



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

Marsha S. McLaughlin, Director

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January 28, 2013

Columbia Junction LLC
P.O. Box 417
Ellicott City, MD 21043

RE: WP-13-113 Columbia Junction,
Section 3, Lot A-2
Proposing 18,000 sq. ft. retail
building and restaurant

Dear Sir/Madam:

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **APPROVED** your request to waive **Section 16.156 (k), Section 16.156 (l), and 16.156(m)** which establishes deadlines for the submission of developer agreements, payment of fees, posting of sureties and submission of site development plan mylars for a 100-day extension (instead of the requested 120-days) from the previous deadline of December 27, 2012 (submission on or before April 6, 2013). The request for a 120-day extension of the deadline date has been **DENIED**.

Approval is subject to the following conditions:

1. The developer shall execute developer agreements, post sureties and pay all required fees to the Department of Public Works, Real Estate Services within 100 days of the previous deadline date (**on or before April 6, 2013**). (Please note that Real Estate Services prefers that the developer agreement process start 3 weeks prior to submission of the Site Development Plan originals).
2. The submission of Site Development Plan originals associated with SDP-08-100 (Columbia Junction, Section 3, Lot A-2) must be submitted to the Department of Planning and Zoning within **100 days** of the previous deadline date (**on or before April 6, 2013**).
3. Contact Carol Stirn at (410) 313-2350 to set up new original plan appointments within this allotted time period. **The applicant is responsible for any processing fee changes that may have occurred since the technically complete letter was issued for SDP-08-100.**
4. New stormwater management regulations are in effect. Any project not having a signature approved stormwater management and sediment control plan by May 4, 2013 will require revised plans designed to meet current regulations. Refer to attached comments from the Development Engineering Division.

Our decision of a 100-day extension from the previous milestone date of December 27, 2012 was made based on the following:

Extraordinary hardships or practical difficulties:

The developer has been pursuing the execution of the Developer Agreement and the subsequent submission of the SDP originals. However this process has taken longer than anticipated. Strict compliance with the regulations would require the owners to submit an entirely new Site Development Plan for review and approval resulting in additional fees for the developer and additional effort for the owners and for the County. The resubmission of a new plan for approval would only extend the hardships currently experienced and delay construction and use.

Not Detrimental to the Public Interest:

Approval of this waiver will in no way be detrimental to the public interest in that there are no additional impacts to the surrounding public facilities other than those already accounted for in the previous submission and approval. It would be in the public's best interest to provide project continuity by maintaining the current approved plan and the expectations created by this approval.

Will Not Nullify the Intent or Purpose of the Regulations:

The intent of the Regulations will be met by the continued progress towards the completion of this project without the potential delay caused by the review and approval of a new Site Development Plan.

Denial of the 120-day time extension was based on the following reasons:

1. In accordance with the attached comments from the Development Engineering Division dated January 16, 2013, the requested 120-day extension has been denied. According to the MDE Stormwater Management Act of 2007, projects under the 2000 regulations must have final project approval by May 4, 2013 in order to be grandfathered to the 2000 Regulations. The Site Development Plan process requires bonding, developer agreements and signatures to be in place prior to final project approval.
2. It generally takes 2-3 weeks to obtain signature approval on site development plan original mylars from the date of submission to the Department of Planning and Zoning. It is anticipated that DPZ will be processing a very heavy backlog of plans that have been granted similar extensions which must meet the aforementioned stormwater management grandfathering deadline dates. For that reason the original mylar site development plans may take additional processing time. A 100-day time extension should allow the developer and the County ample time to process the necessary documents/plans which in-turn will allow the developer to meet these established deadline dates.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested waiver will remain valid for the time period specified under the approval conditions or as long as this site development plan remains in active processing.

If you have any questions, please contact Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

Attachment
KS/eb

cc: Research
DED
Real Estate Services
SDP-08-100
Benchmark Engineering, Inc.

