



December 20, 2018

TECHNICAL STAFF REPORT

Planning Board Meeting of January 3, 2019

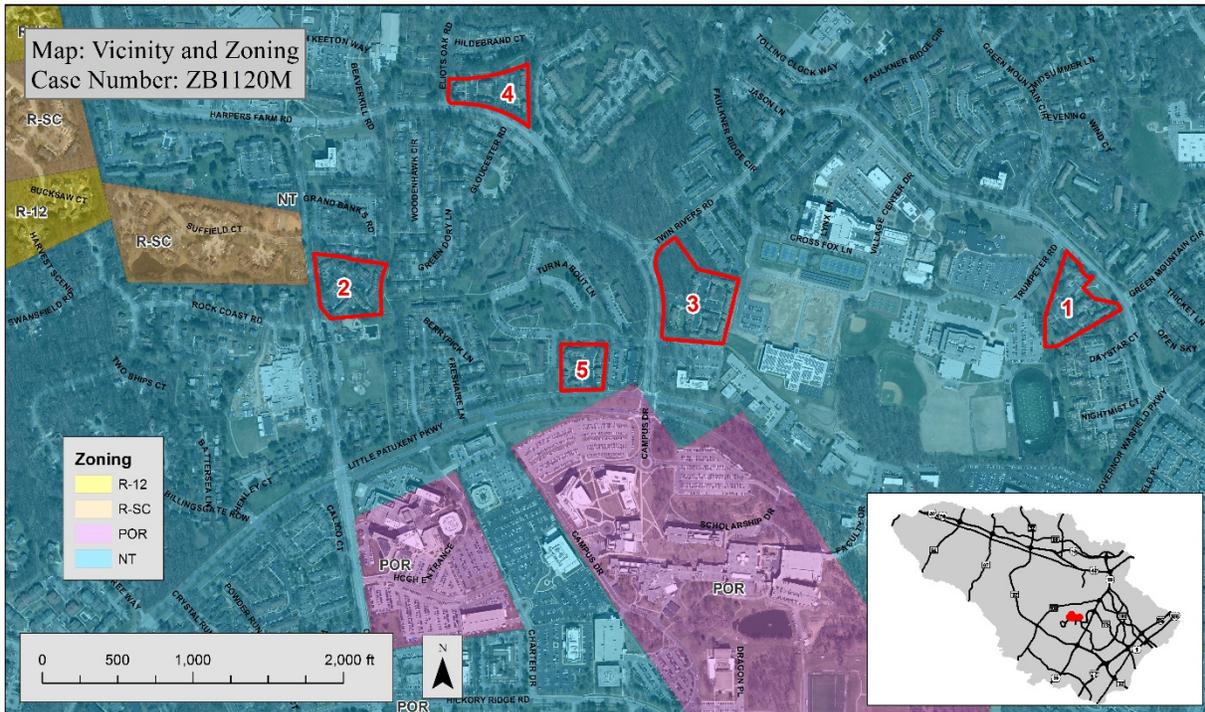
Case No. ZB 1120M

Petitioner: Enterprise Homes, Inc.

Request: Amend the Preliminary Development Plan ("PDP") for the Columbia New Town District as follows:

1. Increase the total number of dwelling units from 34,294 to 34,594;
2. Increase the number of Apartment - Multifamily dwelling units from 14,163 to 14,463;
3. Increase the NT District density from 2.4029 to 2.4239 dwelling units per gross acre;
4. Increase the Apartment – Multifamily density from 14.6463 to 14.9565 per gross acre; and
5. Assign the additional 300 dwelling units to the following properties:

- #1 10301 – 10421 Twin Rivers Road; Tax Map 30, Grid 19, Parcel 272, Lot 2
- #2 5501 – 5627 Cedar Lane; Tax Map 29, Grid 23, Parcel 271, Lot 3
- #3 5817 – 5991 Harper’s Farm Road; Tax Map 29, Grid 24, Parcel 263, Lot 2
- #4 5503 – 5615 Harper’s Farm Road; Tax Map 29, Grid 23, Parcel 262, Lot 8
- #5 5951 – 6033 Turnabout Lane; Tax Map 29, Grid 23, Parcel 262, Lot 18



## I. DESCRIPTION OF PROPOSAL

The Petitioner proposes to amend the Columbia New Town District Preliminary Development Plan to increase the number of approved dwellings units, excluding Downtown, by 300 and incorporate them into the redevelopment of five multifamily developments in West Columbia. The developments contain a total of 300 existing affordable housing units. The Petitioner proposes to build new mixed-income communities with a total of 600 multifamily dwelling units (300 affordable units and 300 market rate) on these properties.

## II. BACKGROUND

The New Town Zoning District requires a Preliminary Development Plan, which is a “generalized drawing or series of drawings of the proposed New Town area” that includes a statement of the number of acres within the NT District broken down into five land use categories (Single Family Low Density, Single Family Medium Density, Apartments, Employment Center, and Open Space), the general location of these land uses, and the overall maximum density for the NT District. Additionally, the PDP depicts the major roads and the location of schools/community uses. The NT Columbia PDP was created in 1965 and a history of the amendments is listed below in Section III Zoning History. A copy of the official Columbia NT PDP is attached to this report as Exhibit A.

Modifications to the number of acres in each land use category, their location, or maximum density must be approved by the Zoning Board through a Preliminary Development Plan Amendment. Section 125.0.B establishes the criteria for the creation of a PDP, but does not contain criteria for amendments. However, in the most recent PDP Amendment (ZB1112M), the Zoning Board identified the following criteria for PDP Amendments:

1. The appropriateness of the proposal in relation to the General Plan;
2. The effect of the proposal on properties in the surrounding vicinity; and
3. The most appropriate use of land.

Additionally, the Zoning Board stated that the petition must comply with the Zoning Regulations. The following sections of the Zoning Regulations apply to PDP Amendments:

### Sections 125.0.A.4 and 5

These sections establish the maximum allowed density in the NT District and prohibit uses only allowed in R-MH and M-2 zones. While these sections set the maximum potential density, the PDP establishes the actual approved density. Exhibit B shows the number of approved dwelling units and the corresponding density for each land use category and the entire NT District. This section is evaluated under Criteria #4 in the Evaluation and Conclusion Section of this report.

4. *The maximum number of dwellings permitted that are not subject to the Downtown Revitalization Approval Process is established by this section and shall be calculated by multiplying the total number of acres within the NT District by two and one-half.*

*For development that is not subject to the Downtown Revitalization Approval Process, the following development restrictions shall apply:*

- a. *In areas designated "single-family—low density" on the Final Development Plan, the maximum number of dwellings permitted shall relate to the overall total number of dwellings in all areas so designated within the NT District and shall be calculated by multiplying the number of acres*

*within all areas so designated by two.*

- b. In areas designated "single-family—medium density" on the Final Development Plan, the maximum number of dwellings permitted shall relate to the overall total number of dwellings in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by four.*
- c. In areas designated "Apartments" on the Final Development Plan the maximum number of apartments permitted shall relate to the overall total number of apartments in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by 15.*

*5. The use of land within NT Districts shall be limited to those uses specified in the "Final Development Plan," provided, however, that:*

- a. No uses permitted only in the R-MH or M-2 Districts under these Regulations may be permitted in an NT District; and*
- b. Attached or semi-detached dwellings may be erected only in areas designated "Downtown Revitalization," or "Apartments" on a Final Development Plan. Within areas designated "Downtown Revitalization" such units shall be subject to the provisions of Section 125.0.A. Within areas designated "apartments" such units must be provided:*
  - (1) In groups having no more than 10 dwellings attached to one another if attached on the sides, or 16 dwellings if attached back to back; and*
  - (2) In such numbers so as not to exceed 10 dwellings for each acre of such use, calculated by multiplying the number of acres so designated by 10; and*
  - (3) In such physical relation to each other and to other uses as may be specifically approved on a subdivision layout submitted as part of the Final Development Plan.*

Sec. 125.0.A.8.a

This section establishes the minimum and maximum percentages of each land use type. The Petitioner is not proposing any amendments to the land use percentages, since the five properties are currently designated as “Apartments” and multifamily is permitted under this designation.

	<i>Minimum Percent of Total Area of the District</i>	<i>Maximum Percent of Total Area of the District</i>
<i>Open Space Uses</i>	<i>36%</i>	<i>N/A</i>
<i>Single-family—Low Density</i>	<i>10%</i>	<i>N/A</i>
<i>Single-family—Medium Density</i>	<i>20%</i>	<i>N/A</i>
<i>Apartments</i>	<i>N/A</i>	<i>13%</i>
<i>Commercial (POR, B-1, B-2 and SC uses)</i>	<i>2%</i>	<i>10%</i>
<i>Industrial Uses (M-1 uses)</i>	<i>10%</i>	<i>20%</i>
<i>Other uses</i>	<i>N/A</i>	<i>15%</i>

### III. ZONING HISTORY

#### A. New Town Zoning Board Cases

1. Case No. ZB 412  
Petitioner: Howard Research and Development Corporation (HRD)  
Request: From various zoning districts to NT  
Action: Approved on August 10, 1965.
2. Case No. ZB 644  
Petitioner: HRD  
Request: R-40 to NT and amend the PDP  
Action: Approved on January 7, 1974.
3. Case No. ZB 693  
Petitioner: HRD  
Request: R-20, R-40 and B-2 to NT and amend the PDP  
Action: Approved on December 20, 1976.
4. Case No. ZB 817  
Petitioner: HRD  
Request: Amend the PDP and amendment to the NT Zoning Regulations  
Action: Approved on September 9, 1986.
5. Case No. ZB 918M  
Petitioner: HRD  
Request:
  - a) Rezone 13 parcels of land totaling 89 acres to NT
  - b) Amend the PDP
  - c) Increase the population density in the NT district from 2.2 to 2.35 dwelling units per acreAction: Approved with modifications on March 17, 1992 (PDP dated June 1992)
6. Case No. ZB 939M  
Petitioner: HRD  
Request:
  - a) To annex and rezone 0.71 acres from R-12 to NT
  - b) To amend the PDP to modify existing land use areas.Action: Approved on November 19, 1992.
7. Case No. ZB 969M  
Petitioner: HRD  
Request:
  1. Annex 134.84 acres to the Columbia New Town District and rezone this property from M-1 (Manufacturing: Light) to NT (New Town).
  2. Amend the existing Preliminary Development Plan (PDP) for the Columbia New Town District to designate the Annexation Parcel as 98.0 acres of Employment Center and 36.84 acres of Open Space.
  3. Amend the existing Preliminary Development Plan (PDP) for the Columbia New Town District to redesignate 27 total acres of Employment Center land in three areas located in the Town Center as 23.0 acres of Apartments and 4.0 acres of Open Space.
  4. Revise the land use acreage and percentage calculations on the PDP.Action: Approved in part on October 23, 1995

8. Case No. ZB 1031M  
Petitioner: HRD  
Request: Amend the existing Preliminary Development Plan (PDP) for the Columbia New Town District to increase the maximum density from 2.35 to 2.5 dwelling units per gross acre.  
Action: Denied, March 24, 2004, but with lesser increases granted for specific purposes.
9. Case No. ZB 1095M  
Petitioner: HRD  
Request: Amend the existing Preliminary Development Plan (PDP) for the Columbia New Town District to:
  1. Increase the maximum density in the Columbia New Town District, from 2.3643 to 2.3695 dwelling units per gross acre.
  2. Increase the acreage for Apartments from 1,707 to 1,724 acres.
  3. Decrease the acreage for Employment Center from 2,711 to 2,694 acres.
  4. To change the Land Use designation of approximately 16.60 acres of the 18.68 acre New Town-zoned subject property from Employment Center Land Use to Apartments Land Use, except for approximately 2.03 acres adjoining the M-1-zoned property.  
Action: Granted, April 19, 2012
10. Case No. ZB 1096M  
Petitioner: Wilde Lake Business Trust  
Request: To amend the existing Preliminary Development Plan for the New Town District of Columbia for a Major Village Center Redevelopment of the existing Wilde Lake Village Center on approximately 10.21 acres of land.  
Action: Granted, July 9, 2012
11. Case No. ZB 1112M  
Petitioner: HRD  
Request: To amend the existing Preliminary Development Plan for the New Town District to:
  1. Increase the maximum allowed density in the NT zoning district of 2.3800 dwelling units per acre to 2.3809, to permit 20 additional dwelling units.
  2. Assign 19 residential dwelling units to 5320 Phelps Luck Drive and one residential dwelling unit to 11608 Little Patuxent Parkway in the Poplar Glen Apartments development to convert an office to an apartment dwelling unit.
  3. Reduce the amount of Single-family Low Density Land Use acreage by six acres and increase the amount of Single-family Medium Density Land Use acreage by six acres in the NT PDP Land Use Chart.
12. Case No. ZB 1121M  
Petitioner: HRD  
Request: To amend the existing Preliminary Development Plan for the New Town District of Columbia for a Major Village Center Redevelopment of the Long Reach Village Center and increase the maximum density from 2.3809 to 2.4029.  
Action: Granted, June 25, 2018

**IV. PROPERTY INFORMATION**

**A. Existing Use**

Address	Size (acres)	Use	Dwellings	Date
10301 - 10421 Twin Rivers	3.5	Multifamily	58	1971
5501 – 5627 Cedar Lane	3.7	Multifamily	41	1971
5817 – 5991 Harper’s Farm	5.76	Multifamily	83	1971
5503 – 5615 Harpers’ Farm	2.84	Multifamily	56	1971
5951 – 6033 Turnabout Lane	2.01	Multifamily	62	1971

**B. Vicinal Properties**

All adjacent properties are zoned NT, except as identified below.

Address	North	South	East	West
10301 - 10421 Twin Rivers	Apartments	Townhomes	Townhomes	School
5501 – 5627 Cedar Lane	Townhomes	Recreation	Townhomes	Townhomes*
5817 – 5991 Harper’s Farm	Apartments	Office	School	Apartments
5503 – 5615 Harpers’ Farm	Townhomes	Townhomes	Apartments	Apartments
5951 – 6033 Turnabout Lane	Apartments	College**	Office	Apartments

\*R-SC Zoning \*\*POR Zoning

**C. General Plan**

All five properties are designated Established Community on the Designated Place Types Map of the PlanHoward 2030 General Plan.

Twin Rivers Road, Harpers Farm Road, and Cedar Lane are Arterials.

**V. EVALUATIONS AND CONCLUSIONS**

The NT District regulations do not contain criteria to evaluate amendments to an approved NT PDP. Rather, Section 125.B.3 provides “guides and standards” to evaluate petitions that establish entirely new NT districts, by applying them broadly to large land tracts. Unfortunately, these guides and standards were never envisioned to assess minor amendments affecting specific parcels. However, in a previous NT PDP amendment case (ZB 1112M), the Zoning Board established the following criteria for NT PDP Amendments:

**Criteria #1: The appropriateness of the proposal in relation to the General Plan**

The PlanHoward 2030 General Plan designates all five properties as Established Community on the Designated Places Types Map. This designation is described as “established residential and commercial areas in the eastern portion of the County where limited growth is expected, primarily through residential infill.” Beginning in 2020, the General Plan sets the residential allocation for this designation at 600 units per year. The anticipated build-out of all five properties is 10 years; therefore, sufficient residential allocations should be available. However, allocations will be assessed at the FDP amendment stage.

The proposed amendments will allocate additional residential density to five underutilized properties, which will incentivize their redevelopment into higher quality mixed income communities with affordable and market rate housing. The additional density allows for infill development that will improve the aesthetics of these properties, sustain the affordable housing stock, and enhance the surrounding community. The existing developments were built in 1971 and do not reflect current design standards found in more modern residential communities in the surrounding area. Furthermore, redeveloping these properties will provide housing options for residents at varying income levels and life stages in communities that comply with current building and ADA code requirements. Therefore, this proposal is in harmony with the following policies that encourage well-designed infill developments for residents at diverse income levels and life stages:

**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.

#### Implementation Actions

- a. Range of Affordable Options. Continue to expand current options for full spectrum, affordable housing through affordable housing requirements in additional zoning districts; increased regulatory flexibility to provide low and middle alternatives to moderate income housing; institution of density or other incentives; use of fee-in-lieu option; accessory apartments; establishment of public, private, and nonprofit partnerships; and promotion of business community support for workforce housing.
- a. Redevelop Older and Affordable Housing. Expand zoning or other financial incentives to redevelop older, lower income housing into full spectrum, mixed income, sustainable communities and make the communities accessible to individuals with disabilities.

**POLICY 9.6** - Promote design innovation for all housing types, utilizing cost-effective sustainability principles, to meet the housing and transportation needs of the County's diverse households.

#### Implementation Action

- a. Universal Design Options. Promote the creation of additional housing developments with universal design features by incentivizing innovative and replicable design and building practices through the use of expedited review and permitting, density bonuses, property tax credits, fee reductions, grants, revolving loans, or marketing assistance as well as the creative use of mixed income developments.

**POLICY 10.1** - "Protect and enhance established communities through compatible infill, sustainability improvements, and strategic public infrastructure investments" by allowing an eventual compatible infill development to occur.

#### Implementation Action

- d. Flexible Infill. Consider zoning modifications that would provide more flexibility in order to allow limited, compatible infill that enhances an existing community.

#### **Criteria #2: The most appropriate use of the land**

All five properties are designated "Apartments" on the Preliminary Development Plan and contain multifamily developments. The Petitioner's proposal to redevelop the Properties as multifamily is allowed under the "Apartments" designation. Additionally, all properties have access to an Arterial road, are located

along transportation/bus routes, and are near recreational, educational and employment opportunities. Furthermore, the properties are adjacent to existing multifamily and townhouse developments. Therefore, the most appropriate use of these Properties is apartments/multifamily.

**Criteria #3: The effect of the proposal on properties in the surrounding vicinity**



10301 - 10421 Twin Rivers (#1)

Vicinal properties consist of Wilde Lake High School to the west, an apartment complex to the north, an 88-unit townhome development to the south, and a 62-unit townhome development across Twin Rivers Road to the east. The property has been a 58-unit multifamily development since 1971 and the Petitioner is proposing to redevelop the property as multifamily. Multifamily development is compatible with large townhome developments/apartments and has less impact than a high school. Therefore, the proposal is unlikely to affect surrounding properties.

5501 – 5627 Cedar Lane (#2)

Vicinal properties consist of a single-family dwelling, a 61-unit townhome development, and a 10-unit townhome development to the west, a 62-unit townhome development to the north, a park/community center owned by Columbia Association to the south, and a 163-unit townhome development separated by a 48-foot wide open space lot to the east. The property has been a 41-unit multifamily development since 1971 and the Petitioner is proposing to redevelop the property as multifamily. Multifamily development is compatible with large townhome developments and has less impact than a heavily used community center/park. Therefore, the proposal is unlikely to affect surrounding properties.

5817 – 5991 Harper’s Farm (#3)

Vicinal properties consist of an apartment complex to the west, an apartment complex to the north, a medical office to the south, and Wilde Lake High School to the east. The property has been a 83-unit multifamily

development since 1971 and the Petitioner is proposing to redevelop the property as multifamily. Multifamily development is compatible with apartments and has less impact than offices. Therefore, the proposal is unlikely to affect surrounding properties.

5503 – 5615 Harpers’ Farm (#4)

Vicinal properties consist of an apartment building to the west, a 42-unit townhome development across a 48-foot wide open space lot to the north, a 163-unit townhome development across Harper’s Farm Road to the south, and an apartment complex to the east. The property has been a 56-unit multifamily development since 1971 and the Petitioner is proposing to redevelop the property as multifamily. Multifamily development is compatible with large townhome developments and apartments. Therefore, the proposal is unlikely to affect the surrounding properties.

5951 – 6033 Turnabout Lane (#5)

Vicinal properties consist of an apartment complex to the west, an apartment complex to the north, Howard Community College to the south, and an office building to the east. The property has been a 62-unit multifamily development since 1971 and the Petitioner is proposing to redevelop the property as multifamily. Multifamily development is compatible with large apartments and offices. Therefore, the proposal is unlikely to affect surrounding properties.

While the Petition does not indicate how units will be allocated across the five sites, the concept plans depict three- to four-story buildings, which is consistent with the scale of surrounding development patterns. Given the proposed building heights, when coupled with site limitations, setback requirements, and parking and landscaping requirements, the potential density for each site will be limited to that which can be accommodated. Consequently, the resulting development scale will fit the context of surrounding patterns and the new construction, and blend of market rate and affordable units, should be seen as an broad community enhancement – providing a better supply of housing options for Columbia.

**Criteria #4: The Petition complies with the Zoning Regulations**

Sections 125.0.A.4 and 5

These sections establish the maximum allowed density in the NT District and prohibit uses permitted only in RM-H and M-2.

The Petitioner proposes to increase the number of dwelling units in the “Apartment - Multifamily” designation by 300; therefore, the “Apartment - Multifamily” and total NT District densities must be amended. The maximum allowed density in the “Apartment - Multifamily” designation for properties designated on all FDPs is 15 dwelling units per acre and the maximum density for the entire NT District is 2.5 dwelling units per acre. However, the PDP establishes the actual approved density, which cannot exceed these maximums. As shown in Exhibit B, the current approved “Apartment - Multifamily” density is 14.6463 and the entire NT District is 2.4029. The additional 300 dwelling units increases the “Apartment - Multifamily” density to 14.9565 and the entire NT District to 2.4239. Therefore, the amendment complies with the maximum density established by these sections.

The Petitioner does not propose uses permitted only in R-MH and M-2, such as mobile homes and manufacturing.

Sec. 125.0.A.8

All five properties are currently designated as “Apartments”, which permits multifamily dwellings. Therefore, the Petitioner is not proposing to amend the land use percentages shown on the PDP.

**VI. AGENCY COMMENTS**

The following agencies provided comments:

**Office of Transportation:** The Office of Transportation does not expect this project to have any disruptive traffic impacts, with an approximate increase of 5% in average daily traffic on the roads serving the proposed developments. Three of the five properties are located along Harper’s Farm Road, and based on established trip generation rates for apartments, we estimate up to about a 9.5% increase in average daily traffic on Harper’s Farm Road. However, Harper’s Farm Road has a 4-lane section, and its intersections with Little Patuxent Parkway and Cedar Lane do not have any known traffic concerns at this time. Cedar Lane and Twin Rivers Road currently operate well, and we do not expect adverse traffic impacts to those roads from this project.

**Department of Housing:** The Department of Housing supports this amendment. Adding market rate units to these developments will improve the amenities for all of the residents, while maintaining affordability for low income households. Redevelopment of these communities will be a benefit to the surrounding communities as well. Thank you for sharing this information.

**Development Engineering Division- DPZ:** The request appears to have no adverse engineering impacts on the adjacent properties. All improvements must comply with current Howard County design criteria.

**VII. RECOMMENDATION**

For the reasons noted above, the Department of Planning and Zoning recommends that the request to amend the NT PDP to increase the number of “Apartment – Multifamily” dwelling units from 14,163 to 14,463, increase the “Apartment - Multifamily” density of the NT District from 14.6463 dwelling units per acre to 14.9565 dwelling units per acre, increase the total number of dwelling units from 34,294 to 34,594, increase the entire NT District density from 2.4029 dwelling units per acre to 2.4239 dwelling units per acre, and assign the resulting 300 units of density to the five identified properties be **APPROVED**.

Approved by:

 12/20/18  
Valdis Lazdins, Director Date

**NOTE: The file on this case is available for review by appointment at the Public Service Counter in the Department of Planning and Zoning.**

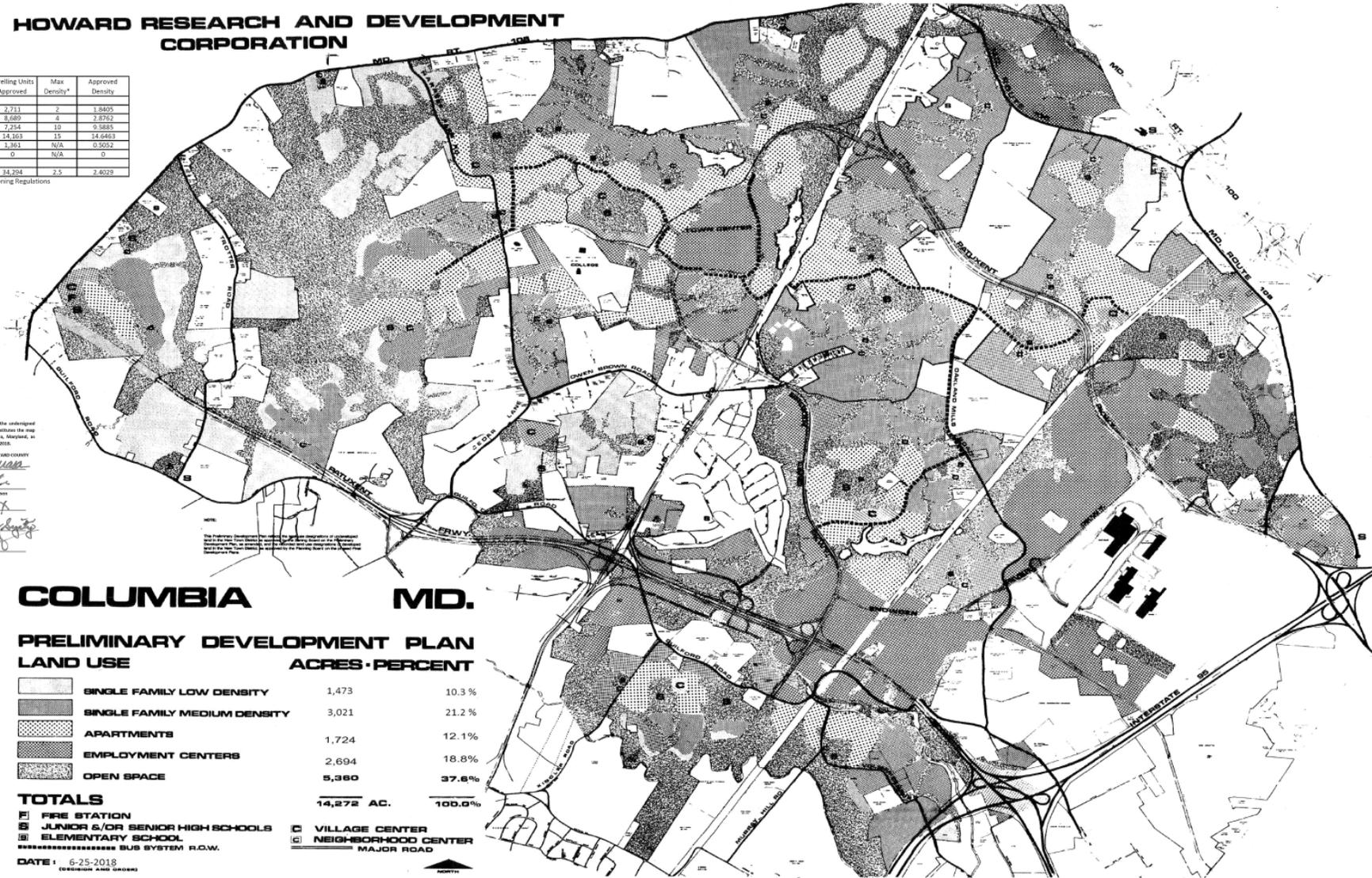
Exhibit A

**HOWARD RESEARCH AND DEVELOPMENT CORPORATION**

Density Chart

Land Use	Acres	Dwelling Units Approved	Max Density*	Approved Density
Single Family Low Density	1,473	2,731	2	3,8405
Single Family Medium Density	3,021	9,859	6	2,9762
Apartments - Single Family Attached	757	7,354	10	9,5885
Apartments - MultiFamily	967	14,163	15	14,6463
Employment	2,694	1,363	N/A	0,5002
Open Space	5,360	0	N/A	0
<b>Total RT District</b>	<b>14,272</b>	<b>44,754</b>	<b>7.5</b>	<b>2,4029</b>

\*Pursuant to Sections 125.0.A.4 and 5 of the Howard County Zoning Regulations



Howard County Zoning Board Case 1221M

Certificate of Zoning Board

Pursuant to Sec. 125.A.4.4 of the Zoning Regulations of Howard County, Maryland, the undersigned members of the Zoning Board of Howard County hereby certify that this document constitutes the map portion of the Preliminary Development Plan for the New Town District of Columbia, Maryland, as approved by Resolution of the Zoning Board in Zoning Board Case No. 1221M on June 25, 2018.

ATTEST:  
*Alisa Roberts*  
 Public Hearing  
 Zoning Board Administration Assistant

*Christopher...*  
 Board Member  
*...*  
 Board Member  
*...*  
 Board Member  
*...*  
 Board Member

**COLUMBIA MD.**

**PRELIMINARY DEVELOPMENT PLAN LAND USE ACRES - PERCENT**

	<b>SINGLE FAMILY LOW DENSITY</b>	1,473	10.3%
	<b>SINGLE FAMILY MEDIUM DENSITY</b>	3,021	21.2%
	<b>APARTMENTS</b>	1,724	12.1%
	<b>EMPLOYMENT CENTERS</b>	2,694	18.8%
	<b>OPEN SPACE</b>	5,360	37.6%

**TOTALS**  
**14,272 AC. 100.0%**

- FIRE STATION
- JUNIOR S./OR SENIOR HIGH SCHOOLS
- ELEMENTARY SCHOOL
- BUS SYSTEM R.O.W.
- VILLAGE CENTER
- NEIGHBORHOOD CENTER
- MAJOR ROAD

DATE: 6-25-2018  
 (ORIGIN AND GROUND)



**Exhibit B**

Land Use	Acres	% of Total	Dwelling Units Approved	Approved Density	Max Density
Single Family Low Density	1,473	10.3	2,711	1.8405	2
Single Family Medium Density	3,021	21.2	8,689	2.8762	4
Apartments - Single Family Attached	757	5.3	7,254	9.5885	10
Apartments - Multifamily	967	6.8	14,163	14.6463	15
Employment	2,694	18.9	1,361	0.5052	N/A
Open Space	5,360	37.6	0	0	N/A
Total NT District	14,272	100	34,294	2.4029	2.5