



Hickory Ridge Community Association

6175 Sunny Spring, Columbia, Maryland 21044 • 410 730-7327
hickoryridgevillage.org • thehawthorncenter.org

Zoning Board Case No. ZB1119M

Community Response Statement from the Hickory Ridge Community Association Board of Directors

Pursuant to Section 125.0.J.3.b.(1) of the Howard County Zoning Regulations, the Hickory Ridge Community Association, Inc. is pleased to provide the evaluation (Community Response Statement) to the proposed Plan for major redevelopment (Redevelopment Plan) of The Hickory Ridge Village Center, located at the intersection of Cedar Lane and Freetown Road in Columbia as submitted to the Howard County Department of Planning and Zoning on August 16, 2017.

In this Community Response Statement, we evaluate the proposal by Kimco Realty Corporation (Petitioner) with reference to (1) the Howard County Zoning Regulations (HCZR) and the expectations, requirements, and specifications for orderly redevelopment established by (2) Hickory Ridge in its Village Center Community Plan (VCCP), as amended and submitted to the Howard County Department of Planning and Zoning (DPZ) on March 21, 2016. Like the VCCP and as explained below, the Community Response Statement has been approved by a unanimous vote of the Board of Directors of the Community Association after receiving voluminous input from Village residents.

About Hickory Ridge Village and the Village Center

The second largest of Columbia's ten villages with approximately 4,700 households and just over 13,000 residents, Hickory Ridge is located on the west side of Columbia, approximately one mile from the Route 29 and MD 32 interchange. The Village Center is situated (at the corner of Cedar Lane and Freetown Road), close to Howard County General Hospital and Howard Community College, and is within 2 miles of the core of Downtown Columbia. Hickory Ridge is zoned New Town District (NT District) and is comprised of the Hawthorn, Clemens Crossing, and Clary's Forest neighborhoods.

Our vibrant and welcoming Village Center has been the heart of Hickory Ridge Village since it was built 25 years ago. Anchored by the 55,000 SF Giant Food store, the Village Center serves the needs of the local community and beyond by offering a diverse mix of retailers, personal services, and restaurants.

The November 2014 Columbia Market Study commissioned by the Columbia Association (CA), DPZ, and the Howard County Economic Development Authority evaluated the economic status of Columbia village centers in general, and the Hickory Ridge Village Center in particular. The Market Study found that the Hickory Ridge Village Center is a *"successful and well-maintained center with a stabilized tenant mix in a viable and dynamic market."* (Study 48-49) Having performed well through recessions, the Village Center is *"a symbol of strength"* in the retail marketplace (Study 17), with a low retail vacancy rate of 0.9%, significantly lower than the 10.1% overall retail vacancy rate for the eight village centers in the study. Those facts confirm the economic vitality of our Village Center. [(Study, Appendix: Hickory Ridge Village Center, Detailed Market Analysis 3)]

Described in the Market Study as “well-maintained” and “clean and pedestrian-friendly,” the Village Center is unique among other village centers located in NT District. The typical NT District village center is situated in the center of a village and is surrounded by high-density housing (apartments and condominiums), with lower-density housing (single-family homes, townhouses) radiating out from the higher-density center.

In contrast, the Hickory Ridge Village Center is located on the edge of Village boundaries and is adjacent to exclusively low-density single-family homes. The Village Center has grown and prospered without higher-density housing in, adjacent to, or in close proximity to the Village Center. The Clemens Crossing neighborhood is unusual for Columbia in that it is one of only four neighborhoods that consists entirely of single-family homes. **This Village Center was deliberately located and constructed by the original Columbia developer, Howard Research & Development, in a low-density area. Adding high-density at this location significantly changes the original design concept and character for this community.**

Our Village Center is also unique in that it is surrounded by parcels having five zoning classifications other than NT District. Each parcel is allowed differing uses upon redevelopment and none of the parcels is subject to the orderly redevelopment specifications described in the VCCP or the extensive community comment process allowed by the HCZR.

Planning for Village Center Redevelopment

In 2009, Howard County amended its development regulations to address future redevelopment of existing village centers and give residents the opportunity to evaluate and comment on redevelopment proposals. The amended HCZR define a “village center” in the NT District as a mixed-use development designed to be “a community focal point and gathering place for the surrounding village neighborhoods.” Pursuant to the HCZR, a village center should include, among other things, public gathering spaces, stores, offices, space for institutional use, and residential use ***to the extent appropriate to “support and enhance, but not overwhelm” other uses in the village center. (Emphasis added.)***

Citizen Engagement in the VCCP and Community Response Statement

Our VCCP and Community Response Statement are the result of many years of proactive planning and robust engagement on Village Center redevelopment issues by residents and landowners of the Village, community merchants, Kimco, CA, and the Village Board. Our extensive community engagement and planning efforts included the following initiatives:

- **Development of the Village Center Community Plan: 2009-2011**

Immediately after initiation of the HCRZ amendment with the passage of Howard County Bill 29-2009, the Village Board appointed a subcommittee of resident volunteers (Subcommittee) to develop our VCCP. The Subcommittee met more than 25 times over 16 months to study the existing Village Center and its potential redevelopment. The Subcommittee encouraged and received input and feedback from Hickory Ridge residents, landowners, and merchants.

With assistance provided by staff from our Community Association, CA, and DPZ, the Subcommittee developed the VCCP, which was approved by the Village Board on December 5, 2011, and submitted to DPZ in January 2012.

- **Revision of Village Center Community Plan: 2014-2016**

In the fall of 2015, in anticipation of Petitioner proposing redevelopment of the Village Center and pursuant to HCZR Section 125.J.2, the Village Board reconvened the Subcommittee to determine whether updates, additions, or corrections to the VCCP were appropriate. Although intervening changes in zoning and land use regulations necessitated minor revision of the original VCCP, the Subcommittee otherwise concluded that our VCCP largely stood the test of time with minimal changes. Accordingly, on March 21, 2016, the Village Board adopted the Subcommittee's recommendations, approved minor revisions, and reaffirmed the remainder of the original VCCP.

- **Goals, Recommendations, and Specifications for Hickory Ridge Growth**

Our VCCP articulates for developers, DPZ staff, and residents our community's long-term vision and expectation for orderly growth and redevelopment of the Village Center, including general recommendations and detailed specifications regarding land use, the development process, and design and architectural concepts, including:

- **Residential Use Permitted Only as a Secondary Use**

Limited residential use only as a secondary use to retail use, which is specifically in line with the HCZR requirement that residential use not "overwhelm" retail use.

- **Redevelopment Must Retain and Enhance the Retail Core**

Redevelopment must retain the Retail Core as heart of Village Center; the plan must enhance the Retail Core; redevelopment is not to compete or draw activity away from Retail Core.

- **Retail Pad Sites Discouraged**

Retail pad sites detract from established cohesive retail activity and, therefore, are discouraged.

- **Three-Story (36 feet) Maximum Building Height**

- **Redevelopment is to be Compatible with Adjacent Properties**

- **Redevelopment is to Conform with Design Concepts**

Redevelopment should conform with articulated design concepts in the VCCP.

- **Stakeholder Input on the Redevelopment Plan**

In the fall of 2015, Petitioner initiated the multi-step zoning process for a major redevelopment of the Village Center. The Village Board actively and repeatedly solicited community input regarding the Redevelopment Plan. In this regard, the Village Board and Community Association staff:

- Hosted public meetings where we educated residents, landowners, and business owners about the Redevelopment Plan; explained how our VCCP informs the redevelopment process; and received varied and deeply-impassioned community response on the Redevelopment Plan.

- Provided updates on zoning processes and plans for stakeholders through our Community Association website and at numerous community meetings.

- Attended all planning and pre-submission public meetings, including each of the 19 small group meetings hosted by Petitioner.

- Conducted an October 2016 survey requesting resident input regarding the Redevelopment Plan. The Survey garnered 639 unique participants and 466 comments.

- After the submission of a revised Redevelopment Plan, welcomed Hickory Ridge residents, landowners, and merchants to Village Board meetings between August and November 2017 to gather feedback and elicit comments on the revised Plan and this Community Response Statement.

Community Response Statement

We address below the items in the letter from Geoffrey Goins, Chief, Division of Public Services and Zoning Administration, Howard County Department of Planning and Zoning, dated October 6, 2017.

Part I: Evaluation of Whether Redevelopment Plan Meets the Zoning Regulations

The Hickory Ridge Village Board provides the following responses to Section 125.J.4.a.(8) to identify the impacts of the Hickory Ridge Village Center redevelopment on the nature and purpose of the Village Center and its relation to the surrounding community. After careful deliberation, the Village Board has concluded that the Petitioner has failed to demonstrate that its Redevelopment Plan meets most of these criteria. The Village Board, as a reflection of our village resident views, recommends that the Howard County Zoning Board deny the Redevelopment Plan as proposed. We find the overall proposal is not in harmony with the Howard County Zoning Regulations and the Village Center Community Plan.

A. Section 125.J.4.a (8)(a): Orderly Growth, Purpose, and Character

The Village Center Redevelopment will foster orderly growth and promote the purposes of the Village Center in accordance with the planned character of the NT District.

Redevelopment of the Village Center pursuant to the Redevelopment Plan fails to foster orderly growth and promote the purposes of the Village Center in accordance with the planned character of the NT District for the following reasons:

1. A large apartment structure in otherwise low-density residential development does not foster orderly growth.

Typically, a village center in Columbia is centrally located within the village neighborhoods and surrounded by high density housing, moving out from a central commercial area into areas of lower density. The Hickory Ridge Village Center is unique in its location because it is sited on the edge of the village, adjacent to single-family, low-density housing.

The proposed addition of a 254,636 SF four-story, 230-unit apartment structure with an accompanying six-level garage in an area of otherwise low-density single-family development is jarring and incompatible with the character or height of nearby existing development and therefore does not foster orderly growth within the area.

2. The proposed amount of residential does not foster orderly growth because it will overwhelm other uses in violation of HCZR Section 103.

In the event a multi-family apartment building is a permitted use in the Village Center under the HCZR, by virtue of a zoning change or otherwise, the imposition of Petitioner's proposed four-story apartment structure with accompanying six-level garage is nevertheless contrary to the orderly growth requirement in HCZR Section 103 (definition of Village Center, New Town), which provides that:

residential use in a village center is only permitted to the extent appropriate to support and enhance, **but not overwhelm**, other uses in the village center.

In this regard, Section 103 does not establish residential use, or residential use of any particular density, as a permitted use of right in a NT District Village Center. Instead, Section 103 merely defines what uses the character of a NT District Village Center calls for if those uses are otherwise permitted by the HCZR. Thus, Section 103 establishes a limit on the amount of residential use, if such use is otherwise permitted.

Applied to the Hickory Ridge Village Center, if an apartment building were otherwise a permitted use in the Village Center, the proposed amount of residential use nevertheless exceeds the limits established in Section 103 because the amount, scale, frequency, intensity, and purpose of the residential use so greatly exceed and threaten to overwhelm all other uses at the Village Center combined. The proposed residential square footage is 254,636, as compared to retail square footage of 105,100.

B. 125.J.4.a(8)(b): Amount of Commercial Business Floor Area to Serve Community

The amount of commercial business floor area contained in the Village Center Redevelopment is appropriate to provide retail and commercial service to the Village as a location for convenient, diverse commercial business uses which serve the local neighborhoods of the Village and surrounding local community.

The commercial use contained in the proposed redevelopment is appropriate to provide retail and commercial service to the Village as a location for convenient, diverse commercial business uses which serve the local neighborhoods of the Village and the surrounding local community.

The existing commercial use in the Village Center is 97,321 SF. The proposed commercial use after redevelopment will be 105,100 SF, an increase of 7,779 SF. Because the existing amount of commercial space in the current Village Center has served our community well for 25 years, the minimal proposed increase in commercial square footage is expected to have little impact on the surrounding community, provided that the mix and the quality of uses is maintained.

C. Section 125.J.4.a(8)(c): Fostering the Purpose of Village Center as Focal Point for Community Interaction

The Village Center Redevelopment will foster the purpose of a Village Center as a community focal point providing good opportunities for community interaction and communication.

The proposed redevelopment does not sufficiently foster the purpose of a Village Center as a community focal point providing good opportunities for community interaction and communication.

In its current configuration, the Village Center consists of two rows of commercial store fronts facing The Avenue, creating an intimate setting of pedestrian walkways with trees and benches. It is a safe and pedestrian friendly gathering space for shoppers and residents. As part of any redevelopment, it is important to retain or replace the safe, welcoming gathering space that exists within the Village Center so that the center continues to provide opportunities for social interaction. The configuration of the community space in the proposed Redevelopment Plan does not have the same merchant frontage as the existing space. The store locations are fragmented and not conveniently adjacent to the gathering space. One side of the new space abuts a traffic-bearing street while the other side abuts a new parking lot. This fragmentation creates a sense of isolation for many of the stores located away from the gathering space. The layout of the shops and restaurants creates multiple

separate areas for walking and seating. Spreading out the outside seating takes away from the sense of community that having the spaces near each other would provide.

If this plan is approved, Hickory Ridge Community Association requests to have input on the design elements of the community space, to ensure that the following are included:

- Space for concerts or gatherings
- Raised stage area with electrical outlets
- A safe environment for children to play
- Artwork and/or interactive sculptures
- An intimate feel to the space, similar to that which currently exists
- Community notice board
- A variety of seating options (tables, benches, step seating)
- Other amenities for community activities

D. Section 125.J.4.a(8)(d): Enhancing the Existing Development

The location and the relative proportions of the permitted uses for commercial businesses, dwellings, and open space uses, and the project design will enhance the existing development surrounding the Village Center Redevelopment.

The project design, location, and relative proportions of the permitted uses for commercial businesses, dwellings, and open space uses fail to sufficiently enhance the existing development surrounding the proposed redevelopment.

1. Project Design

a. Parking layout near CA Parcel

CA allocated funding for the construction of a community park on the adjacent CA parcel several years ago. The lack of convenient, shared parking near the CA Parcel will hinder community use of the proposed park and, therefore, the Redevelopment Plan does not sufficiently enhance existing and future development.

b. Retail Layout

The proposed reconfiguration of existing retail space detracts from the community-focused character and purpose of a NT District Village Center in the following way:

- Currently, shoppers conveniently park at one of the generous surface lots located at either end of The Avenue and stroll down the length of the airy promenade, shopping at conveniently-adjointing stores and stopping to interact with friends and neighbors at benches, seating areas, around the signature fountain, and in the courtyard/stage area where performances and community activities are held.
- Petitioner proposes demolishing the existing one-story retail building containing approximately 29,912 SF of retail space, dismantling The Avenue concept, and establishing new retail in various disconnected locations in the Village Center, including a pad site, a feature which is specifically discouraged in our VCCP.
- The existing configuration of convenient, connected shops would be replaced with disjointed, stand-alone buildings, scattered at seven separate and disconnected locations dispersed throughout the Village Center. Views and connections between shopping areas will be interrupted by traffic-bearing internal roads, parking areas, and other retail buildings.

- Currently, The Avenue invites shoppers down a centrally-located village promenade. Under the proposed redevelopment, visitors will be forced to cross traffic-bearing internal roads, uncovered walkways, and surface parking lots to make their way between disconnected shopping areas.

c. Public Gathering Space Layout

The proposed reconfiguration of community gathering space does not promote the character or purpose of a NT District Village Center. Petitioner proposes reconfiguring the existing public gathering space with a more urban landscape. As reconfigured, the public space would consist of a rectangular outdoor greenspace, adjacent to just three of the seven proposed retail sites, plus various walkways abutting and between the retail sites scattered within the Village Center boundaries.

The approximate 40,500 SF rectangular greenspace would be bordered on one end by an internal traffic-bearing road (bearing the mass of the four-story 230-unit apartment building on the far side of that road); on the other end by a parking lot.

The traffic-bearing internal road, parking area, and massed landscaping would visually separate the Village Green within the Village Center, creating physical and psychological barriers from all but the immediately adjacent stores, effectively disconnecting the Village Green from shoppers and merchants who are not directly on the Village Green. This disconnect between retail, shoppers, and the Village Green risks creating a sense of isolation within the Village Center and establishing an impersonal and urban character not in keeping with the community-focused purpose and character of a NT District Village Center.

Dispersed walkways and seating areas mean that merchants, shoppers, and neighbors are similarly dispersed and may miss important opportunities for socializing and meaningful community interaction. By not optimizing opportunities for residents to socialize and interact, the Village Center fails to serve the purpose as a community gathering space, and focal point for communication and interaction, thereby failing to promote the purpose and character of a NT District Village Center.

d. Internal Road Layout

The layout and terminus of Street B were identified as problematic at the DAP meetings on December 7, 2016 and February 8, 2017 meeting. Petitioner's proposal fails to resolve these issues.

- Vehicular traffic entering Street B from Freetown Road lacks sufficient accessibility to the main parking area. The only options to get from the Village Center's primary entrance on Freetown Road to the main parking lot is to (1) immediately turn left at the high-volume entrance onto Street A, which may be clogged with high volume parking and turning activity, or (2) to loop around the back of the Giant through the merchant service and delivery area.
- Vehicular traffic on Street B lacks turn-around options, requiring vehicles to loop around the back of the Giant through the service and delivery area to return if they miss their turn or cannot immediately locate parking. This is inconvenient to both shoppers and merchants. At the February 2017 meeting, the DAP urged better design to address these issues, suggesting alternative paving materials and providing signage from Street A to Street B to signal drivers to avoid circling behind the Giant store.

- The proposed Redevelopment Plan fails to adequately address truck access and path of travel for deliveries to retailers and restaurants.
- The Redevelopment Plan fails to address concerns for adequate access for fire and rescue vehicles to the apartment building from Street B, where the travel lanes are narrow and there is parking on both sides of the street.

e. Ingress/Egress Layout

Ingress and egress at both Freetown Road and Quarterstaff Road are problematic because residential traffic from the proposed apartment building must exit the site through the shopping center.

2. Location

a. The proposed apartment location is incompatible with adjacent NT neighborhood of exclusively single-family homes.

The addition of multi-family use in the form of the proposed four-story 254,636 SF, 230-unit apartment building is not compatible with the character or height of the surrounding property and fails to sufficiently enhance that existing development.

b. The proposed apartment location at the intersection blocks the view of retail merchants.

The location of the proposed apartment building is at the intersection of Cedar Lane and Freetown Road. The four-story, up to 55-foot tall apartment building will block views of Village Center shops from Cedar Lane, the main access/feeder road to the Village Center. The ability to see the commercial area of the Village Center from Cedar Lane was a key element of the VCCP.

c. The proposed apartment location blocks visual and pedestrian access to the CA Parcel.

The apartment building will also block easy visual and pedestrian access to the undeveloped three-acre Columbia Association buildable parcel at the Village Center. Columbia Association has funded initial design of a community park on this parcel. The design and configuration of the Redevelopment Plan cuts off public access to what is planned to be a community amenity.

d. The proposed apartment location is incompatible with the single-story shopping center.

As noted elsewhere, the addition of the proposed four-story 254,636 SF, 230-unit apartment building is not compatible with the character or height of the existing NT District Village Center, and therefore does not enhance the existing development or the proposed redevelopment.

3. Proportion of Apartment Building

a. Relative to Adjacent Neighborhood of Single-family Homes

The Hickory Ridge Village Center is surrounded by single-family residential properties. The addition of the proposed four-story 254,636 SF, 230-unit apartment building is not compatible with, proportionate to, or in keeping with the scale of the neighboring homes in Hickory Ridge. The overwhelming size and bulk transforms the suburban neighborhood look and feel into an urban, higher density character that does not enhance existing area.

b. Relative to Existing Single-Story Village Center

The amount of proposed residential use is incompatible with existing development because it threatens to overwhelm, rather than enhance, other uses in the existing and proposed development; is incompatible in scope, size, bulk, square footage, proportion, and purpose to all other uses in the Village Center combined; changes the existing character of the area from suburban to high-density urban, and fails to sufficiently enhance the existing Village Center without threatening to overwhelm it. Specifically:

1. Existing Use

- The predominate and primary use (by square footage), activity, and purpose at the Village Center is retail, with 97,321 SF.
- There is *no* existing residential use at the Village Center. According to the FDP, Sunrise Assisted Living is a commercial use. Residential use as proposed by the Petitioner would not be a permitted use.
- There is approximately 34,000 SF of public space existing at the Village Center in the form of public walkways forming The Avenue and the courtyard/stage area.

2. Retail Use

- The amount of existing retail use at the Village Center is 97,321 SF.
- The proposed amount of additional retail is 7,779 SF.
- The total proposed retail use post-completion is 105,100 SF.
- The proposed change in retail is 7.9% increase.
- Retail comprises 100% use at the existing Village Center.
- Retail will comprise 29% use after redevelopment.

3. Residential Use

- The amount of existing residential use at the Village Center is 0 SF.
- The proposed amount of new residential use is 254,636 SF.
- Residential will comprise 71% of all use after redevelopment.

4. Mix of Uses Post-Development

- The proposed mix of use post-development is 254,636 SF residential/105,100 SF retail.
- The proposed percentage of use post-development is 71% residential/retail.
- The proposed amount of residential use will be almost one and one-half times more than the proposed retail use.
- Even including public space (which is not a “use”), the square footage of proposed residential use (254,636 SF) exceeds the combined amounts of proposed retail use and public space (145,600 SF) by 109,036 SF.
- The proposed redevelopment would make residential use primary and vastly overwhelm the remaining uses in size, bulk, volume, square footage, activity, and purpose.

E. Section 125.J.4.a(8)(e) Criteria: Landscape Features

Section 125.J.4.a.(8)(e): The Village Center Redevelopment provides accessible useable landscaped areas such as courtyards, plazas or squares.

The proposed redevelopment provides accessible useable landscaped areas such as courtyards, plazas or squares. However, the layouts do not foster community interaction in the following ways:

1. Village Green

The traffic-bearing internal road, parking area, and massed landscaping bordering the Village Green separate the Village Green from non-adjacent portions of the Village Center, creating a physical barrier from all but the immediately adjacent stores. The lack of a direct connection between the Village Green and distantly located retail strips/pad site creates a feeling of separation, further limiting community interaction and communication.

2. Public walkways and seating areas

With shops scattered in different locations, Petitioner proposes public walkways and crosswalks to navigate between retail locations. Seating areas within the boundaries of walkways are also dispersed throughout the Village Center.

Dispersed walkways and seating areas mean merchants, shoppers, and neighbors are similarly dispersed and may miss important opportunities for socializing and meaningful community interaction. By not optimizing opportunities for residents to socialize and interact, the Village Center fails to serve the purpose as a community gathering space, focal point, and place for communication and interaction, thereby failing to promote the purpose and character of a NT District Village Center.

3. Village requested additional features

- Space for concerts or gatherings
- Raised stage area with electrical outlets
- A safe environment for children to play
- Artwork and/or interactive sculptures
- An intimate feel to the public space, similar to that which currently exists
- Community notice board
- A variety of seating options (tables, benches, step seating)
- Other amenities for community activities

F. Section 125.J.4.a(8)(f): Compliance with Environmental Policies

The Village Center Redevelopment is compliant with all applicable environmental policies and requirements, and provides new environmental improvements to the redevelopment area through the use of methods such as, but not limited to, green building standards, water conservation, natural drainage systems, the planting of native vegetation, the removal of existing invasive plants, the improvement of storm water deficiencies, and following low impact development practices.

The Village Board cannot provide an assessment regarding the Redevelopment Plan’s compliance with applicable environmental policies and requirements, except with respect to compliance with the environmental recommendations for development set forth in our VCCP, which are described herein elsewhere.

With the construction of additional buildings on the property, the quantity and quality of run-off will change. The proposed Plan increases impervious surface, while decreasing pervious surfaces. The developer has indicated that minimum LEED standards will be incorporated into the design. **We request that the highest possible standards, as recommended by the DAP, be used with this project, including use of pervious pavement, native vegetation, rain gardens, solar panels, etc. We also specifically request that recycling bins be included in the project.**

G. Section 125.J.4.a(8)(g): Pedestrian and Bicycle Access

Pedestrian and Bicycle Access Petitioner's proposal for pedestrian and bicycle access.

The Petitioner's proposal for pedestrian and bicycle access should address the following:

1. Pedestrian access from Cedar Lane

Many visitors to the Village Center come from the Harmony Hall Assisted Living facility to the west across Cedar Lane and from the Hickory Crest 55+ development to the north across Freetown Road. Crosswalks currently exist on the county roads and connect to sidewalks on the Village Center site. Although the Freetown Road access at the crosswalk remains the same in the Plan, the pedestrian access from Cedar Lane at the traffic signal into the Village Center will be significantly changed and the route will be lengthened with the construction of the apartment building.

2. Limit pedestrian crossing of traffic-bearing travel lanes

On-site circulation for pedestrians needs work. The need to cross vehicle travel lanes to get to various structures including the Retail Building B, the Bank Building, and the retail space below the apartments should be carefully considered.

3. Add crosswalk between paseo and Retail Building B

The addition of another crosswalk from the sidewalk between the paseo to Retail Building B would provide a visual and actual safer connection.

4. Pedestrian access from Goddard School and Sunrise Assisted Living

Residents of Sunrise Assisted Living and users of the Goddard School adjacent to the Village Center also need easily accessible access to the retail areas. Proposed walkways should be enhanced to clearly delineate the pedestrian area within the parking field.

H. Section 125.J.4.a(8)(h): Public Transportation

Public transit opportunities are appropriately incorporated into the Village Center Redevelopment.

The Redevelopment Plan incorporates public transportation by indicating public bus stops will remain at existing Village Center locations.

The public transportation plan would be enhanced by:

1. Bus pull-off

The Redevelopment Plan should include a designated bus pull-off area out of the travel lane. This is an existing issue at the center that should be addressed.

2. Covered bus stop

The Redevelopment Plan should include a covered structure for the bus stop, similar to the one Petitioner included at the Wilde Lake Village Center.

3. Bike share

The Redevelopment Plan should include a bike share facility coordinating with the system used in Downtown Columbia.

I. **Section 125.J.4.a(8)(i): Compatibility with Surrounding Community**

The Village Center Redevelopment is compatible with the surrounding community.

The proposed Redevelopment Plan is not compatible with the surrounding community.

The Hickory Ridge Village Center is located adjacent to the Clemens Crossing neighborhood. Consisting of exclusively single-family homes, Clemens Crossing has a distinctly suburban character and feel. The proposed addition of apartments to this neighborhood is not in keeping with its intended character or feel and would move the neighborhood from a suburban character to a more urban atmosphere.

Residential is only permitted in the Village Center under the VCCP as a secondary use to the retail. In the proposed Plan, residential is the primary use.

The VCCP limits buildings to 36 feet in height. The up-to-55-foot, four-story, 230-unit apartment building exceeds the height limit and is incompatible with the surrounding community, the immediately adjacent neighborhood of single-family homes, and the single-story Village Center.

The proposed massive size of the four-story 254,636 SF, 230-unit apartment building is incompatible with the surrounding community, the immediately adjacent neighborhood of single-family homes, the single-story Village Center, and the size and scope of other uses in the Village Center.

J. **Section 125.J.4.a(8)(j): Meeting Definition of New Town Village Center**

The Village Center will continue to meet the definition of a New Town Village Center.

Petitioner's proposed redevelopment would not meet the definition of a New Town Village Center.

The HCZR define a village center as a mixed-use development in the New Town District that is designed to be "a community focal point and gathering space for the surrounding village neighborhoods." The retail space is of sufficient size to provide a range of shops, stores, services, and restaurants to meet the needs of the community. The Plan provides for community space within the commercial area of the site. In these ways, the proposed Plan appears to match the definition of "village center."

However, a three-acre parcel owned by CA within the boundaries of the Village Center has been designated for a community park, and the Redevelopment Plan hinders access to the park and limits nearby parking. This park was under design prior to Petitioner's initial discussions about redevelopment of the Village Center. The lack of integration of the CA plan for the adjacent parcel does not meet the definition.

The HCZR allow residential uses "to the extent appropriate to support and enhance, **but not overwhelm**, other uses in the village." Under the proposed Redevelopment Plan, the 254,636 SF apartment building overwhelms the 105,100 SF retail component and becomes the predominant use of the center. An apartment building as proposed might be appropriate in a village like Wilde Lake where multi-family housing already exists immediately adjacent to the Village Center.

However, because there is no high-density housing in or around the Hickory Ridge Village Center, and because the surrounding NT neighborhood of Clemens Crossing is entirely single-family homes, the introduction of a dense concentration of 230 apartments to the area is not in keeping with the original planned community and overwhelms the center and the neighborhood.

Therefore, the Redevelopment Plan, with the currently proposed large apartment building that overwhelms other uses, blocks views of retail from the primary access road, and changes the character of the existing neighborhood does not conform to the definition of a village center in the planned NT zone.

Part II: Specific Approval Criteria Recommended for Zoning Board Consideration

In accordance with the Howard County Zoning Regulations, Section 125.J.3.b.(2), the Hickory Ridge Village Board is providing a response to other specific approval criteria it recommends be considered by the Zoning Board.

A. Amended Final Development Plan

When considering Petitioner's Redevelopment Plan, we urge consideration of the terms and conditions set forth in the Amended Final Development Plan for Hickory Ridge Village filed as Plat No. 3054A-1778 among the Howard County Land Records on June 17, 1999 (the FDP), for several reasons.

First, our Village Center has grown and thrived for 25 years under the existing FDP. We have welcomed new residents, businesses, schools, service providers, and institutions to our community since this FDP was adopted. This FDP has galvanized our community and led to a robust Village Center. The FDP has been successful. It works! We hope to continue flourishing under its general terms with appropriate modifications.

Second, original residents and all the newcomers, businesses, schools, service providers and institutions who have joined our community in the last 25 years have joined us with the expectation that the Village Center and our community would operate under the existing FDP. We hope to continue to do so with appropriate, limited modification only where necessary.

Third, a significant departure and a dramatic transformation of the FDP risks reversing the success our Village Center and residents enjoy. We are thriving in a robust ecosystem with our Village Center at the heart. We welcome appropriate updates and necessary changes, but wholesale changes that transform the character of our Village Center and our community are unnecessary and unwanted.

We appreciate Kimco's investment-driven obligation to maximize profits for shareholders. We understand that repositioning older, underperforming village centers with the addition of incremental residential housing is appropriate in villages where compatible multi-family housing exists. Hickory Ridge, however, is not one of those villages. Instead, we urge Kimco to consider the recommendations in the Market Study to otherwise realize profits from our center, including alternative, less dense housing, office space, and creating an active merchant marketing recruitment and retention program.

While healthy for investors, Petitioner's proposed Redevelopment Plan is not healthy for our community. We urge Petitioner and the Zoning Board to consider more appropriate, compatible alternatives. While Petitioner may be in a rush to establish the Wilde Lake Alta Vista model as a paradigm across its six owned village centers, we urge reconsideration of imposing an urban

character with high-density apartments upon our Village and residents. **Seventy-six percent (76%) of survey respondents are opposed to this project, as proposed.**

Further, the marketplace has not proven the Alta Vista at Wilde Lake paradigm worthy of widespread application. A January 2, 2017 *Wall Street Journal* article “Luxury Apartment Boom Looks Set to Fizzle in 2017” indicated that a glut of supply is bringing a 7-year luxury apartment boom to an end. Until sufficient, long-term data is available to suggest the Alta Vista model is a winner and that Hickory Ridge needs a change, we respectfully request continued application of the existing FDP regarding multi-family housing use.

We hope the Petitioner will reconsider its incompatible transformative proposed Plan, re-examine our VCCP, and work with stakeholders for a win-win situation for Kimco investors and our community.

B. Hickory Ridge Village Center Community Plan (VCCP)

The VCCP is the result of several years of hard work and consensus building by residents of Hickory Ridge. It is a statement of our shared community vision of what we hope and expect the future of our Village and Village Center will look like when redeveloped. It is incumbent on the County and the Petitioner, as owner of land in our Village Center, to consider all elements of the VCCP.

We are confident Petitioner is aware of specifications and recommendations of our VCCP because:

- Village residents and Board members consulted with Petitioner’s representatives during the process of drafting the VCCP;
- Petitioner conducted 19 pre-submission Small Group Meetings to gather resident feedback on the Redevelopment Plan, which included comments on specific reasons why the Plan failed to meet VCCP recommendations and specifications; and
- At the December 7, 2016 DAP meeting, DAP members adopted resolutions urging Petitioner to revisit, reconsider, and readdress its failure to incorporate VCCP recommendations, including, among others, recommendations to reduce building height, design concepts, appropriateness of residential use, compatibility with surrounding area, and environmental sustainability.

In this regard, we especially urge consideration and application of the following recommended specifications Petitioner has failed to adequately address, or sometimes acknowledge:

1. Specification: Limited residential use only as a secondary use to primary Retail Core

VCCP specifications recommend that “some limited residential uses only permitted as a secondary use to the retail and designed as part of a mixed-use development with retail as the primary use” (VCCP 19).

The 254,636 SF of proposed residential space would represent 71% of combined proposed residential and retail space in the redeveloped Village Center. As such, retail use would be vastly subordinate to the residential use in area, scale, intensity, and purpose; and would exist only as a secondary use to the residential use in contravention of the above recommendation. Indeed, the proposed amount of residential use would be almost one and one-half times *more* than the proposed retail use.

2. Specification: Recognition that the Retail Core is at the center of the village

VCCP specifications state that “All development must recognize that the Retail Core is at the center of the village” (VCCP 19).

Compared to the proposed 105,100 SF of retail use, the proposed 254,636 SF of residential use would be primary in scale, volume, frequency, intensity, and purpose at the redeveloped Village Center. The proposed mix (71% residential/29% retail) means residential use would disproportionately outweigh the scale, volume, and intensity of the retail use, replacing retail as the heart and center of our Village Center in contravention of VCCP recommendations that the Retail Core remain the center.

The proposed shift away from predominantly retail use to predominantly higher-density residential use fails to demonstrate Petitioner’s recognition that the Retail Core is the heart of our Village Center. Petitioner’s Redevelopment Plan does not conform with, or even acknowledge, this specific and major component of the VCCP which is central to maintaining the purpose, identity, and heart of our Village Center.

3. Specification: Redevelopment must enhance the Retail Core

The VCCP provides that “All development must...make an evaluation and presentation as to how the proposed project enhances the retail core.” (HRVP 19)

While an increased customer pool from residents of the proposed apartment building would be positive, the dramatic change in the nature and character of the Village Center by the addition of the apartment building outweighs that positive factor and does not alone establish that the Retail Core will be protected and enhanced by this transformative change.

4. Specification: Maximum building height will not exceed three stories (36 feet)

VCCP provides that “Maximum building height should be limited to three stories (36 feet).” (VCCP 25) The Petitioner indicates that the proposed apartment building height will be up to 55 feet.

5. Specification: No retail pad sites

The VCCP states that “Proposed retail pad sites developed at the perimeter of this retail core may take away the cohesive cluster of retail activity of the retail core and should be discouraged.” (HRVP 19)

The VCCP recommends against retail pad sites, especially at the perimeter of the Village Center where such distantly located retail draw shoppers from the central core areas. Petitioner’s Plan contravenes the recommendation and proposes a bank pad site on the perimeter. In addition, the Plan requires pedestrians to cross busy travel lanes to reach the retail in Building B and the lower level of the apartment structure.

C. Market Study

The Columbia Market Study analysis of the Hickory Ridge Village Center detected no weaknesses at the center. Unlike the other village centers in Columbia, Hickory Ridge is positioned on a minor arterial, Cedar Lane. It is not tucked away in a neighborhood surrounded by various housing types. Rather it is located on the edge of a neighborhood made up entirely of single-family homes. The area is stable and the center draws from a large surrounding area with sufficient demographics to

support the existing center. The mix of retail and restaurants adequately serves the community. **No case has been made for the need to add multi-family housing to the Village Center itself.**

D. Traffic Study

- **Level of Service**

The traffic study indicates that there will be minimal additional impact to traffic on surrounding streets. Typically, residents leave their homes between 7 and 8 am to go to work. Atholton High School has a start time of 7:25 am. The intersection of Freetown Road and Quarterstaff Road is difficult to navigate for both cars and pedestrians at many times of the day, but particularly in the early morning. It strains credulity to believe that adding 230 more housing units to the mix, all of whom will be directed to Quarterstaff and/or Freetown in order to access major commuter routes, will not have a significant impact on Level of Service at this intersection as well as the intersection of Freetown Road and Cedar Lane.

- **Access and Traffic Circulation**

The Village Center currently has five access points. The Plan does not provide any new access points, except for the addition of a northbound only slip lane from the site onto Cedar Lane. The layout of the drive aisles within the site are problematic for on-site circulation. Vehicles will need to navigate a range of parking options including field, parallel, and angled parking to get onto and off the property. Residents of the apartments will exit the parking garage and need to find their way through the shopping center to get onto the main road using the same drive aisles as shoppers, emergency vehicles, deliver trucks, etc. **We request a detailed review of the proposed layout to ensure the most efficient and safe traffic circulation for all vehicles.**

- **Pedestrian Safety**

The walk routes for Atholton High School and Clemens Crossing Elementary School include the Quarterstaff and Freetown intersection. Although there is a crossing guard for the elementary school start time, there is none for the high school. **A full roundabout or similar traffic calming method at this intersection is requested to ensure safety for both vehicles and pedestrians, as it would slow traffic in all directions.**

E. Design Advisory Panel

The process for redevelopment of a village center requires that subsequent to the pre-submission meeting and prior to filing the petition, the Petitioner must present the Concept Plan and Proposed Design Guidelines to the Design Advisory Panel for evaluation according to Section 16.100 of the Howard County Code. The DAP process encourages excellence in project architecture and site design to improve design compatibility with surrounding development, to promote revitalization, and to enhance property values. It is important to note that the DAP had significant concerns with Petitioner's initial presentation on December 7, 2016, and required that the Petitioner re-present the Concept Plan and Proposed Design Guidelines on February 8, 2017.

- **December 7, 2016 DAP Meeting Recommendations**

1. That the applicant reconsider the scale, massing, and appropriateness of the residential building.
2. That the applicant consider a more sustainable approach so that the Village Center sets an example for all other village centers.

3. That the applicant not just look at the residential building, but also at the architecture of the Giant and the retail buildings to create an identity that works with the neighborhood and results in a unified project-including the senior living center, the Goddard School, and the greater site.
 4. That the applicant consider the layout of street B, its terminus, and how it loops around the project.
 5. That the applicant return to the DAP once it has considered and responded to the DAP recommendations.
- **February 8, 2017 DAP Meeting Recommendations**
 1. That the applicant look at design options, such as paving and signage, to better direct vehicular traffic from Freetown Road to the main parking area.
 2. That the applicant look at options that help avoid vehicles from driving through the service area behind Giant.
 3. The applicant should strengthen the pedestrian connections to the Goddard School and Sunrise Senior Center to the Village Green.
 4. The applicant should continue to set an example as a green village center.

The Concept Plan did not significantly change between the December 7, 2016 and the February 8, 2017 DAP meetings. Although Kimco made incremental changes to the apartment building to mask the building's bulk, the building remains a 254,636 SF four-story, 230-unit apartment structure that dominates the skyline along Cedar Lane, resulting in a complete visual blockage of the retail component of the Village Center from Cedar Lane, the primary artery into the village. Kimco addressed the traffic circulation problem with only minor paving changes, which did not solve the concerns. Also, the environmental standards are the minimum required, which does not set this Concept Plan apart as an example of a green village center.

The recommendations from the first meeting were not significantly addressed, and yet the DAP changed its position from a negative to a positive for the same project. The residents, along with the Village Board, do not agree with the DAP's change of position between the two meetings. **Therefore, we request that the Planning Board consider the original recommendations from the DAP.**

Part III: In accordance with the Howard County Zoning Regulations, Section 125.J.3.b.(3), the Hickory Ridge Village Board endeavors to provide a response on the Hickory Ridge Village Center redevelopment.

A. Section 125.J.3.b.(3)(a): The boundary of the Village Center proposed by the.

The boundary proposed by the Kimco Plan is the same boundary as set out in the Hickory Ridge Village Center Community Plan.

B. Section 125.J.3.b.(3)(b): Planning and Design Concepts, including but not limited to how it fits into the surrounding area.

1. Building Design

The design of the proposed buildings at the Village Center is attractive. However, the elements of the design are not in keeping with the architectural style of homes and businesses in the surrounding area. Although the updated design of the Giant building attempts to blend the more contemporary style of the new construction with the existing traditional homes in the surrounding neighborhood, the overall design, with its residential above commercial and interior garage space, is urban and not suburban. The massive, four-story apartment building is out of scale with the community.

2. Walkways

Covered walkways are an important element of the existing Village Center. They provide easy access between stores during bad weather. It is unclear how many of the walkways will remain and whether the new construction will include coverings that will shield pedestrians from inclement weather. Some elements of the submission include drawings of the paseo that seem to include awnings or canopies that are simply open slats rather than providing the full coverage that residents want to see. **The new design should retain the covered areas.**

3. Trash Enclosures

It is unclear on the submission drawings where and how the shops in Buildings A-1 and A-2 will dispose of trash. Although the design guidelines indicate that the service doors along the paseo will be attractive, neither the guidelines nor the site plans indicate where the dumpsters for these businesses will be located.

4. Signage

Recently, Kimco constructed a monument sign along Cedar Lane to identify the Village Center and list several of the merchants. Kimco also proposed interior directional signs in the parking lot, although these were never placed. The design of the signs is in keeping with the existing architecture of the Village Center. **If the new design for the center is approved, the design of the monument sign and any interior signs need to be changed to include the updated look of the center.**

5. Parking

The proposed angled parking along Street A between Retail Buildings A and B is a cause for concern since it is located on both sides of a two-way street. A similar concern exists for Street B between the apartments and Retail Building A-1. Angling the parking limits access from vehicles coming from the opposite direction. There is little space to circle around to a parking spot on the opposite side of the street. **The implementation of angled parking as it relates to traffic flow needs to be re-visited on the Plan.**

6. Plant Material

The proposed plant material is appealing. The design incorporates the use of native plants. **Sweetgum trees should not be included in the landscape plans due to the possible trip hazard caused by dropped fruit.**

C. Section 125.J.3.b.(3)(c): Whether the petition is in harmony with a Village Center Community Plan, if one exists.

The Plan submitted to Howard County by Kimco Realty on August 16, 2017 is not in harmony and conflicts with the VCCP in several ways:

- The 230 apartments proposed for the site make residential the primary use of the Village Center. The Zoning Regulations specifically state that *“residential uses, to the extent appropriate to support and enhance, but not overwhelm (emphasis added), other uses in the village”* could be part of a Village Center. The over 250,000 square feet allotted to apartments is not in harmony with the Village Center Community Plan.
- The apartment building is proposed to be up to 55 feet tall. The VCCP states that *“maximum building height should be limited to three stories (36) feet.”*
- The mass of the proposed 254,636 ST, 230-unit apartment building is out of scale with the single-family residential properties surrounding the Village Center.

D. Section 125.J.3.b.(3)(d): Minima, maxima, precise values, and/or specific requirements concerning, but not limited to, Village Center Amenity Areas, building heights, bulk requirements, parking, density, and/or permitted uses.

1. Amenity Areas

As stated in the zoning regulations, a key use and focal point of a village center is the gathering space for the surrounding neighborhoods. It is important that any new space provide:

- A safe environment for children to play;
- A good location for concerts or gatherings;
- An intimate feel to the space in a similar way to what currently exists at the Village Center;
- A raised or stage area with electrical outlets;
- Artwork and/or interactive sculptures;
- A variety of seating (benches, tables, step seating);
- And other amenities for community activities.

2. Building Height and Bulk Requirements

The proposed design guidelines include building heights of four stories and up to 55 feet. The Village Center Community Plan specifically limits building heights to three stories (36 feet). The proposed designs for the facades are of high standards and will provide for an attractive streetscape. However, the designs are urban and are out of place with the suburban feel of the surrounding neighborhood. The design concepts applied to the apartment building in the attempt to break up the long wall of the building as it faces Cedar Lane are appreciated. However, the mass of the building is still imposing and completely blocks the view of the Village Center from the main road.

3. Parking

The VCCP noted that parking structures can be an efficient use of land to minimize large swaths of field parking. The design of the parking structure proposed is such that it will be surrounded by and completely enclosed by the apartment building. While such a design provides maximum

screening of the parking, the trade-off in such a design is to take the appearance of the Village Center from a suburban design to a more urban look.

The proposed redevelopment of the Hickory Ridge Village Center has been a topic for discussion in the community for two years. A consistent resident concern is the changes to the parking at the Village Center. Currently there are 505 surface parking spaces on the site which is better than 5 spaces per 1000 square feet of commercial space. The reconfiguration and relocation of some of the parking will change the number of surface spaces to 421 despite the increase in the square footage of retail space. The addition of 230 residential units will bring additional parking needs to the center. The Plan proposes parking for the building at the rate of 1.6 spaces per unit or 368 spaces within the building. The Plan does not indicate where overflow parking would be located if that ratio proves to be insufficient for the needs of the residents and their guests.

Parking for the entire site will be 789 spaces. Currently, all surface parking is laid out in a field design with rows of spaces broken by islands and drive aisles. The new design includes angled and parallel parking as well as field parking. The angled parking is of particular concern because spaces would angle in different directions on two-way streets making it difficult to pull into a space on the opposite side of the drive aisle. **Careful attention must be paid to the quantity of parking needed, the types of parking being provided, and the location of the parking related to demand. Consideration should be given to limiting the angled and parallel parking to two or three-hour maximums so there is frequent turnover of the spaces closest to the shops and apartments. Convenient parking must be provided for the Columbia Association park site.**

4. Historical Aspects

The Hickory Ridge Village Center Community Plan has a detailed section on Design Concepts to provide additional guidance related to design issues within the Village Center area. The VCCP notes that the project should also provide for setbacks, buffering, location of trash structures and landscape to provide a cohesive design that respects the different uses in the vicinity. The architecture of the project should be compatible with existing structures in the retail core.

The original VCCP did note several signature items including the white brick facades, The Avenue, and the stage/gathering area. However, the 2016 Addendum to the Village Center Community Plan suggested that it could be appropriate to update the design scheme. It was noted that any “changes to building colors and materials continue to be compatible with other structures (gas station, Goddard School, Sunrise Assisted Living) in the vicinity.” Although the Petitioner’s proposal does update the Giant building to make it more compatible with the new construction, it is silent on any effort to make either the gas station building (which is owned by the Petitioner) or the other nearby structures complimentary.

5. Environmental Design

Regarding environmental design, the VCCP requested that a Leadership in Energy & Environmental Design (LEED) Silver designation or equivalent be a goal of any redevelopment of the Village Center. **We request that the developer strive for the highest LEED designation possible.** Environmental features such as bio-retention ponds should be included, and existing bio-retention features should be maintained or upgraded accordingly.

6. Sign Guidelines

The proposed signage guidelines are in keeping with the guidelines laid out in the Village Center Community Plan. Within the past year, Kimco has placed a monument sign on Cedar Lane that is

depicted in the proposed design guidelines. The design of the sign matches the materials of the existing Village Center including the white brick. **If the new building design is adopted for the Village Center, all signage needs to be changed to reflect the new design.**

7. Streetscapes

The streetscapes proposed within the Village Center are attractive and meet the goals of the Village Center Community Plan. However, the visual appeal from Cedar Lane is lacking because the apartment structure entirely blocks the view of the commercial area. Paving surfaces, plantings, site furnishings, location of tables and chairs help to enhance the streetscape adjacent to the retail buildings as requested by the VCCP. Awnings and walkway coverings are an important part of the current design of the Village Center as they allow for access between buildings during inclement weather. **Covered walkways are an important architectural feature that should be included in the new Plan.** The paseo should be an attractive area for pedestrian use despite its use as the service entrance to some businesses. Service areas and dumpsters should be screened for all buildings, including the Giant if traffic patterns will force drivers to drive behind the Giant building.

8. Miscellaneous Design Elements

- Lighting standards proposed are comparable to those in the VCCP. Lighting should not bleed onto adjacent properties.
- Site furnishings proposed are attractive and compatible with the proposed building designs.
- Recycling bins should be included in the furnishings for the center.
- In addition to conveniently placed bicycle racks for community use, the village would like to see the addition of a bike share facility at the Village Center.

E. Section 125.J.3.b.(3)(e): Whether the Village Board has architectural review as designated in the Village covenants.

Hickory Ridge Community Association does not have architectural review responsibilities for the Village Center. That control rests with Howard Research and Development (HRD), a subsidiary of The Howard Hughes Corporation. If residential uses are approved for the Hickory Ridge Village Center, those residences would be the **only** units in the village that are not under the architectural control of the Hickory Ridge Community Association. The residents of the apartments **would be** voting members of the Hickory Ridge Community Association. In the event the FDP is amended to allow for residential uses at the Village Center, we request that Kimco Realty enter into private Architectural Covenants with Hickory Ridge Community Association.