

Columbia Town Center
 Zoning Regulation Amendment #113
 GGP's Response to DPZ Recommended ZRA

Presentation Date: January 22, 2009

	DPZ Comments:	GGP Response:
1.	Section 125. A. 9. i. (1) and (2) - Require 15 percent moderate income housing units and 10 percent middle income housing units.	To address comments about the need for additional moderate income housing versus middle income housing, and the desire for greater certainty in its provision, we suggest that 15 percent of all new downtown housing be required to be moderate income housing. In order to accommodate 15 percent moderate income housing units, we further suggest there be no requirement for middle income housing units. We also suggest that a 400 unit limitation be placed on the number of market rate Downtown Net New Dwelling Units that can be constructed before the required amount of moderate income housing units are provided. Lastly, we suggest that authority be given to provide moderate income housing in excess of this requirement and/or in advance of the construction of market rate dwelling units to meet future moderate income housing requirements.
2.	Section 125. A. 9. i. (3) - Require Public Art funded by developer based on 1 percent of construction costs.	Agree public art is important. Suggest establishing a public art expenditure requirement of \$325/new dwelling unit and \$.25/square foot of new commercial development. Exceptions should be established for affordable housing, places of worship, cultural facilities, parking structures, community space. Also incorporate an annual expenditure adjustment.
3.	Section 125. A. 9. j. (3) (a) - Require 1:1 replacement of existing parkland devoted to other use, but do not permit previously credited open space or environmentally sensitive areas to be exchanged for existing parkland.	<p>a. Generally, Symphony Woods will only be developed, if at all, if proposed by C.A. and if approved by the Planning Board. Presumably, C.A. would propose and approval would only be given if the area was being <i>enhanced</i>. If that is the case, replacement space should not be required. Nevertheless, GGP accepts the no net loss and 1:1 replacement concept. However, existing areas that are being enhanced environmentally in accordance with the Plan should be available to replace existing parkland at a 2:1 ratio.</p> <p>b. Create a definition for Environmental Restoration and Enhancement Area. Such area would be available for the 2:1 replacement referred to above.</p>
4.	Section 125. A. 9. j. - Except as provided in the ZRA 1:1 replacement provisions, all parkland, environmentally sensitive areas, Downtown Community Commons and Downtown Arts and Entertainment Park land types designated in Section 103.D must retain their <i>existing</i> character.	<p>a. Generally agree. Delete "<i>existing</i>" and instead require retaining character as one of the designated land types to avoid subjective and multiple interpretation(s) of what an area's "existing" character is and to what moment in time "existing" refers. Instead, simply require the area to retain its character as defined in Section 103.A and as designated in Section 103.D.</p> <p>b. Add clarifying language that improvements permitted by the definition of each land type are consistent with and do not change the character of the area.</p>
5.	Section 125. E. 1. - Include entire neighborhood in FDP petition.	<p>a. Because of increased detail required at FDP stage, meeting this requirement would be extraordinarily costly and speculative if end-users for all parcels within the neighborhood have not been identified. Instead, recommend including a Neighborhood Concept Plan (NCP) with the initial FDP submission for Planning Board review and approval as measured against the Plan's Street Framework Diagram; Street and Block Plan; Building Height Zones Plan; and Amenity Space Framework Diagram and Design Guidelines. Each detailed FDP would then be measured against the approved Neighborhood Concept Plan, Design Guidelines and other</p>

		<p>FDP criteria.</p> <p>b. Because the NCP would be a general plan that will only be approved by the Planning Board if it is in compliance with the Downtown General Plan Amendment exhibits or if a rationale for deviation is provided and accepted by the Board as not detrimental to the public welfare, a small property owner could prepare the NCP and have its FDP be measured against the Plan in the same way as a larger landholder. A smaller landowner may however choose to wait until an NCP has been approved to simplify the regulatory review process associated with its FDP petition.</p>
6.	Section 125. E. 2. (B) - Submit more detailed neighborhood design guidelines to the Design Advisory Panel.	Agree - However, it is critical that the Design Advisory Plan be required to base its review on the overall Downtown Design Guidelines approved as a part of the Plan.
7.	Section 133 - Specify shared parking requirements and standards.	Agree - They have been included in the revised ZRA.

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