposal submitted to the Department of Planning and Zoning on July 28, 2017 attached hereto as **Exhibit A**.

As you are aware, Section 121.0.I of the Howard County Zoning Regulations (HCZR) sets forth certain criteria for determining locations where the establishment of a CEF district may be approved. HCZR Sec. 121.0.I.1 further provides that a CEF District may be established at a particular location if the following criteria are met:

1. The proposed CEF District is located within the planned service area for both public water and sewer service.

Presently, of the three parcels proposed for CEF zoning, only Parcel 259 (the Free State parcel) is currently located within the PSA for public water and sewer service. The other two parcels, although they directly adjoin the PSA, are not served by public water and sewer. Therefore, in order for the Zoning Board for Howard County to grant final approval of the proposed CEF zoning the Subject Property must also be incorporated into the PSA for both public water & sewer service. Accordingly, my client is submitting this petition for the introduction of legislation to amend the General Plan to revise the PSA; Growth Tier Maps; and Designated Place Types for Howard County so that the Zoning Board of Howard County may if it deems it appropriate and in the public interest establish a CEF-M district on the Subject Property.

To facilitate this undertaking, I have taken the liberty of drafting proposed legislation to effectuate the above stated purpose (attached hereto as **Exhibit B**).

On behalf of my client, I would like to thank you in advance for consideration of this request. Please be assured that my client is fully cognizant and understands that the Chairperson of the Council is often requested to introduce legislation at the request of a constituent so that it may be considered by the full County Council. My client further understands that any decision to introduce the proposed legislation in your capacity as Chairperson of the Council should not be construed in any way as an endorsement of the proposed amendment to PlanHoward 2030.

If you require additional information or if you have any questions, please feel free to have a member of your staff contact me.

Sincerely,

William E. Erskine

William E. Erskine

Enclosures
cc: Calvin Ball
Greg Fox
Mary Kay Sigaty
Jennifer Terrasa
Val Lazdins
Adam Kane
Steve Montgomery

Erickson LIVING Add more Living to your Life®

July 28, 2017

Valdis Lazdins
Director, Department of Planning and Zoning
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

Re: Initial Community Enhancement Floating (CEF-M) District Submission
Erickson at Limestone Valley
Erickson Living Properties II, LLC

On behalf of the development team of Erickson Living Properties II, LLC (the "Applicant"), the following narrative and plans are submitted for the purpose of proposing a Community Enhancement Floating District – M ("CEF District") for the properties located in Clarksville, Howard County, Maryland (Map 34, Parcel 185; p/o Map 28, Parcel 100; and Map 35, Parcel 259) (collectively, the "Site"). The purpose of this CEF proposal is to seek zoning approval for a continuing care retirement community and to permit the expansion/relocation and architectural enhancement of the existing Freestate Gasoline Service Station currently located on Parcel 259.

In accordance with Howard County Zoning Regulations (the "Regulations") Section 121.0.I, a CEF District may be established at a particular location if the following criteria are met:

1. **The proposed CEF District is located within the planned service area for both public water and sewer service.**

The Site abuts and adjoins the existing boundary of the Planned Service Area ("PSA") along the Route 108 corridor, but is not located within such PSA for public water and sewer service at the time of this initial CEF District submission. Applicant's proposed CEF District shall require an amendment to the General Plan of Howard County, Plan Howard 2030 (the "General Plan"), to extend the PSA to allow for public water and sewer service to the Site as a condition precedent to final approval. Applicant's proposed CEF District is consistent with the General Plan and fulfills the criteria set forth in Chapter 6 relating to the expansion of the PSA. As such, the Applicant is reasonably confident that an appropriate expansion of the PSA will be adopted.

2. **A proposed CEF-M District shall have frontage on and access to an arterial or collector roadway, or a local road if access to the local road is safe based on road conditions and accident history and the local road is not internal to a residential development**

EXHIBIT A

As a development consisting of a mix of residential and commercial uses, the subject Site falls under the criteria for a CEF-M District. The Site has frontage and direct access onto Route 108 which is designated as a minor arterial roadway in the General Plan. *See, PlanHoward 2030 Map 7-3.* The Site is also proposed to feature a secondary public access road extending from Route 108 along the western boundary of the proposed CEF District.

3. **For all properties, the minimum development size for any CEF District shall be five acres.**

The Site is approximately 62.709 acres and therefore, it meets this criteria.

4. **The proposed CEF District is not located in an existing M-2, TOS, NT, MXD, or PGCC District.**

The properties comprising the Site are currently zoned RC-DEO (Map 34, Parcel 185; p/o Map 28, Parcel 100) and B-2 (Map 35, Parcel 259).

5. **The proposed CEF District is not permitted within the interior of a neighborhood comprising only single-family detached dwellings.**

The properties comprising the Site are not within the interior of a neighborhood comprising only single-family dwellings.

6. **A CEF development at the proposed location shall be compatible with surrounding residential neighborhoods, existing land uses in the vicinity of the site in terms of providing a transitional use between different zoning districts and/or land uses and the scale, height, mass and architectural detail of proposed structures.**

The Applicant's proposed CEF District shall consist of an integrated continuing care retirement community ("CCRC") composed of 1,200 independent living units and 240 health care units, consisting of assisted living, memory care, and skilled nursing facilities, resident accessory spaces and buildings, and accessory uses necessary for the operation of the community or for the benefit or convenience of the residents and their guests (See Applicant's Initial Submission Development Concept Plan (the "Plan") attached hereto).

The primary purpose of the proposed CCRC is to provide housing and continuing care for people over the age of 62. As shown and depicted on the Plan, the Applicant's proposed CCRC is sited in 2 development "neighborhoods" upon the eastern and western portions of the Site, each consisting of a series of 1 story to 5 story buildings with underground parking and accessory spaces with private internal roadways and enclosed pedestrian connections throughout. The Site, itself, is bordered to the southwest by a mix of B-1 and B-2 commercial properties, undeveloped RC-DEO agricultural land under preservation easements to the west and north, single-family dwellings across Sheppard Lane to the northeast, and the existing River Hill Garden and Landscape Design Center and the Linden-Linthicum United Methodist Church to the immediate east. A section of the Village of River Hill developed as single-family detached dwellings is located to the east and

southeast of the River Hill Garden and Landscape Design Center and Linden-Linthicum United Methodist Church properties approximately 400' from the boundary of the Site. The Applicant has intentionally sited buildings of 1 to 3 stories along the portions of the Site adjoining Sheppard Lane and buildings of 4 or fewer stories along Route 108 to limit the visual impact of the proposed CCRC community on the surrounding area. The architecture of the CCRC buildings is proposed to acknowledge the traditional and diverse nature of the neighborhood aesthetic and will complement the surrounding residential and commercial uses. (See the Applicant's Plan attached hereto). The location of the CCRC buildings and uses throughout the Site and the compatible architectural designs proposed by the Applicant hereunder allow for an appropriate transition between the surrounding mix of commercial, institutional, residential, and agricultural uses in terms of scale, height, mass, and architectural detail.

As set forth in greater detail on the Plan, the Applicant's proposed CEF District shall also include the existing motor vehicle fueling facility located at Tax Map 35, Parcel 259. The motor vehicle fueling facility site currently consists of eight double-sided fuel pumps and one standalone diesel pump and kerosene dispenser, lighted canopy overhang, and accessory convenience store. The inclusion of the site within the proposed CEF District will allow (i) the motor vehicle fueling facility to be redeveloped under architecturally enhanced standards (including, but not limited to, recessed lighting fixtures, environmental controls, and enhanced circulation and pedestrian safety features) with enhanced landscaping and streetscape features which would otherwise not occur absent this proposed CEF District and (ii) relocate the existing motor vehicle fueling facility to allow for the secondary public access road (see Section 7 below) serving as a potential connection to the adjoining commercial properties to the west of the Site along with signalized access to such properties.

7. **The proposed CEF District shall include enhancements as provided in Section 121.0.G. Enhancements shall be proportionate to the scale of the CEF development.**

As set forth above and shown in greater detail on the Plan, the Applicant's proposed CEF District provides a variety of Community Enhancements under Section 121.0.G, all of which are beneficial to the community and the County as a whole and far exceed those which would be required to be provided under the current development standards applicable to the several properties constituting the Site were they to be developed independently of each other.

The Site consists of an existing motor vehicle fueling facility and two undeveloped RC-DEO parcels located along Route 108. Each of the RC-DEO parcels is currently outside of the PSA and, alone, neither would satisfy the criteria for the expansion of public water and sewer services. As such, these RC-DEO zoned parcels would remain within the Tier IV growth tier for development purposes and would be limited to a single minor residential subdivision upon each property. Under such a limited scheme of development, the road improvements required under either SHA design standards or Howard County's Adequate Public Facilities Ordinance would be limited to nominal fee-in-lieu payments and would not result in any immediate relief from traffic congestion to the residents of the area. In addition, the development of these parcels independent of each other would drastically limit the potential to present a unified streetscape presence in full conformity with the Clarksville Pike Streetscape Plan and Design Manual.

Under the Applicant's proposed CEF District, all of these underutilized subject properties are aggregated and integrated into a single connected design which allows for these sites to be developed to a more appropriate and socially beneficial use while simultaneously allowing the Applicant to provide Community Enhancements under Section 121.0.G far in excess of those which would be possible without the implementation of the flexible standards of the CEF District. Specifically, the Applicant is proposing the following as Community Enhancements:

Streetscape Enhancements:

- Streetscape enhancements along the entire frontage of Route 108 in accordance with the Clarksville Pike Streetscape Plan and Design Manual, including, but not limited to, a multi-use pathway with connecting crosswalks, seating areas, and flowering and shade trees.

Transportation Enhancements:

- Route 108 Corridor, west of Linden-Linthicum Lane
  - (i) Construct Public Access Road with the potential ability to connect to adjoining commercial properties to the west of the Site to provide a signalized access to such properties to Route 108.
- Linden Linthicum Lane at intersection with Route 108
  - (i) Provide funding for signalization at intersection with Route 108 when approved by SHA;
  - (ii) Convert the eastbound and westbound turn lanes to a shared thru/right lanes;
  - (iii) Provide additional lanes on east side of the intersection.
- Access to Site
  - (i) Install a separate dedicated left turn lane from Route 108 into Site;
  - (ii) Provide an acceleration lane for vehicles exiting west from site onto Route 108;
  - (iii) Install a channelization to restrict exiting left turns from the Site onto Route 108;
  - (iv) Install a deceleration lane for traffic entering the Site from the east;
- Sheppard Lane
  - (i) Provide continuous eastbound left turn lane on Route 108;
  - (ii) Realign intersection at Route 108 to improve safety;
  - (iii) Widen Sheppard Lane to provide 2 lanes at the approach to Route 108;
  - (iv) Widen the westbound approach to provide two thru lanes and a right turn lane along Route 108;
  - (v) Provide traffic signal interconnection from Sheppard Lane to the Route 32 interchange.

These proposed Community Enhancements provide much needed infrastructure improvements aimed at alleviating existing issues relating to traffic congestion, signalization, and safety along this section of the Route 108 corridor. The Community Enhancements set forth above would not be possible but for the implementation of the integrated design proposal set for in the Applicant's proposed CEF District and are proportionate to the scale of the development proposed by the Applicant hereunder.

8. The proposed CEF District shall meet the criteria of the purpose statement.

Under the Regulations, the CEF District was established to encourage the creative development and redevelopment of commercial and residential properties through flexible zoning so that the proposed development complements and enhances the surrounding uses and creates a more coherent, connected development.

The Applicant's proposed CEF District is intended to provide a truly integrated continuing care retirement community experience within Howard County for people over the age of 62. As stated above, the CCRC proposed by the Applicant would result in 1,200 much needed independent living units and 240 health care units, consisting of assisted living, memory care, and skilled nursing facilities, resident amenity spaces and buildings, and accessory uses necessary for the operation of the community or for the benefit or convenience of the residents and their guests.

The development of the Site in accordance with Applicant's proposed CEF District fulfills a number of stated land use policies within the General Plan and satisfies a growing and documented need for a continuing care retirement community within Howard County for people over the age of 62. The presence of such a CCRC will allow the County's aging population the flexibility to age in place within the County.

Chapter 6 (Growth) of the Howard County General Plan notes the following:

> [w]hereas the total U.S. population grew by 9.7% from 2000 to 2010, those entering the 45 to 64 year age cohort, the approximate ages of the baby boomers, increased by 31.5% during that time period. Baby boomers currently make up about 29% of the countywide population and are starting to move into the 65-plus age cohort.

PlanHoward, Chapter 6 (Growth), pg. 66

Furthermore, the Howard County General Plan makes the pertinent finding that

> [w]hereas the overall County population increased by 16%, those 65 and over increased by 57%. There are now 10,577 more residents 65 and older compared to ten years ago – 29,045 total in 2010 compared to 18,468 in 2000. Almost 27% of the total increase of 39,243 residents over the decade was comprised of those aged 65 and older. The very old, 85 and over, increased by 47%. This trend will continue as the baby boomers continue to age.

PlanHoward, Chapter 6 (Growth), pg. 66

As such, Policy 9.4 of the Howard County General Plan aims to "expand housing options to accommodate the County's senior population who prefer to age in place and people with special needs." In support of that Policy Goal, the Howard County General Plan finds that the

> County's housing stock should support the aging population and will need to continue General Plan 2000 policies to promote diverse senior housing for those that wish or need to downsize to more easily maintained units as they age. The policies should also continue to support seniors who choose to age in place in their own homes or in their own communities...The County also recognizes that as older residents' ability to live independently diminishes, they often need to move to housing that provides support services. There are both nursing and assisted living options for seniors in the County, offering a continuum of services, from acute care to congregate and group housing to in-home services. In order to accommodate the projected 19% of residents age 65 or older by 2030, the County's support of continuing care housing and services must be maintained.

PlanHoward, Chapter 9 (Housing), pp. 130-131

A. **Allow greater design flexibility and a broader range of development alternatives than the existing zoning district.**

As stated above, the Site consists of an existing motor vehicle fueling facility and two undeveloped RC-DEO parcels located along Route 108. Each of the RC-DEO parcels is currently outside of the PSA and, alone, neither would be capable of satisfying the criteria for the expansion of public water and sewer services under the General Plan. As such, these RC-DEO zoned parcels would remain within the Tier IV growth tier for development purposes and would be limited to a single minor residential subdivision on each such property. Under the Applicant's proposed CEF District, all of these underutilized properties are aggregated and integrated into a single connected design which fulfills a stated land use policy goal of the General Plan and allows for these sites to be developed to their highest and best uses while simultaneously allowing the Applicant to provide Community Enhancements under Section 121.0.G far in excess of those which would be possible without the implementation of the flexible standards of the CEF District.

B. **Provide features and enhancements which are beneficial to the community in accordance with Section 121.0.G.**

As set forth above and shown in greater detail on the Plan, and in addition to those public benefits noted elsewhere herein, the Applicant's proposed CEF District shall provide those

Community Enhancements under Section 121.0.G stated in Section 7 above, all of which are beneficial to the community and the County as a whole.

C. **Provide a higher quality of site design and amenities than is possible to achieve under the standard provisions of existing zoning district requirements.**

The Applicant's proposed CEF District will result in an integrated CCRC providing much needed independent living units, 240 health care units, consisting of assisted living, memory care, and skilled nursing facilities, resident amenity spaces and buildings, and accessory uses necessary for the operation of the community or for the benefit or convenience of the residents and their guests, all in a well-developed and coordinated campus setting (See Applicant's Plan attached hereto). The site design proposed by the Applicant hereunder utilizes the entire Site and takes advantage of the existing topography and environmental features to create a vibrant interconnected senior community which would not be possible under the underlying zoning. In addition, the inclusion of the existing motor vehicle fueling facility within the Site, will allow this use to be redeveloped under modern standards (including, but not limited to, recessed lighting fixtures, environmental controls, and enhanced circulation and pedestrian safety features) with enhanced landscaping and streetscape features which would otherwise not be possible under the underlying zoning.

The development of the Site as an integrated design under the Applicant's proposed CEF District allows for the creation of amenity spaces and buildings, walkways and bike paths, gardens, and open space areas throughout the project on a scale which would not be possible under the underlying zoning.

D. **Encourage creative architectural design with the most favorable arrangement of site features, based on physical site characteristics and contextual sensitivity to surrounding developments.**

As shown and depicted on the Plan, the Applicant's proposed CCRC is sited in 2 development "neighborhoods" upon the eastern and western portions of the Site, each consisting of series of 1-5 story buildings and amenity spaces with internal roadways throughout. The separation of the improved areas of the Site into these 2 development areas integrates those stream and wetland features and buffers located through the middle of the Site as well as those specimen trees located throughout while simultaneously limiting the disturbance of those features in the development of the CCRC.

Furthermore, by providing underground parking in each of these two development areas for the vast majority of the parking needs of the residents as well as guests and employees, the Applicant proposed CEF District takes an unprecedented approach to reducing impervious surfaces on site resulting from surface parking.

The architecture of the CCRC buildings is proposed to acknowledge the traditional and diverse nature of the neighborhood aesthetic and will complement the surrounding residential and commercial uses.

E. **Serve as a transitional area by providing a mix of uses compatible with the surrounding community.**

As stated above, the Site, itself, is bordered to the southwest by a mix of B-1 and B-2 commercial properties, undeveloped RC-DEO agricultural land under preservation easements to the west and north, single-family dwellings across Sheppard Lane to the northeast, and the existing River Hill Garden and Landscape Design Center and Linden-Linthicum United Methodist Church to the immediate east. A section of the Village of River Hill developed as single-family detached dwellings is located to the east of the River Hill Garden and Landscape Design Center and Linden-Linthicum United Methodist Church properties approximately 400' from the boundary of the Site. The Applicant has intentionally sited buildings of 1 to 3 stories along the portions of the Site adjoining Sheppard Lane and buildings of 4 or fewer stories along Route 108 to limit the visual impact on proposed CCRC community on the surrounding area. The proposed use of the Site under this CEF District provides a mix of commercial and residential uses in a campus-like setting which serves as an appropriate transition between the surrounding mix of commercial, institutional, residential, and agricultural uses in terms of scale, height, mass, and architectural detail.

F. **Encourage aggregation of underutilized properties.**

See Section 8(A) above.

9. **The proposed CEF Development does not comprise parcels which were added to the Planned Service Area to achieve Bay Restoration goals articulated in the Plan Howard 2030.**

The proposed Sites does not comprise such parcels.

NEIGHBORHOOD BOUNDARY

The boundary of the neighborhood consists of the neighboring commercial, institutional, residential, and agricultural uses surrounding the Site and is composed of a mix of B-1, B-2, NT, R-20, and RC-DEO properties (See Applicant's Plan attached hereto). As set forth above, the Applicant's proposed CEF-M District includes properties within the RC-DEO and B-2 zoning districts. The limits of the neighborhood as set forth above reflect the mix of commercial, institutional, residential, and agricultural development in the surrounding area northeast of Route 32 along the Route 108 corridor (See Applicant's Plan, Neighborhood Boundary).

CONCLUSION

Erickson Living's network of communities has been providing an unparalleled lifestyle to seniors for over 30 years. With 19 communities across 11 states, over 24,000 seniors now call our communities home. As one of the nation's most respected leaders in building and managing continuing care retirement communities, we've perfected our approach to helping seniors enjoy their independence and live a longer, happier, and healthier life. We are very excited about the

opportunity to bring our decades of experience in this industry to Howard County and look forward to working with community stakeholders and the Zoning Board through this CEF development process to make Erickson Living at Limestone Valley a reality.

Best Regards,
ERICKSON LIVING PROPERTIES II, LLC

Steven Montgomery
Vice President Development

Enclosure: Initial Submission Development Concept
Adequate Road Facilities Test Evaluation and Traffic Study

PROPOSED COMMUNITY AT LIMESTONE VALLEY
CLARKSVILLE, MARYLAND

INITIAL SUBMISSION
DEVELOPMENT CONCEPT PLAN

APPLICANT: ERICKSON LIVING PROPERTIES II, LLC
JULY 28, 2017

APPLICANT	ERICKSON LIVING PROPERTIES II, LLC 701 MAIDEN CHOICE LANE BALTIMORE, MD 21228
LAND USE ATTORNEY	OFFIT KURMAN 8171 MAPLE LAWN BOULEVARD, SUITE 200 MAPLE LAWN, MD 20759
CIVIL ENGINEER AND LANDSCAPE ARCHITECT	BOHLER ENGINEERING 901 DULANEY VALLEY ROAD, SUITE 801 TOWSON, MD 21204
ARCHITECT	MARKS THOMAS 1414 KEY HIGHWAY, 2ND FLOOR BALTIMORE, MD 21230
TRAFFIC CONSULTANT	THE TRAFFIC GROUP 9900 FRANKLIN SQUARE DRIVE, SUITE H BALTIMORE, MD 21236
PUBLIC RELATIONS	THE CAPLAN GROUP 5054 DORSEY HALL DRIVE, SUITE 205 ELLICOTT CITY, MD 21042

INDEX

NEIGHBORHOOD BOUNDARY PLAN

Clarksville Pike near proposed entry

Clarksville Pike along edge of campus

Existing gas station

marks thomas

0' 500' 1,000' 1,500'

N

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HOWARD COUNTY, MARYLAND
JULY 28, 2017

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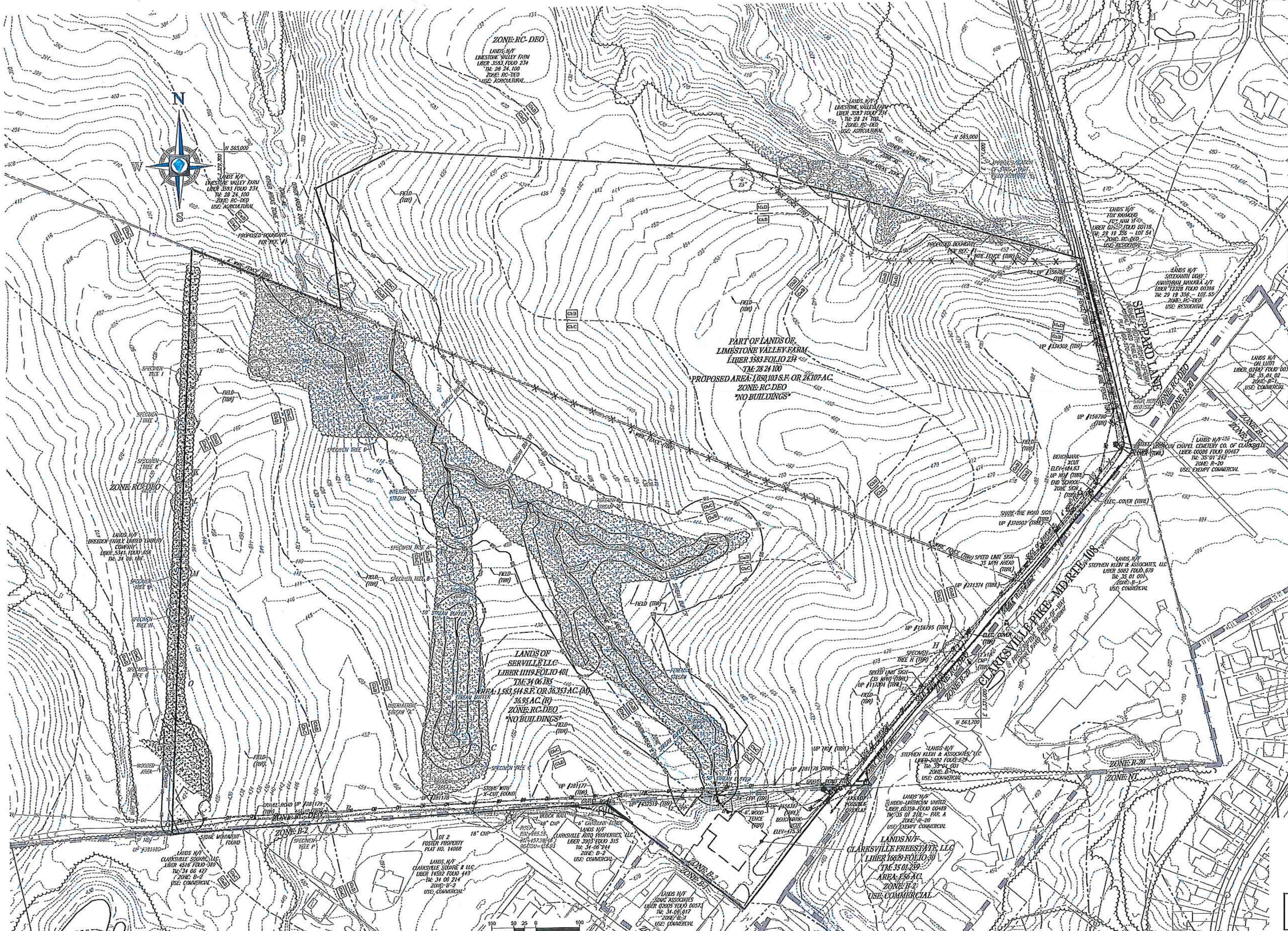
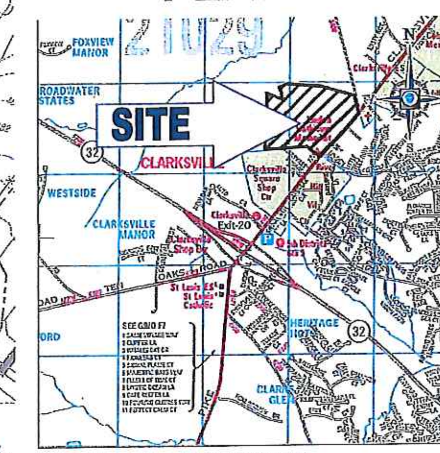
EXISTING CONDITIONS / CONSTRAINTS PLAN





LOCATION MAP

COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602153-5
SCALE: 1"=2000'

LEGEND

- STREAM BUFFER
- 100 YR. FLOODPLAIN
- STREAM
- TREELINE
- 25% SLOPES OR GREATER (NATURAL STEEP SLOPES)
- 25% SLOPES OR GREATER (MAN MADE STEEP SLOPES)
- ZONING LINE
- EXISTING FOREST AREA

NOTE

CONCEPTUAL PLAN SUBJECT TO FINAL ENGINEERING AND ARCHITECTURAL REFINEMENT

BOHLER ENGINEERING

901 DULANEY VALLEY ROAD, SUITE 801 TOWSON, MD 21204
PHONE: (410) 821-7900 FAX: (410) 821-7987

ERICKSON LIVING AT LIMESTONE VALLEY

HOWARD COUNTY, MARYLAND

JULY 28, 2017

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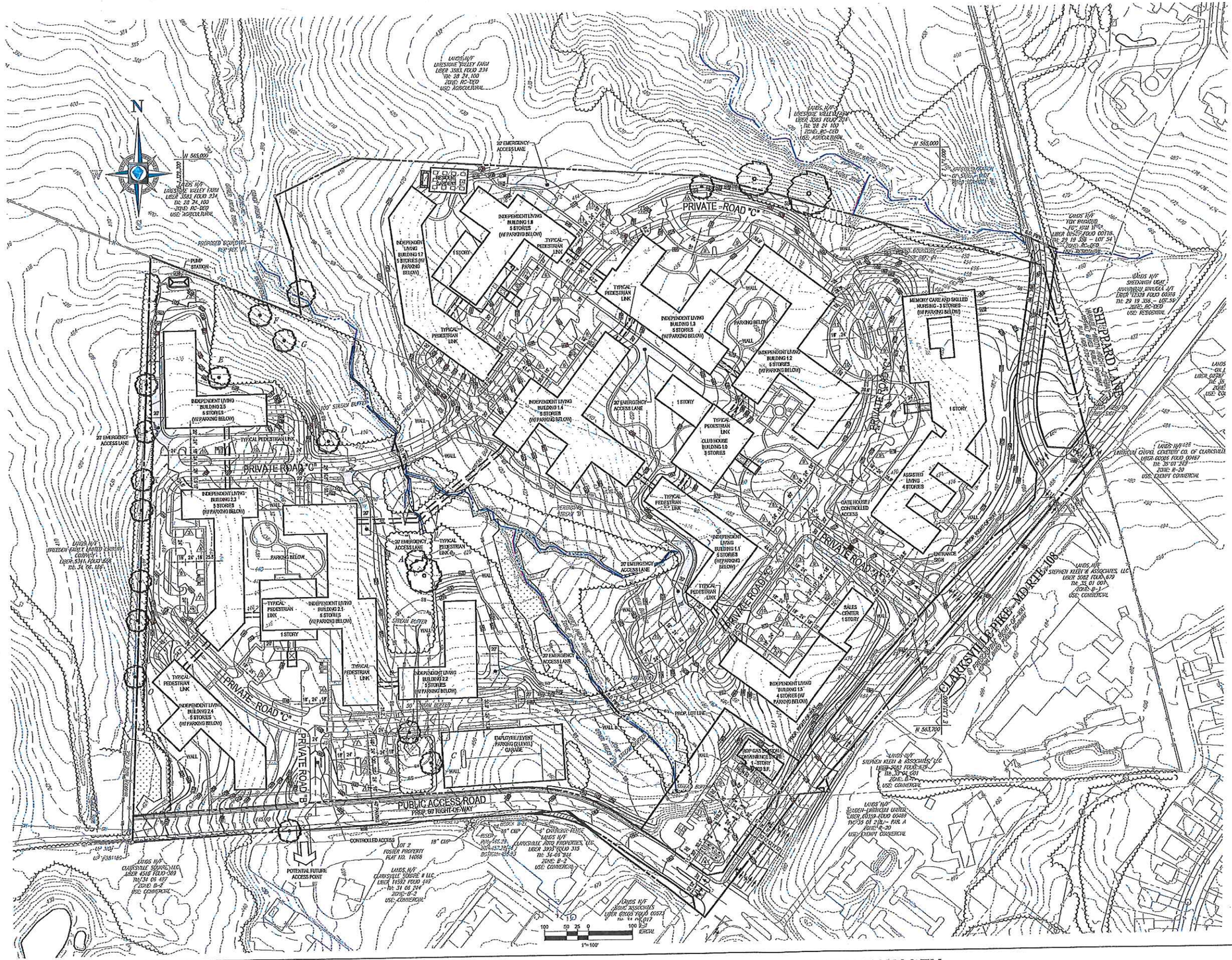
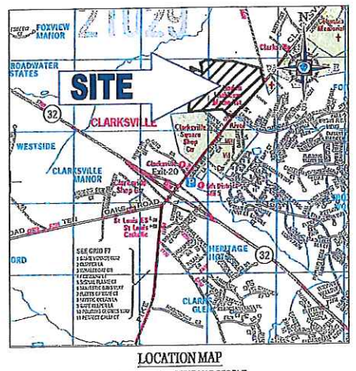
DEVELOPMENT CONCEPT PLAN





LOCATION MAP

SCALE: 1"=2000'

LEGEND

SB SB	STREAM BUFFER
FP FP FP	100 YR. FLOODPLAIN
	STREAM
	TREELINE

SITE DATA:

APPLICANT:	ERICKSON LIVING PROPERTIES II, LLC 701 MAIDEN CHOICE LANE BALTIMORE, MD 21228
OWNERS:	LIMESTONE VALLEY FARM 5450 SHEPPARD LANE CLARKSVILLE, MD 21029 SERVILLE, LLC 10600 GRANT ARBOR DRIVE POTOMAC, MD 20854 CLARKSVILLE FREESTATE, LLC P.O. BOX 417 ELLICOTT CITY, MD 21041
AREA:	62.709 AC.
WATER & SEWER:	PUBLIC (PROPOSED AMENDMENT TO GENERAL PLAN TO INCLUDE PROJECT WITHIN THE PLANNED SERVICE AREA).
WATERSHED:	MIDDLE PATUXENT RIVER
EXISTING USES:	AGRICULTURE
CURRENT ZONING:	RC-DEO
PROPOSED ZONING:	CEF-R
PROPOSED USES:	CONTINUING CARE RETIREMENT COMMUNITY
PREVIOUS FILE NUMBERS:	NONE
SITE LOCATION:	5450 SHEPARD LANE CLARKSVILLE MD 21029
NEIGHBORHOOD 1	730 INDEPENDENT LIVING UNITS
CCRC ACCESSORY SPACE	68,000SF +/-
PARKING - GARAGE*	700
PARKING - SURFACE	190
NEIGHBORHOOD 2	470 INDEPENDENT LIVING UNITS
CCRC ACCESSORY SPACE	40,000SF +/-
PARKING - GARAGE*	680
PARKING - SURFACE	110
TOTAL	1,200 INDEPENDENT LIVING UNITS
CCRC ACCESSORY SPACE	108,000SF +/-
CARE CENTER UNITS (assisted living, memory care, skilled nursing)	240 +/-
TOTAL PARKING	1,690
GARAGE*	1,380
SURFACE	300

*Note: resident parking is provided in garages below independent living buildings

NOTES:

1. BUILDING FOOTPRINTS SHOWN ON THE PLAN DO NOT INCLUDE PERMITTED EXTENSIONS SUCH AS BALCONIES, PATIOS, PORCHES, OR OTHER ARCHITECTURAL FEATURES THAT WILL BE PERMITTED AND IDENTIFIED ON THE SITE DEVELOPMENT PLAN. THESE FEATURES WILL BE SUBJECT TO THE SUPPLEMENTARY BULK REGULATIONS IDENTIFIED IN SECTION 128.0.A.1 OF THE HOWARD COUNTY ZONING REGULATIONS.
2. THE EXACT NUMBER AND LOCATION OF PARKING SPACES IS SUBJECT TO FINAL ENGINEERING DESIGN AND WILL BE IDENTIFIED ON THE SITE DEVELOPMENT PLAN. THE TOTAL NUMBER OF PARKING WILL MEET THE REQUIREMENT IDENTIFIED IN THE CEF-M DEVELOPMENT STANDARDS.
3. OUTDOOR AMENITIES INCLUSIVE OF WALKING PATHS, RECREATIONAL FACILITIES AND COURTS, WILL BE PROVIDED THROUGHOUT THE CCRC.

NOTE

CONCEPTUAL PLAN SUBJECT TO FINAL ENGINEERING AND ARCHITECTURAL REFINEMENT

BOHLER ENGINEERING
801 CROMWELL PARK DRIVE, SUITE 105 TOWSON, MD 21204
PHONE: (410) 825-7900 FAX: (410) 825-7947

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HOWARD COUNTY, MARYLAND
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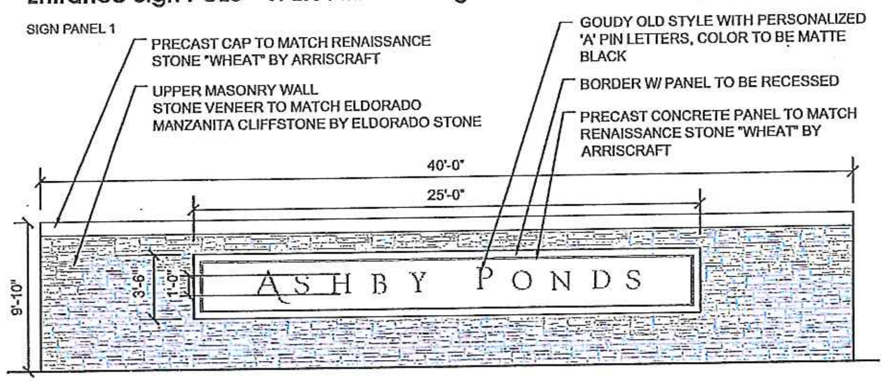
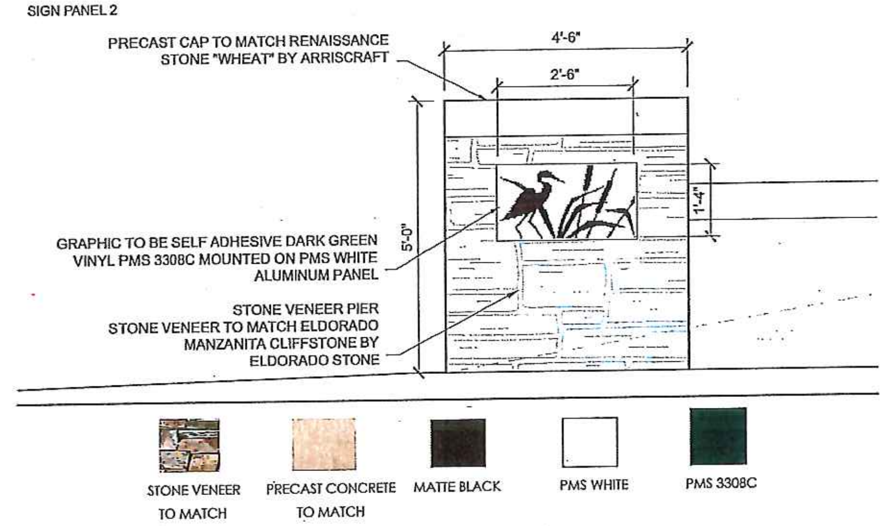
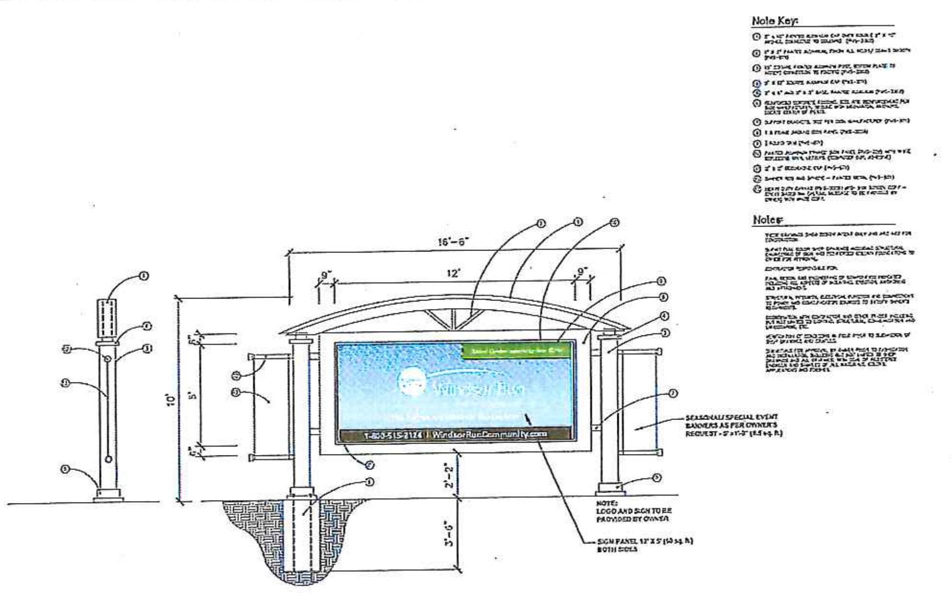
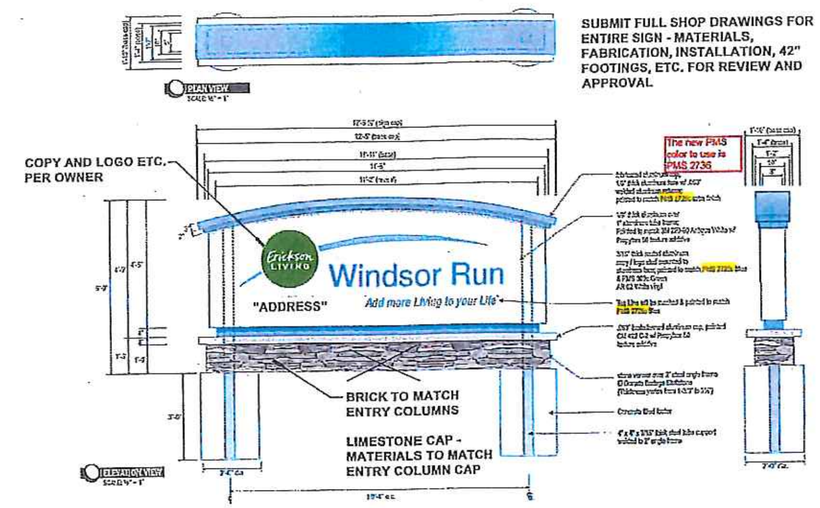
Entrance Sign : CES - 1: Elevation Enlargements





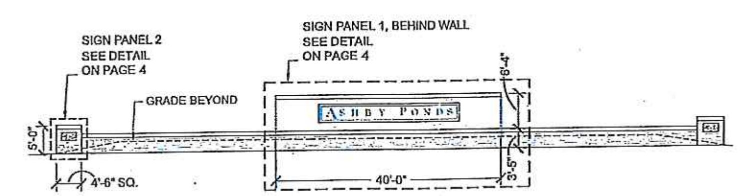


MARKETING SIGN SCHEMATIC



ENTRANCE SIGN - SCHEMATIC

Entrance Sign : CES - 1: Elevation



Proposed Guidelines	Description	Graphics/Lettering
Max. number of signs for Sign Panel 1: 1	Sign Panel 1: 1 precast concrete panel with masonry base and background	Font: As Indicated on page 4
Max. area of any one of Sign Panel 1: 88 sf max	Sign Panel 2: 2 aluminum plates on masonry back-ground	Letters: As Indicated on page 4
Total aggregate Sign Panel 1 area: 88 sf max	Illumination: Ground mounted up lights	
Background Structure (Sign Panel 1): 395 sf max	Lower Wall Piers: Masonry with stone veneer	
Max. number of signs for Sign Panel 2: 2		
Max. area of any one of Sign Panel 2: 4 sf max		
Total Aggregate Sign Panel 2 area: 8 sf max		
Background Structure (Sign Panel 2): 401 sf max		

PROPOSED DEVELOPMENT STANDARDS AND SIGN DETAILS

PROPOSED DEVELOPMENT STANDARDS

A. DEFINITIONS

1. CONTINUING CARE RETIREMENT COMMUNITY (CCRC)

CONTINUING CARE RETIREMENT COMMUNITY (CCRC) SHALL MEAN A LARGE SCALE FACILITY (OR INTEGRATED GROUP OF FACILITIES) WHICH HAS A PRIMARY PURPOSE OF PROVIDING HOUSING AND CONTINUING CARE FOR PEOPLE OVER THE AGE OF 62, AND WHICH CONSISTS OF CCRC INDEPENDENT LIVING UNITS, CCRC ASSISTED LIVING AND MEMORY CARE UNITS, CCRC SKILLED CARE NURSING UNITS, AND CCRC ACCESSORY USES, ALL AS DEFINED HEREIN. FOR PURPOSES OF THIS CEF DISTRICT, "CONTINUING CARE" MEANS THE PROVISION OF LODGING, AMENITY AND NURSING, MEDICAL, OR OTHER HEALTH-RELATED SERVICES AT THE SAME OR ANOTHER LOCATION TO AN INDIVIDUAL PURSUANT TO AN AGREEMENT EFFECTIVE FOR THE LIFE OF THE INDIVIDUAL OR FOR A PERIOD GREATER THAN ONE YEAR INCLUDING MUTUALLY TERMINABLE CONTRACTS AND IN CONSIDERATION OF THE PAYMENT OF AN ENTRANCE FEE WITH OR WITHOUT PERIODIC CHARGES TO AN INDIVIDUAL WHO IS AT LEAST 62 YEARS OF AGE.

2. CCRC INDEPENDENT LIVING UNIT

CCRC INDEPENDENT LIVING UNIT SHALL MEAN A DWELLING UNIT WITHIN A CCRC CONTAINING LIVING AREA(S), BEDROOM AREA(S), KITCHEN AREA, AND BATHROOM(S), , WHICH HOUSE ONE OR MORE PEOPLE OVER THE AGE OF 62 IN A MANNER IN WHICH THEY MAY LIVE INDEPENDENTLY WITH PROVISIONS FOR A VARIETY OF RESTAURANT STYLE MEAL SERVICES THROUGH A DECLINING BALANCE PROGRAM.

3. CCRC ASSISTED LIVING AND MEMORY CARE UNIT

CCRC ASSISTED LIVING FACILITY AND MEMORY CARE UNIT IS A UNIT LOCATED WITHIN A CCRC BUILDING THAT PROVIDES A RESIDENTIAL LIVING ENVIRONMENT, ASSISTED BY CONGREGATE MEALS, HOUSEKEEPING, AND PERSONAL SERVICES FOR PERSONS AGE 62 OR OLDER, WHO HAVE TEMPORARY OR PERIODIC DIFFICULTIES WITH ONE OR MORE ESSENTIAL ACTIVITIES OF DAILY LIVING, SUCH AS FEEDING, BATHING, DRESSING, OR MOBILITY . A CCRC ASSISTED LIVING AND MEMORY CARE UNIT SHALL INCLUDE DWELLING UNITS, AS WELL AS ACCESSORY DINING ROOM(S), BATHING AREA(S), COMMON AREA(S), OFFICES, AND OTHER SPACES NECESSARY TO PROVIDE THE ABOVE SERVICES LOCATED WITH THE CCRC.

4. CCRC SKILLED CARE NURSING UNIT

CCRC SKILLED CARE NURSING UNIT IS A UNIT LOCATED WITHIN A CCRC WHICH PROVIDES BOARD, SHELTER, AND 24-HOUR SKILLED NURSING AND MEDICAL CARE TO CHRONIC OR CONVALESCENT PATIENTS. A CCRC SKILLED CARE NURSING UNIT SHALL INCLUDE NURSING BEDS AND/OR INDIVIDUAL ROOMS, AS WELL AS ACCESSORY DINING ROOMS, BATHING AREAS, COMMON AREAS, OFFICES, CLINICS, THERAPY AREAS, MEDICAL FACILITIES, AND OTHER SPACE NECESSARY TO PROVIDE THE ABOVE SERVICES LOCATED WITH THE CCRC

5. CCRC ACCESSORY USES

THE CCRC MAY BE DEVELOPED THROUGH CLUSTERS OF MID-RISE BUILDINGS THAT SURROUND A CCRC STAND-ALONE BUILDING OR INTEGRATED WITH CCRC INDEPENDENT LIVING UNITS AND FORM A NEIGHBORHOOD.

CCRC ACCESSORY USES WITHIN A CCRC SHALL MEAN ANY USE NECESSARY FOR THE OPERATION OF THE FACILITY OR FOR THE BENEFIT OR CONVENIENCE OF THE RESIDENTS AND THEIR GUESTS INCLUDING, BUT NOT LIMITED TO: KITCHEN AND DINING FACILITIES, RESTAURANTS, PLACES OF WORSHIP, INDOOR AND OUTDOOR RECREATIONAL BUILDINGS AND USES, RETAIL AND BANKING FACILITIES, BEAUTY SALONS AND BARBER SHOPS, GIFT SHOPS, CLASS ROOMS, SECURITY FACILITIES; CONFERENCE ROOMS, SOCIAL ROOMS, COMMON AREAS, GUEST ROOMS, MEDICAL OFFICES, MEDICAL CLINIC, DIALYSIS CENTER, LABORATORY SERVICES, DENTAL OFFICES, PHYSICAL THERAPY AND REHABILITATION CENTER, WELLNESS CENTER, AMBULATORY SURGERY, DIAGNOSTIC IMAGING SERVICES, POSTAL CENTER, PHARMACY, MAINTENANCE FACILITIES, CRAFT AND MUSIC ROOMS, VARIOUS CRAFT, HEALTH, EXERCISE AND VOCATIONAL ACTIVITIES, CLASSROOMS, SWIMMING POOLS, LIBRARY AND TELEVISION ROOM, AS WELL AS FACILITIES RELATED TO THE OPERATION OF THE FACILITY SUCH AS BUT NOT LIMITED TO ADMINISTRATIVE OFFICES, FOOD AND RECORD STORAGE AREAS, PROPERTY MAINTENANCE FACILITIES, RADIO AND SATELLITE DISH ANTENNAE, NON-AGE RESTRICTED DAY CARE CENTER FOR RELATIVES OF EMPLOYEES, SECURITY OPERATIONS, OFF-STREET PARKING AND OFF-STREET PARKING STRUCTURES, AND HEATING AND COOLING EQUIPMENT STRUCTURES, PROVIDED THAT THE CCRC ACCESSORY USE IS FOR THE PRIMARY BENEFIT OF THE CCRC.

B. USES PERMITTED AS A MATTER OF RIGHT

1. CCRC CONSISTING OF CCRC INDEPENDENT LIVING UNITS, CCRC ASSISTED LIVING AND MEMORY CARE UNITS, CCRC SKILLED CARE NURSING UNITS, AND/OR RELATED FACILITIES AND ACCESSORY USES THERETO.
2. PRIVATE RECREATIONAL FACILITIES, SUCH AS SWIMMING POOLS, TENNIS COURTS RESERVED FOR USE OF ON-SITE RESIDENTS AND THEIR GUESTS.
3. CONSERVATION AREAS, INCLUDING WILDLIFE AND FOREST PRESERVES, ENVIRONMENTAL AREAS, REFORESTATION AREAS, AND SIMILAR USES.
4. MOTOR VEHICLE FUELING FACILITY WITH ACCESSORY CONVENIENCE STORE (SUBJECT TO SECTION H BELOW).

C. ACCESSORY USES

1. ANY USE NORMALLY AND CUSTOMARILY INCIDENTAL TO ANY PERMITTED USE AS A MATTER OF RIGHT, INCLUDING, BUT NOT LIMITED TO CCRC ACCESSORY USES.

D. BULK REGULATIONS (CCRC USES)

1. THE FOLLOWING MAXIMUM LIMITATIONS SHALL APPLY:
   (a) HEIGHT
      (1) STRUCTURES WITH MAXIMUM SETBACK....................50 FEET
      (2) STRUCTURES WITH AN ADDITIONAL 1 FOOT IN HEIGHT FOR EVERY 2 FEET OF SETBACK BEYOND THE MINIMUM....................100 FEET
   (b) DENSITY....................25 INDEPENDENT LIVING UNITS PER GROSS ACRE
2. MINIMUM SETBACK REQUIREMENTS (SUBJECT TO SECTION 128.0.A.1 OF THE HOWARD COUNTY ZONING REGULATIONS):
   (a) FROM EXTERIOR, ARTERIAL OR COLLECTOR STREET RIGHT OF WAY,
      a. RESIDENTIAL BUILDING....................30 FEET
      b. OTHER STRUCTURES AND USES....................30 FEET
   (a) FROM ANY OTHER PUBLIC STREET RIGHT OF WAY OR PRIVATE STREET
      a. RESIDENTIAL BUILDING....................20 FEET
      b. OTHER STRUCTURES AND USES....................10 FEET
   (a) FROM THE VICINAL PROPERTIES
      (1) FROM RC AND RR
      a. RESIDENTIAL BUILDING....................30 FEET
      b. OTHER STRUCTURES AND USES....................10 FEET

E. MODERATE INCOME HOUSING UNITS

AT LEAST 10 PERCENT OF CCRC INDEPENDENT LIVING UNITS WILL BE MODERATE INCOME HOUSING UNITS IN ACCORDANCE WITH HOWARD COUNTY ZONING REGULATIONS AND MIHU CODES.

F. AMENITY AREAS

THIS COMMUNITY SHALL INCLUDE AN AMENITY AREA OR AMENITY AREAS. A MINIMUM OF 10% OF THE NET ACREAGE SHALL BE PROVIDED AS OPEN SPACE. AMENITY AREAS MAY BE CONNECTED BY PEDESTRIAN IMPROVEMENTS.

G. PARKING

PARKING WILL BE PROVIDED IN A COMBINATION OF UNDERGROUND PARKING AND SURFACE PARKING AT A MINIMUM RATE OF 1.4 SPACES PER INDEPENDENT LIVING UNIT, INCLUSIVE OF ALL STAFF, RESIDENT AND VISITOR PARKING AND INCLUSIVE OF ALL ASSISTED LIVING/MEMORY CARE UNITS AND SKILLED NURSING UNITS WITHIN THE CCRC. SUCH PARKING REQUIREMENTS SHALL BE EXCLUSIVE OF AND IN ADDITION TO THE PARKING REQUIREMENTS SET FORTH IN SECTION H BELOW WITH RESPECT TO THE OPERATION OF THE MOTOR VEHICLE FUELING FACILITY AND ACCESSORY CONVENIENCE STORE.

H. ADDITIONAL REQUIREMENTS FOR MOTOR VEHICLE FUELING FACILITY.

A MOTOR VEHICLE FUELING FACILITY SHALL BE PERMITTED SUBJECT TO THE FOLLOWING:

1. AREA OCCUPIED BY THE MOTOR VEHICLE FUELING FACILITY USE SHALL BE LIMITED TO 68,000 SQUARE FEET.

3. MAXIMUM HEIGHT
   a. CONVENIENCE STORE....................30 FEET
   b. CANOPY....................25 FEET
4. MINIMUM SETBACK REQUIREMENTS:
   (a) FROM ANY OTHER PUBLIC STREET RIGHT OF WAY OR PRIVATE STREET
      (i) STRUCTURES....................20 FEET
      (ii) PARKING AND OTHER USES (EXCLUDING SIGNAGE)....................10 FEET

5. PARKING REQUIREMENTS

   REQUIRED PARKING: 26 SPACES (3 SPACES FOR MOTOR VEHICLE FUELING FACILITY (NO SERVICE BAYS) AND 23 SPACES FOR CONVENIENCE STORE)

   PROPOSED PARKING: 28 SPACES

6. HOURS OF OPERATION
   (a) MOTOR VEHICLE FUELING FACILITIES/CONVENIENCE STORE TWENTY-FOUR HOURS PER DAY, SEVEN DAYS A WEEK.

7. EMPLOYEES (MOTOR VEHICLE FUELING FACILITIES/CONVENIENCE STORE):
   (a) MAXIMUM TOTAL .... 5 (FULL TIME EQUIVALENT EMPLOYEES).

8. SITE LIGHTING SHALL COMPLY WITH SECTION 134 OF THE HOWARD COUNTY ZONING REGULATIONS. SITE LIGHTING SHALL CONSIST OF BUILDING MOUNTED LIGHTING AND RECESSED OVERHEAD LIGHTING UNDER THE CANOPY. ANY POLE MOUNTED LIGHTING WILL COMPLY WITH APPLICABLE COUNTY REGULATIONS.

9. OUTSIDE OPERATIONS SHALL BE LIMITED TO THE DISPENSING OF MOTOR VEHICLE FUEL, OIL, WATER, PRESSURIZED AIR, THE CHANGING OF TIRES AND MINOR SERVICING, AND SALES OF PROPANE. STORAGE OF ALL AUTOMOTIVE SUPPLIES SHALL BE WITHIN THE MAIN STRUCTURE.

9. THE GROSS FLOOR AREA OF THE ACCESSORY CONVENIENCE STORE SHALL NOT EXCEED 4,500 SQUARE FEET.

IMAGES ARE PROVIDED FOR REFERENCE PURPOSES AS PRECEDENT EXAMPLES ONLY

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HOWARD COUNTY, MARYLAND
JULY 28, 2017

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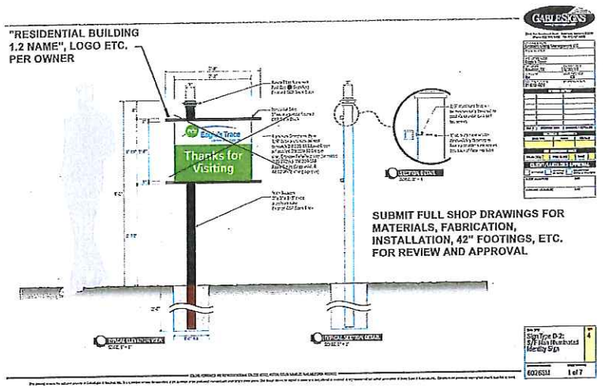
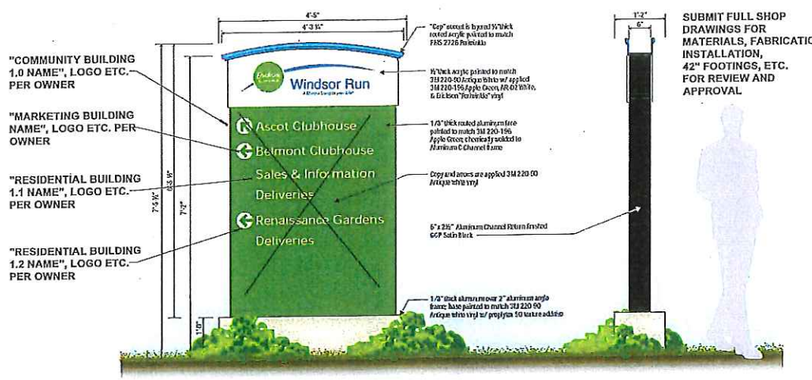
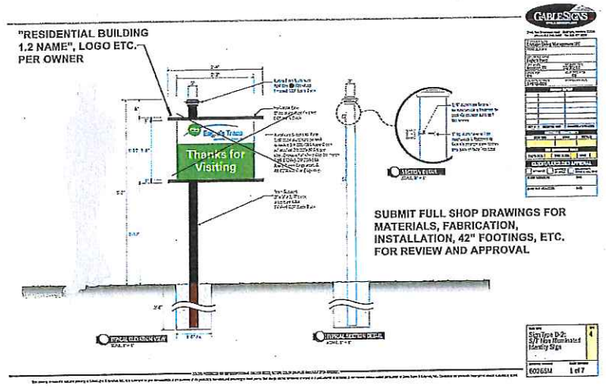
PROPOSED DEVELOPMENT STANDARDS AND SIGN DETAILS



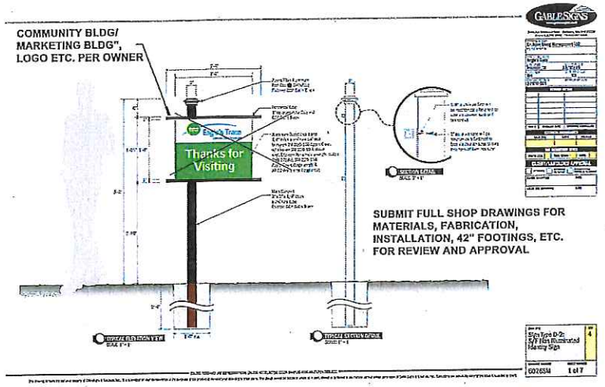
4 / 22.116 SITE SIGN "D" - ONE SIDED SIGN AT RESIDENTIAL BUILDING 1.2
NOT TO SCALE



1 / 22.116 SITE SIGN "A" - MAIN ENTRY DIRECTIONAL SIGN
NOT TO SCALE



5 / 22.116 SITE SIGN "E" - ONE SIDED SIGN AT RESIDENTIAL BUILDING 1.2
NOT TO SCALE



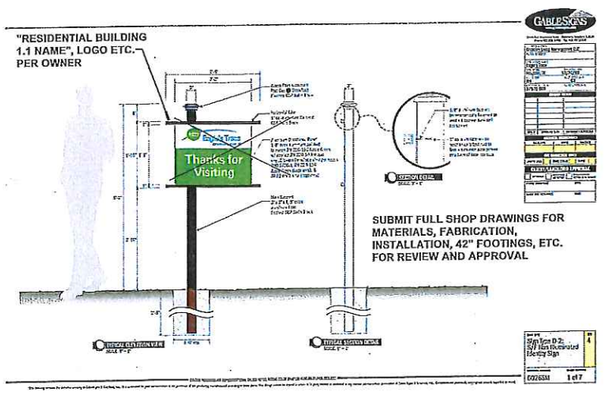
2 / 22.116 SITE SIGN "B" - TWO SIDED SIGN AT COMMUNITY BUILDING / MARKETING BUILDING
NOT TO SCALE

PANEL TO BE 1'-6" HT. BY 2'-0" WIDE

MATCH OTHER SIGNS

SUBMIT FULL SHOP DRAWINGS FOR MATERIALS, FABRICATION, INSTALLATION, 42" FOOTINGS, ETC. FOR REVIEW AND APPROVAL

6 / 22.116 SITE SIGN "F" - VISITOR / RESIDENT ENTRY SIGN AT GATE HOUSE
NOT TO SCALE



3 / 22.116 SITE SIGN "C" - ONE SIDED SITE SIGN AT RESIDENTIAL BUILDING 1.1
NOT TO SCALE

IMAGES ARE PROVIDED FOR REFERENCE PURPOSES AS PRECEDENT EXAMPLES ONLY

ILLUSTRATIVE SITE PLAN

Note: conceptual plan subject to final engineering and architectural refinement. Refer to detailed Development Concept Plan, Conceptual Landscape Plan, Conceptual Streetscape Plan, and Proposed Traffic Improvements for proposed site improvements (roadways, pedestrian walkways, landscaping).

SITE DATA

NEIGHBORHOOD 1

INDEPENDENT LIVING UNITS	730
CCRC ACCESSORY SPACE[1]	68,000SF +/-
PARKING	
700 GARAGE[2]	
190 SURFACE	

NEIGHBORHOOD 2

INDEPENDENT LIVING UNITS	470
CCRC ACCESSORY SPACE[1]	40,000SF +/-
PARKING	
680 GARAGE[2]	
110 SURFACE	

CARE CENTER

(assisted living, memory care, skilled nursing)
240 UNITS +/-

TOTALS

INDEPENDENT LIVING UNITS	1,200
CARE CENTER UNITS	200 +/-
CCRC ACCESSORY SPACE[1]	108,000SF +/-
PARKING	
1,380 GARAGE[2]	
300 SURFACE	
1,680 TOTAL	

Notes:
1. CCRC Accessory Space consists of building areas allocated for resident amenities, resident services, food service, campus administration, and campus services. CCRC Accessory Spaces are typically located within clubhouse buildings (CB) as well as on the ground/first floor of independent living buildings.
2. Resident parking is provided in garages below independent living buildings

marks thomas

0' 100' 200' 300'

N

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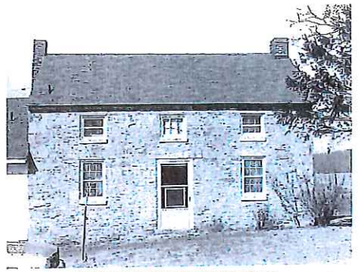
COMMUNITY CHARACTER

- VIBRANT SENIOR COMMUNITY
- RURAL LANDSCAPE
- OUTDOOR ACTIVITIES
- WALKING AND BIKING PATHS
- TRAILS
- GARDENS

CONCEPTUAL VIEW OF MAIN ENTRANCE FROM CLARKSVILLE PIKE

ARCHITECTURAL CHARACTER

MONTGOMERY COUNTY HOUSE – hipped roof porches, masonry and siding



LIMESTONE VALLEY FARM STONE TENANT HOUSE, CLARKSVILLE – stone masonry, gable roof, divided-lite windows

THE VILLAS OF RIVER HILL, CLARKSVILLE – brick masonry and siding composition, roof dormers, metal roofs

IVY HILL, MARRIOTTSVILLE – masonry, gable roof, divided-lite windows

MONTROSE, CLARKSVILLE – stone masonry, red metal roof, roof dormers, hipped roof porch

PROPOSED CONCEPTUAL BUILDING ELEVATION

RICHLAND, CLARKSVILLE – white lap siding, gable roofs, divided-lite windows

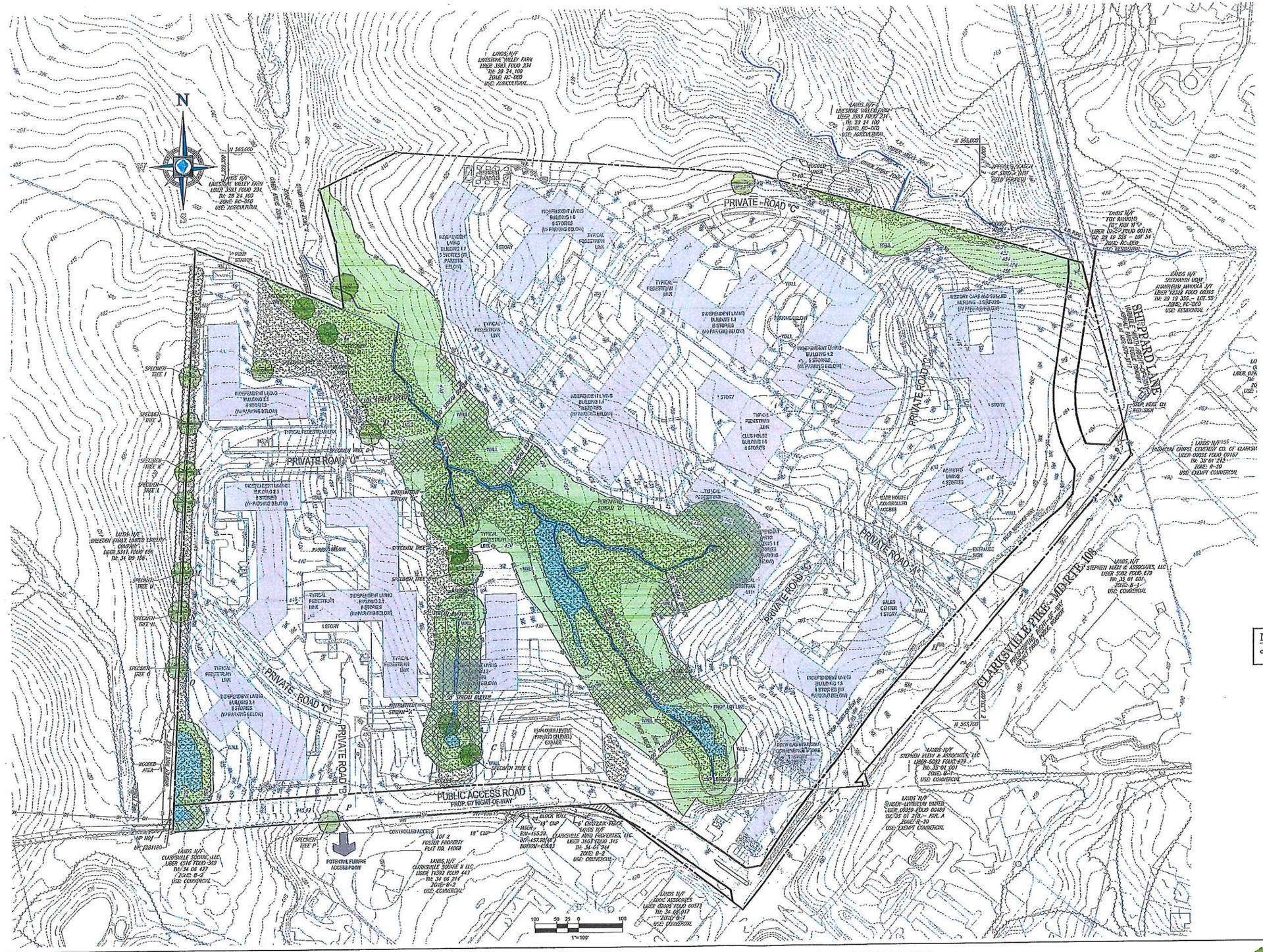
WALNUT GROVE, CLARKSVILLE – stone masonry, gable roof, roof dormers

CARROLL COUNTY HOUSE – masonry and siding, window surrounds, gable roof

masonry and siding composition, red metal roofs, roof dormers, cupola

ELLICOTT CITY – masonry and siding, window surrounds, metal roof, roof dormers

ENVIRONMENTAL BUFFER EXHIBIT



NOTE

CONCEPTUAL PLAN SUBJECT TO FINAL ENGINEERING AND ARCHITECTURAL REFINEMENT

LEGEND

- SB — SB — STREAM BUFFER
- WB — WB — 25' NON-TIDAL WETLANDS BUFFER
- FP — FP — FP — 100 YR. FLOODPLAIN
- STREAM
- TREE LINE
- STREAM BUFFER
- WETLANDS
- POSSIBLE ENVIRONMENTAL BUFFER ENCROACHMENTS
- FOREST AREA TO REMAIN
- SPECIMEN TREE

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HOWARD COUNTY, MARYLAND

JULY 28, 2017

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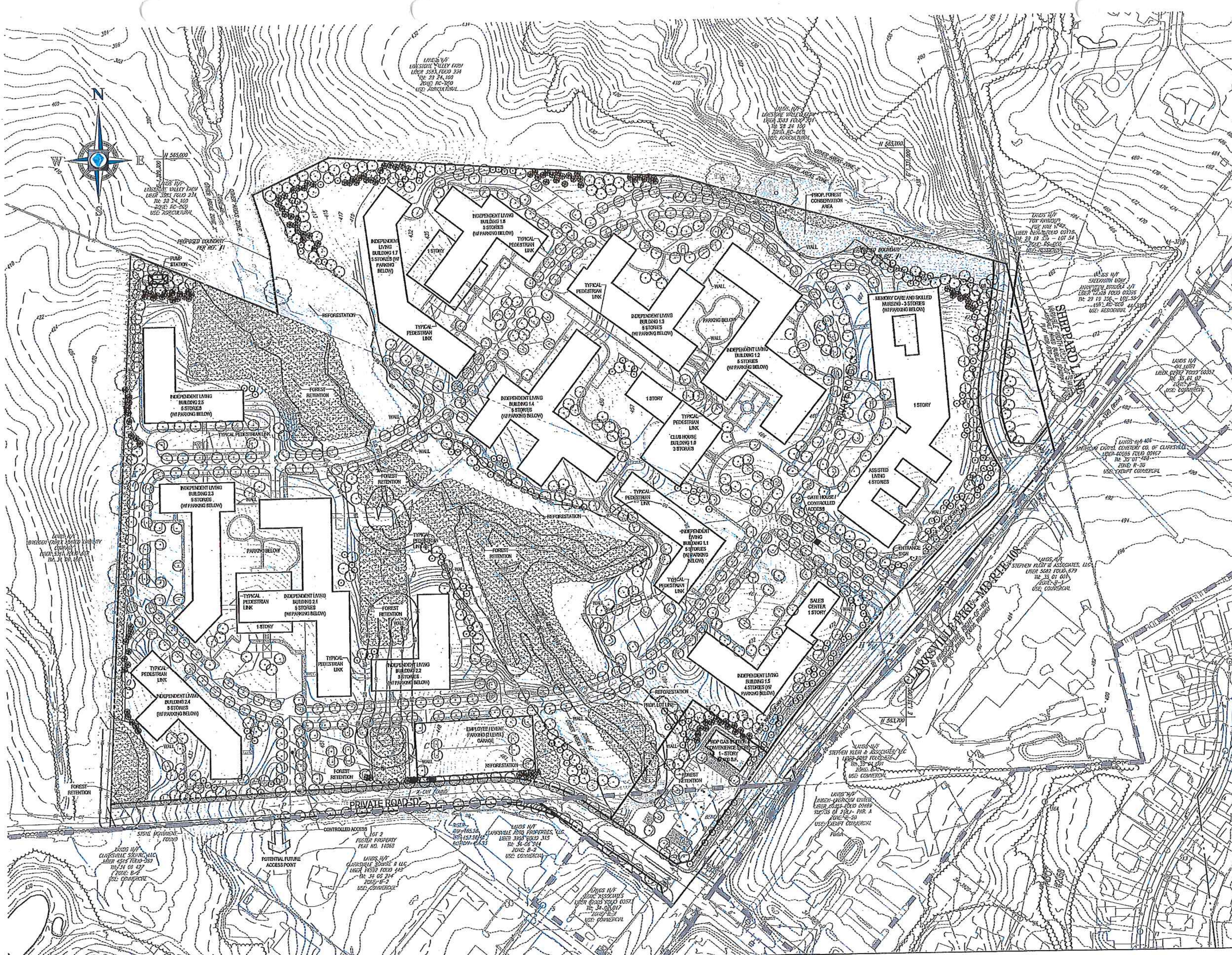
SHEET DCP-10

CONCEPTUAL LANDSCAPE PLAN



SYMBOL LEGEND	
	SHADE TREES
	ORNAMENTAL TREES
	EVERGREEN TREES
	STREET TREES
	ORNAMENTAL STREET TREES
	FOREST RETENTION (FOREST TO REMAIN)
	REFORESTATION
	FENCE
—SB——SB—	100' STREAM BUFFER
—FP——FP—	100 YR. FLOODPLAIN
	STREAM
	TREELINE
	EXISTING SPECIMEN TREE (TO REMAIN)

NOTE: CONCEPTUAL PLAN SUBJECT TO FINAL ENGINEERING AND ARCHITECTURAL REFINEMENT.

100 50 25 0 100
1"=100'

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HOWARD COUNTY, MARYLAND
JULY 28, 2017

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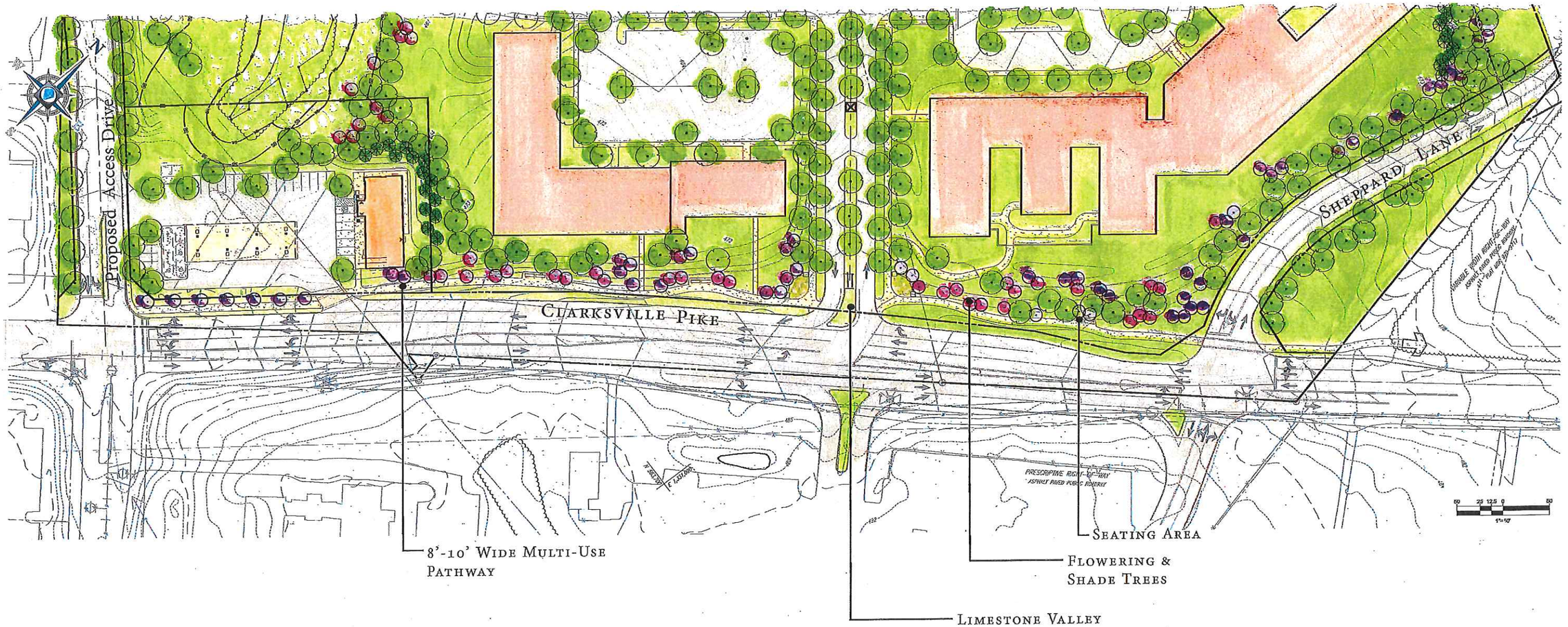
SHEET DCP- 11

CONCEPTUAL STREETSCAPE PLAN



Clarksville Pike Streetscape and Design Guidelines

(Adopted by Howard County, February 2016)

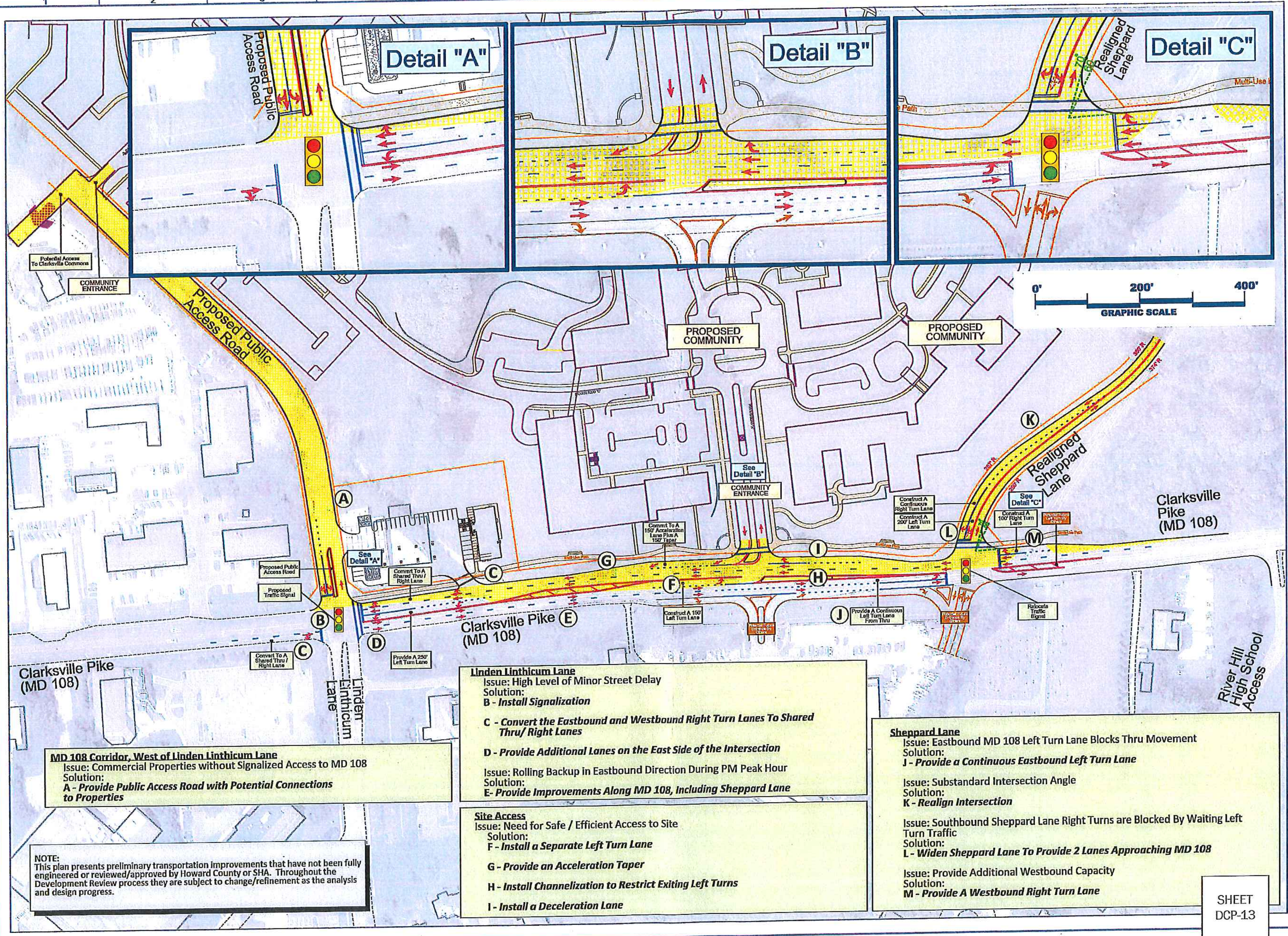
Area 3 Streetscape Improvements

Lanes:
- Generally 2 lanes with striped turn lane

Stormwater Management:
- Typically accommodated as bioswales along the street edge

Pedestrian/Bicyle Accommodations:
- Continuous Sidewalk Transistions to a shared-use path along the southeaster edge; Continuous shared-use path along the northwestern edge; Crosswalks at all m jor street intersections and entrances to schools

Landscape:
- Informally clustered trees next to natural and agricultural areas; Some street trees have been place within the Building Frontage Zone, rather than the Tree/Planting Zone, to accommodate setback requirements for underground water lines



Linden Linthicum Lane
Issue: High Level of Minor Street Delay
Solution:
B - Install Signalization

C - Convert the Eastbound and Westbound Right Turn Lanes To Shared Thru/ Right Lanes

D - Provide Additional Lanes on the East Side of the Intersection

Issue: Rolling Backup in Eastbound Direction During PM Peak Hour
Solution:
E- Provide Improvements Along MD 108, Including Sheppard Lane

MD 108 Corridor, West of Linden Linthicum Lane
Issue: Commercial Properties without Signalized Access to MD 108
Solution:
A - Provide Public Access Road with Potential Connections to Properties

Site Access
Issue: Need for Safe / Efficient Access to Site
Solution:
F - Install a Separate Left Turn Lane

G - Provide an Acceleration Taper

H - Install Channelization to Restrict Exiting Left Turns

I - Install a Deceleration Lane

Sheppard Lane
Issue: Eastbound MD 108 Left Turn Lane Blocks Thru Movement
Solution:
J - Provide a Continuous Eastbound Left Turn Lane

Issue: Substandard Intersection Angle
Solution:
K - Realign Intersection

Issue: Southbound Sheppard Lane Right Turns are Blocked By Waiting Left Turn Traffic
Solution:
L - Widen Sheppard Lane To Provide 2 Lanes Approaching MD 108

Issue: Provide Additional Westbound Capacity
Solution:
M - Provide A Westbound Right Turn Lane

NOTE:
This plan presents preliminary transportation improvements that have not been fully engineered or reviewed/approved by Howard County or SHA. Throughout the Development Review process they are subject to change/refinement as the analysis and design progress.

SHEET
DCP-13

Clarksville Pike (MD 108)

Erickson at Limestone

M. Vellati — DRAWN — June 2, 2017 DATE
DESIGNED — DATE
CHECKED — DATE
APPROVED — DATE

Scale: 1" = 80'
Location: Howard County, Maryland
Job Number: 2017-0002
File Name: n/a
Revision: n/a

The Traffic Group, Inc. suite h - 9900 franklin square dr. - baltimore, maryland 21236 410.931.6600 - fax 410.931.6601 - 1.800.583.8411 www.trafficgroup.com

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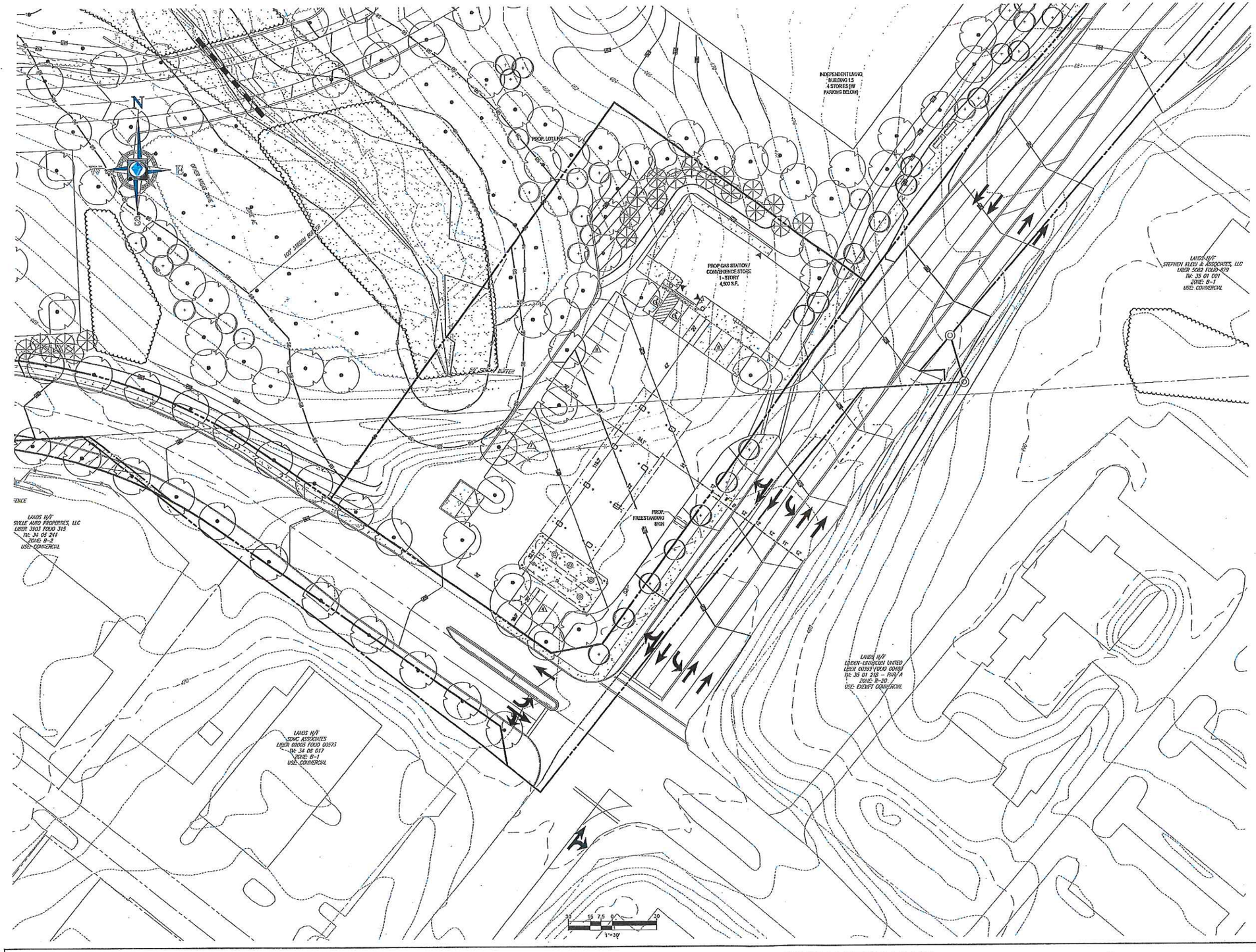
GAS STATION EXHIBIT



NOTE

CONCEPTUAL PLAN SUBJECT TO FINAL ENGINEERING AND ARCHITECTURAL REFINEMENT

LEGEND

- SOIL DELINEATION
- FP — FLOODPLAIN
- WL — WETLAND
- SB — STREAM BUFFER
- WB — WETLAND BUFFER
- TREE LINE

BOHLER ENGINEERING

ERICKSON LIVING AT LIMESTONE VALLEY
HOWARD COUNTY, MARYLAND
JULY 28, 2017

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SHEET DCP-14

Introduced_____
Public Hearing_____
Council Action_____
Executive Action_____
Effective Date_____

County Council Of Howard County, Maryland

2017 Legislative Session Legislative Day No. ___

Introduced by: The Chairperson at the request of Erickson Living Properties II, LLC

AN ACT amending the General Plan for Howard County ("PlanHoward 2030") by adjusting the Planned Service Area boundary for water and sewer service to include approximately 61 acres of property located west of Clarksville Pike (Md Route 108) and south of Sheppard Lane, in Clarksville, Howard County, Maryland; to adjust the Growth Tier Maps of Howard County to reflect the incorporation of said property into the Planned Service Area and the designation of said property within the Growth Tier 1 area of Howard County; and further designating said property as a Targeted Growth and Revitalization Designated Place Type; and providing that certain adjustments will be null and void unless certain conditions are met; and generally relating to PlanHoward 2030.

Introduced and read for the first time, _____, 2017. Ordered posted and hearing scheduled.

By order _____
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2017.

By order _____
Jessica Feldmark, Administrator

This Bill was read a third time on _____, 2017 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2017 at _____ a.m/p.m.

By order _____
Jessica Feldmark, Administrator

Approved / Vetoed by the County Executive _____, 2017.

_____
Allan H. Kittleman, County Executive

EXHIBIT
tabbies
B

Note: [[text in brackets]] indicates deletions from existing law. TEXT IN ALL CAPITALS indicates additions to existing law. Strike-out indicates material deleted by amendment. Underlining indicates material added by amendment.

WHEREAS, the General Plan for Howard County ("PlanHoward 2030") establishes the Planned Service Area, which is the area within which the County provides public water and sewer service; and

WHEREAS, PlanHoward 2030 provides that any requests for a General Plan amendment for the expansion of the Planned Service Area for water and sewer service should be denied unless the following minimum criteria are met: the proposed expansion of the Planned Service Area is part of a proposed zoning and is consistent with the General Plan and Smart Growth policies; or the proposed expansion of the Planned Service Area is intended to provide for a public or institutional use such as a religious facility, charitable or philanthropic institution, or academic school; and

WHEREAS, PlanHoward 2030 further provides that expansions of the Planned Service Areas should include a development proposal that is consistent with the General Plan and establishes a transition that is compatible with and enhances surrounding communities and provides an environmental benefit; and

WHEREAS, the Department of Planning and Zoning (DPZ) and the Department of Public Works (DPW) have reviewed the proposed expansion of the Planned Service Area boundary to include approximately 61 acres of property located west of Clarksville Pike (Md Route 108) and south of Sheppard Lane, in Clarksville, Howard County, Maryland and further identified as Tax Map 34, Parcel 185 and a part of Tax Map 28, Parcel 100 (the "Property"), as shown on attached **Exhibit A** and **Exhibit B**; and

WHEREAS, the proposed expansion of the Planned Service Area is a part of a specific zoning proposal to rezone the Property from RC-DEO to CEF-M for the stated purpose of providing a continuing care retirement community ("CCRC") to consist of independent living units; assisted living; and skilled nursing care; and

WHEREAS, the establishment of a CCRC on the Property in accordance with the Petitioner's stated purpose advances a number of stated land use policies within the General Plan and will satisfy in part a growing and well documented need for continuing care retirement communities within Howard County for people over the age of 62.

WHEREAS, the establishment of such a CCRC at the proposed location will afford the County's senior population much needed additional flexibility to age in place within the County; and

WHEREAS, Chapter 6 (Growth) of the Howard County General Plan notes the following:

> [w]hereas the total U.S. population grew by 9.7% from 2000 to 2010, those entering the 45 to 64 year age cohort, the approximate ages of the baby boomers, increased by 31.5% during that time period. Baby boomers currently make up about 29% of the countywide population and are starting to move into the 65-plus age cohort.

PlanHoward, Chapter 6 (Growth), pg. 66

In addition, Chapter 6 (Growth) of the Howard County General Plan makes the following pertinent finding:

> [w]hereas the overall County population increased by 16%, those 65 and over increased by 57%. There are now 10,577 more residents 65 and older compared to ten years ago – 29,045 total in 2010 compared to 18,468 in 2000. Almost 27% of the total increase of 39,243 residents over the decade was comprised of those aged 65 and older. The very old, 85 and over, increased by 47%. This trend will continue as the baby boomers continue to age.

PlanHoward, Chapter 6 (Growth), pg. 66

Furthermore, Policy 9.4 of the Howard County General Plan aims to "expand housing options to accommodate the County's senior population who prefer to age in place and people with special needs." In support of that Policy Goal, the Howard County General Plan finds that the

> County's housing stock should support the aging population and will need to continue General Plan 2000 policies to promote diverse senior housing for those that wish or need to downsize to more easily maintained units as they age. The policies should also continue to support seniors who choose to age in place in their own homes or in their own communities...The County also recognizes that as older residents' ability to live independently diminishes, they often need to move to housing that provides support services. There are both nursing and assisted living options for seniors in the County, offering a continuum of services, from acute care to congregate and group housing to in-home services. In order to accommodate the projected 19% of residents age 65 or older by 2030, the County's support of continuing care housing and services must be maintained.

PlanHoward, Chapter 9 (Housing), pp. 130-131

And

WHEREAS, the proposed expansion of the Planned Service Area for the stated purpose of establishing a CEF-M district to permit the development of a CCRC community will facilitate the creation of an appropriate transition between existing high intensity commercial uses and lower intensity residential and agricultural uses; and is compatible with and enhances surrounding communities. Further, the expansion of the Planned Service Area will permit the creation of a compact, pedestrian friendly community and will therefore benefit the environment due to a corresponding decrease in automobile dependence; and

WHEREAS, DPZ and DPW have determined that the Property meets the criteria for expansion of the Planned Service Area as part of a proposed rezoning that is consistent with General Plan and Smart Growth policies in order to provide expanded care and housing opportunities within a compact and pedestrian friendly community for the senior population of Howard County; and

WHEREAS, DPW has analyzed the water and sewer infrastructure capacity and costs and has confirmed that the capacity exists to serve the Property with water and sewer, and water is available and sewer is feasible to serve the Property; and

WHEREAS, DPW has also determined that the Property is adjacent to the existing boundary of the Planned Service Area and that the inclusion of the Property will continue the linear boundary of the Planned Service Area without including an intervening privately owned parcel currently not located in the Planned Service Area; and

WHEREAS, the Planning Board has reviewed and recommended approval of the proposed expansion.

Now, Therefore,

Section 1. Be It Enacted by the County Council of Howard County, Maryland that the PlanHoward 2030 policy maps identified below are amended to expand the Planned Service Area, the Growth Tier I Area, and the Growth and Revitalization Designated Place Type area to include approximately 61 acres of property located west of Clarksville Pike (Md Route 108) and south of Sheppard Lane, in Clarksville, Howard County, Maryland and further identified as Tax Map 34, Parcel 185 and a part of Tax Map 28, Parcel 100 (the "Property"), as shown on attached **Exhibit A** and **Exhibit B**. Amended Policy Maps include: Map 4-1; Map 5-1; Map 6-2; Map 6-3; and Map 8-1.

Section 2. Be It Further Enacted by the County Council of Howard County, Maryland that the provisions of this Act providing for expansion of the Planned Service Area and amendments to the Growth Tier Maps and Designated Place Types for Howard County shall be null and void and the Planned Service Area, Growth Tier Map, and Designated Place Type as it relates to this Property, shall revert to the Planned Service Area, Growth Tier, and Designated Place Type in place prior to this Act without any additional action of the County Council if

(1) The Howard County Zoning Board shall fail to issue a Decision and Order approving a Petition to Amend the Zoning Maps of Howard County to rezone the Property to CEF-M for the stated purpose of developing a CCRC community within 3 years from the effective date of this Act; or

(2) The connection between the Property and the public water and sewer infrastructure are not made within 10 years of the effective date of this Act.

Section 3. Be It Further Enacted by the County Council of Howard County, Maryland that this amendment be attached to PlanHoward 2030.

Section 4. Be It Further Enacted by the County Council of Howard County, Maryland that if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity shall not affect other provisions or any other application of this Act which can be given effect without the invalid provisions or application, and for this purpose the provisions of this Act are severable.

Section 5. Be It Further Enacted by the County Council of Howard County, Maryland that this Act shall become effective 61 days after its enactment.

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on _____, 2017.

_____
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2017.

_____
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2017.

_____
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2017.

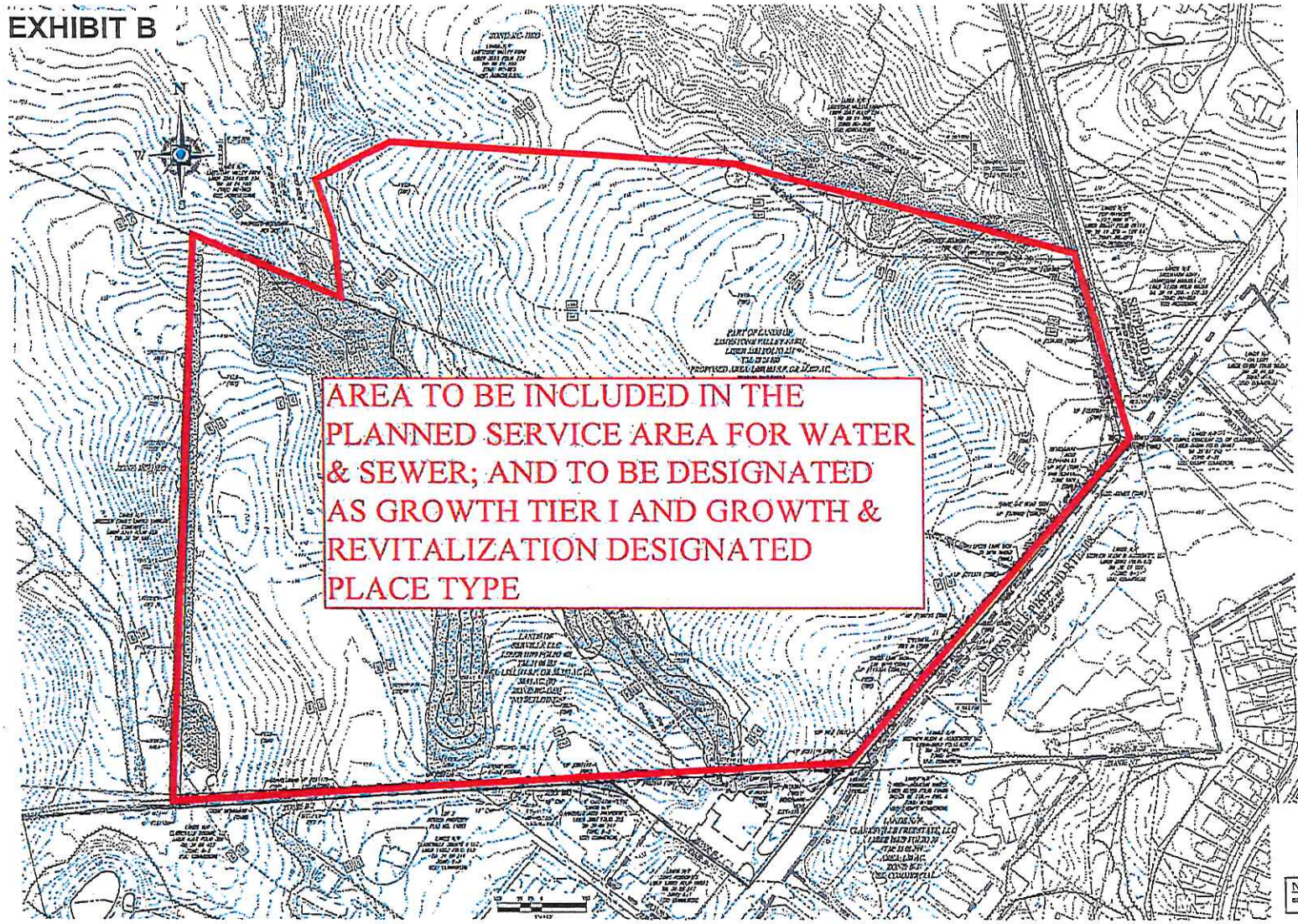
_____
Jessica Feldmark, Administrator to the County Council

EXHIBIT A

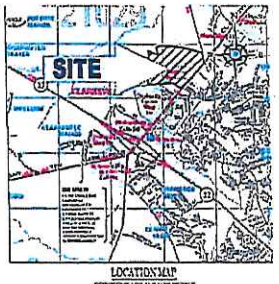
SUBJECT PROPERTY

METES & BOUNDS

EXHIBIT B



EXISTING CONDITIONS / CONSTRAINTS PLAN



LOCATION MAP

LEGEND

NOTE

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HOWARD COUNTY, MARYLAND
JULY 28, 2017

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NEW YORK
DELAWARE
WASHINGTON, DC

William E. Erskine
Tel: 301-575-0363
WErskine@offitkurman.com

February 26, 2018

HAND DELIVERED

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

RE: GPA-2018-01

Dear Chairperson Sigaty:

I am writing to you today on behalf of my client, Erickson Living Properties II, LLC (the "Petitioner"), in regard to the above-referenced matter; as you may be aware this matter is scheduled to be before the Planning Board on March 29th. I would like to take this opportunity to supplement the Petition submitted on September 19, 2017 with your office. Due to the Petitioner's commitment to community outreach, they have had numerous opportunities since the original submittal to meet with community members and discuss their proposed continuing care retirement community. It is through these meetings that the Petitioner has had the opportunity to hear from the community members and consider all of their suggestions, concerns, comments, etc. The Petitioner has made significant revisions to their Concept Plan in light of those meetings.

Please accept the enclosed updated Concept Plan as a supplement to the materials submitted with the September 19, 2017 petition, as the Petitioner intends to provide this updated Concept Plan to the Planning Board for its review and consideration relating to the above-referenced matter. The attached Concept Plan continues to be conceptual in nature only as no official CEF filing has been made at this time.

If you require additional information or if you have any questions, please feel free to have a member of your staff contact me.

Sincerely,

William E. Erskine

William E. Erskine

Enclosures
cc: Jon Weinstein
Calvin Ball
Greg Fox
Jennifer Terrasa
Val Lazdins
Adam Kane
Steve Montgomery

4817-1303-2542, v. 1

01/03/18

MD172015

Illustrative Landscape Plan

Erickson Living at Limestone Valley
Howard County, Maryland

marks thomas

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Howard County

Internal Memorandum

Subject: ***GPA 2018-01 Planning Board Recommendation***

To: *Mary Kay Sigaty, Council Chairperson*
Dr. Calvin Ball, Council Vice-Chairperson
Greg Fox, Councilperson
Jen Terrasa, Councilperson
Jon Weinstein, Councilperson

From: *Phillips Engelke, Chairperson*
Howard County Planning Board

Date: May 17, 2018

On April 19, 2018, the Planning Board held a public hearing on General Plan Amendment 2018-01 (GPA 2018-01). The amendment proposed to 1) change the Planned Service Area boundary to include approximately 61 acres in Clarksville, west of Clarksville Pike (MD Route 108) and Sheppard; 2) change the Growth Tier designation from Tier IV to Tier I; and 3) amend the Designated Place Type map from a Rural Resource designation to a Growth and Revitalization area.

Per Section 16.900(i) of the Howard County Code, a thirty day notice of the hearing was posted on the County's website. Per Section 1.107.B.1 of the Planning Board Rules of Procedure, notice of the hearing was placed at least two weeks prior to the hearing date in at least two newspapers of general circulation in the County. A Technical Staff Report from the Department of Planning and Zoning (DPZ) was posted on the County's website at least two weeks prior to the hearing date.

The Planning Board received written and oral testimony during the hearing and held a work session following public testimony. Documentation of the proceedings is on file at DPZ.

Recommendation
Based on the information presented, and the Board's discussion, Mr. Coleman made a motion recommending that the County Council approve GPA 2018-01 to allow further discussion of the applicant's proposal to occur. Additionally, the Board recommended the County Council consider the following issues raised in the DPZ technical staff report, and if appropriate, include language to address them in a proposed bill:

1. Water Storage Capacity (Water Tanks): Work with the Department of Public Works to ensure that the needed utility system components can be accommodated on the Property.
2. Wastewater Conveyance Capacity (Pipelines): Work with the Department of Public Works to address sewer capacity issues.
3. Work with the Department of Housing and Community Development to create an alternative compliance proposal that meets MIHU requirements and provides more appropriate and socially beneficial uses to enhance the surrounding community.
4. Work with Office of Transportation to ensure the burden on transportation operations is managed in a cost-effective manner and that enhancements meet the BikeHoward plan.

Mr. McAliley seconded the motion, which passed 4-1 with Ms. Adler dissenting.