



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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August 8, 2013

Centennial Crossing
P.O. Box 417
Ellicott City, MD 21041

Dear Sir or Madam:

RE: WP-13-178, Centennial Crossing
Reconsideration

The Director of the Department of Planning and Zoning reconsidered 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 Sections 16.156(o) (1) (ii) and (2)** – to reactivate a site development plan approval status that missed obtaining a building permit within 1-year of signature approval of the latest red-line revision approval. The applicant has submitted a request for reconsideration of the conditions of approval for the waiver petition. Specifically, the applicant is seeking reconsideration of approval condition number 1 which required a new Site Development Plan for the retail building. The applicant is requesting approval to allow a red-line to SDP-81-164 for a 15,100 square foot retail building for the Goodwill store.

Approval is subject to the following conditions:

1. Forest Conservation obligation must be satisfied for the entire gross parcel.
2. Compliance with the previously transmitted comments from the Division of Comprehensive and Community Planning dated June 18, 2013.
3. Compliance with the previously transmitted comments from the Development Engineering Division dated June 5, 2013.
4. The retail building must be reviewed by the Design Advisory Panel.
5. The red-line to SDP-81-164 for the Goodwill Store must comply with all SRC agency comments and include the following: a revised updated APFO Traffic Study, submit a simplified ECP addressing the new SWM requirements for redevelopment and attempt to comply with the Route 40 Manual Design Standards for street trees, site lighting and landscaping for the site.
6. On the SDP red-line, provide a brief description of waiver petition, WP-13-178, as a general note to include request(s), section(s) of the regulations, action and date.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - The extraordinary hardship or practical difficulty involved with this waiver request would require the developer to submit a new SDP. The developer submitted a SDP (SDP-09-081) for a new retail building at the 84-Lumber Company site. However, due to changes in the SWM requirements, the developer decided to void this site development plan and proposed re-building on the foundation of the razed building. This resulted in the need to red-line SDP-81-164 by adding the previously razed building. Unfortunately, due to recent economic conditions, the developer could not find a tenant for the building and could not file for a building permit for the new retail building within the required timeframe. However, the developer has recently

entered into a contractual agreement with the Goodwill store into which they will occupy the 15,000 square foot retail space. Approving a red-line to the SDP for the construction of the retail building and restaurant will allow the developer to meet their contractual deadlines. If the buildings were reviewed under separate site development plans, the construction of the retail building would be delayed which may evolve into a default of the contract.

Not Detrimental to the Public Interest - Approval of the waiver request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding residential properties. Allowing the applicant to re-activate the site development plan (SDP) will not be detrimental to the public since the design is not changing with the exception of the addition of the building for the Sonic Restaurant. An Administration Adjustment was approved for a slight reduction in the setback. No protestants attended this public hearing. In addition, the conditions of approval for the Administrative Adjustment required the developer to provide landscaping along the front and side of the property lines where the restaurant will be seen from Route 40. The retail building will be constructed in the same location as the previously razed 84-Lumber Company building. Allowing the buildings to be part of the same SDP will allow the construction activity on the site to occur at the same time thus improving less impact to the community. The developer has agreed to present the Goodwill Store to the Design Advisory Panel for their review and comments. Also, the developer has agreed to make improvements to the entire site based on the Route 40 Manual Design guidelines where possible for street trees, lighting, and landscaping.

Will Not Nullify the Intent or Purpose of the Regulations - Approval of this waiver request will not nullify the intent or purpose of the regulations since the design of the previously submitted site development plan will meet the comply with the regulations. The red-line for the Goodwill store will be reviewed by the Design Advisory Panel.

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 one year from the date of this letter.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Real Estate Services
Benchmark Engineering
WP-13-178