

**Remarks of Ken Rice, Chair of Roland Park Community Foundation  
To Community Gathering at Roland Park Public Library  
July 15, 2008**

My name is Ken Rice, and I serve as Chair of the Roland Park Community Foundation. I wanted to add that we are disappointed in the BCC vote not only because of the incompatible use and sheer scale of what they have proposed the land, but also because they have deliberately and deceptively shut out the community from this process.

As David Tufaro previously indicated at the July 1 community meeting and as the Baltimore Sun has recently mentioned, the community has made three specific and standing offers to the Club for the land. These offers provided specific terms including purchase price, deposit amounts and closing dates. In the past 2 ½ years, community representatives including Jean Mellott, Otts Davis, Dr. Peter Kwiterovich, Mike DiPietro and myself have reached out to the BCC and met three times to reinforce our desire to purchase the land at fair market value.

The BCC said in their own letter to their members that they interviewed other prospective purchasers including developers and local schools, but **never once did they initiate a meeting with us...**that is, until last month when they announced in an emergency meeting that the deal with Keswick was done. At each of those earlier meetings they told us **they had no plans for the land and never once did they say they were considering a sale or contract.** In the meantime, it turns out they had been secretly negotiating on an exclusive basis with Keswick for many months, even while we asked to be at the table. The Club and Keswick have refused to share the facts about this, but I am hopeful that the truth of will come out.

The confounding thing in this matter is why the Club has deliberately excluded the community, the people who are most affected by the land, from the discussion. In their own letter to their members, the Club says, and I quote: **“...we would all prefer the status quo.”** Well, our offers have always presented a superior plan to preserve the open space, to create a win-win situation with the Club to pay them fair market value for the land and preserve the views from their Clubhouse, while creating amenities for our community and the City of Baltimore to share. Why can't we create a Sherwood Gardens like Guilford has? Why can't we have our own recreational facilities such as the pool and tennis courts in Druid Hill Park? Why can't we protect the tree canopy in our neighborhood and our City?

Our offers have always indicated that we would pay them fair market value for the land. Some have suggested that that the community would take too long, but BCC told us themselves that they have given Keswick over three years...until the end of 2010 to get their approvals. Why not give the community three years to create a better plan for everyone? As an aside, it must be noted that the land is not worth the \$12.5 million Keswick is willing to pay, absent a rezoning to accommodate a 323-unit high end continuing care facility. If someone could put a casino on the site, it would be worth even more than the \$12.5 million. **But you can't put a casino on the site.**

And this brings me to the discussion about the zoning. The land has been zoned for low density residential since it was granted to the BCC by the Roland Park Company back at the turn of the century. In fact, when the land was first granted, it was intended as green space and a social club for neighborhood members. To wit, the original deed to the BCC had covenants and included eight restrictions for the 31 acre property at issue. Let me read you the first two:

- (1) **That no shop store factory saloon or business house of any kind, no hospital asylum or institution of like or kindred nature and no charitable institution shall be erected or maintained on the premises hereby conveyed, but the said premises shall be occupied and used for residence purposes only and not otherwise.**
- (2) **That there shall not at one time be more than one residence or dwelling house on the land hereby conveyed.**

These covenants show the clear intent for the BCC land, and it is **not** to build and operate a 323-unit assisted living facility. The Roland Park community has also been designated by the National Park Service as a National Historical District. This proposed use will have a negative effect on our property values, particularly our friends and neighbors immediately nearby the Club. Even if you live farther away, our most affected neighbors deserve our help and support.

As someone recently said to me, I bet Edward Bouton, the planner and founder of Roland Park, must be rolling in his grave over the 323 unit assisted living facility proposed here.

**The key point here is that the community and the Club have benefitted for 110 years from the low density residential zoning on this land.** It has been zoned R-1, the most restrictive residential zoning in the City of Baltimore's zoning classification system. The zoning has been set up here, and in nearly every community throughout the country, to protect communities and their residents from incompatible nearby uses.

**The proposed Keswick plan cannot be built under the current zoning.** Not only is it too dense, but the use is specifically prohibited under R-1 zoning. Changing the zoning after 110 years would have serious detrimental effects on the character of our community, not just for us today, but for generations to come. There has been no rezoning of any R-1 land in Roland Park in nearly 50 years. During that period the population of Baltimore City has dropped by some 300,000 people. So why now? **As Phil Spevak said in his letter today, there will be no compromise on this point.**

One justification that some use for changing zoning is that a new project will benefit a community by generating significant new property taxes. Well, Keswick is a non-profit entity that pays no taxes on its existing facility on 40th Street. They would be eligible for a property tax exemption here, notwithstanding proposing a **\$195 million** project. And they will be sucking up net resources...ambulances, fire trucks, sewer and water capacity, trash generation, medical waste. They suggest creating over five acres (well over 200,000 square feet) of impervious surface that will run off and directly affect the stream on the property, which goes right into the Jones Falls and into the Chesapeake Bay. Not

to mention losing our valuable tree canopy. How does that benefit the community? It does not. It does the opposite and negatively impacts our quality of life.

Another compromise that is being circulated by Keswick is that a portion of the property would remain set aside as open space. We need to look at a little history here to understand the context. The original Roland Park plan provided for 134 acres of open green space for the golf course and club which was back then comprised of neighborhood residents. In 1960, the City of Baltimore condemned 35 acres for the Jones Falls Expressway ramps and the Poly-Western high schools. With the 35 acres gone and not having a viable golf course, the BCC offered up the remaining 68 acres on the west side of Falls Road for sale. Jim Rouse bought it in 1961 for the asking price of \$1.7 million. As an aside, he went around from house to house, kitchen table to kitchen table in Roland Park, asking neighbors what they wanted to see for the site, before they came up with a plan for the area. The resulting Cross Keys has specific covenants giving the Roland Park Civic League very specific rights over what could be built there. And any changes must be approved by the Civic League in writing.

Of the original 134 acre BCC green space, all that is left is the 31 acres of the BCC Clubhouse campus. Now the community is being asked again to accept a small portion of that to be kept open as green space. BCC has not exactly been deprived of selling the golf course property and enjoying the fruits of the proceeds in the past, and if history is any indicator, we might be asked again to compromise and give up even more green space of the small amount Keswick has proposed to keep open. **When there is only one acre left of green space, will we be asked again to compromise to keep 5,000 square feet open?**

To put it in context, the BCC land is about the same proportion of open space in Roland Park as Central Park is in Manhattan. Both of which were designed by Frederick Law Olmsted's firm by the way. I don't think any body in New York would accept a compromise of selling off a large chunk of Central Park to build assisted living while offering less than a quarter remain as green space. Roland Park should not even engage in a conversation about this so-called compromise. **The zoning is in place to protect all of us, and we must be firm in not allowing any change. We must not waiver on this.**