



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
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Marsha S. McLaughlin, Director

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January 7, 2015

Chetan Mehta  
5551 Oakland Mills Road  
Columbia, MD. 21045  
ATTN: Barry Mehta

Re: WP-15-075: "ELKRIDGE CROSSING"  
Concerning:  
S-15-002 (Elkridge Crossing)  
F-12-001 (Elkridge Crossing: Lots 1-36, O.S. Lot 37, & Bulk Parcel "F")  
SDP-06-078 (Elkridge Crossing: Phase 2, Parcels 'A' through 'E')  
SDP-07-055 (Elkridge Crossing Phases 3 & 4, Parcels 'A through D')

Dear Mr. Mehta:

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 Section 16.144(d)(2)** which dictates that if the Department of Planning Zoning indicates additional information is needed in order to approve the plan, the developer shall provide the information within 45 days of receiving such indication and a waiver to **Section 16.156 (o)(1)(ii)** which states that for single family attached, apartment and nonresidential developments involving multiple buildings or staged construction, the developer shall apply for building permits for all construction authorized by the approved site development plan within 2 years of signature approval.

**Approval is subject to the following conditions:**

1. The applicant/developer shall submit revised plans in association with **S-15-002 ("Elkridge Crossing")** (with point-by-point responses/changemarks to each review agency comment) within 90 days of waiver approval (**on or before April 7, 2015**). A 90-day extension allows more than adequate time to re-design the Sketch Plan and conduct the required community and DAP meetings. This Amended Sketch Plan must also include **the clubhouse and pool, located at the terminus of Mehta Circle as discussed at the meeting held on November 26, 2014.**
2. The applicant/developer or builder shall apply for all remaining building permits associated with **F-12-001 ("Elkridge Crossing")** (and as red-lined under SDP-06-078 for Richmond American Homes) **on or before June 30, 2015.**
3. The applicant/developer or builder shall apply for building permits for **all** remaining construction shown and approved on **SDP-06-078, Phase 2 on or before December 31, 2015.** Required building permits will be for **all remaining residential AND commercial development (including the hotel and 4-story office/retail building)** as shown on the approved SDP. Failure to pull permit on **all** components (not just 44 townhouse lots as currently requested by the applicant in his justification) shown on SDP-06-078 will result in the voiding of SDP-06-078.

**NOTE:** Per Section 127.5E.3.e., no more than 50% of the residential units shall be constructed prior to commencing a roughly proportional amount of commercial construction and open space amenity area.

*The applicant's request that "the commercial construction start only after all interior residential lots are completed and sold" is contrary to the Regulations and would be precedent setting. Therefore, this specific request is **DENIED**.*

4. The applicant/developer or builder shall apply for building permits for all construction shown on the redlined and approved **SDP-07-055, Phases 3 and 4 on or before December 31, 2015**. **Required building permits will be for all remaining residential units shown on the approved SDP. Failure to pull permits on all components shown on SDP-07-055 will result in the voiding of SDP-07-055.**
5. The building permits for the remaining residential units and non-residential structures will be issued in accordance with the revised APFO phasing schedule approved under the Sketch Plan (S-15-002) for the project based on the approval of new Site Development Plans. Existing Developer agreements shall be amended accordingly.
6. The extended deadlines apply only for the presently approved SDP-06-078 and SDP-07-055. Any future plan modifications to those plans will be based on the approved design of Amended Sketch Plan (S-15-002) for the various residential housing types, numbers and locations and/or non-residential development. Any other future plan revisions (such as red-line revisions ) to those two approved SDPs (SDP-06-078 and SDP-07-055) or any submission of new Site Development Plans will establish new deadline dates for building permits.
7. The applicant/developer shall adhere to all previously issued Development Engineering Division (DED) SWM comments dated December 18, 2013.
8. The applicant/developer shall submit a **site development plan for the Community Clubhouse and Swimming Pool on or before May 1, 2015**. The maximum number of building permits to be issued for the remaining residential units (178) for this project will be limited to no more than 80 units (including the 36 approved under F-12-001) until the building permits are approved for the Community Clubhouse and Pool. No additional building permits will be issued for this project until the building permits are issued for the Community Clubhouse and Pool.

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**IMPORTANT ADVISORY: Any application to submit for Zoning Regulation Amendment (including any proposal to decrease the required commercial component in the CAC-CLI Zoning District) must be filed by February 15, 2015.**

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The Planning Director's decision was made based on the following:

Per the applicant's justification dated December 1, 2014 from Mr. Barry Mehta, Gwenridge, LLC:

"The amended sketch plan (S-15-002) was submitted in September, 2014 and underwent 1 review cycle. Numerous comments were generated and a revised plan was requested, with a due date of December 19, 2014. Per Mr. Mehta's justification, "the comments are extensive and impossible to address within the normal 45 day review cycle. During a meeting on November 26, 2014; it was indicated that the DAP will also need to be consulted and a community meeting will need to be held with proper notices. All of which are time consuming and therefore justify an extension of time." In addition, the applicant/developer has indicated the need to amend the plan with regard to the hotel in order to provide the required street level retail facing US

Route 1. The applicant has also indicated the possibility of pursuing a Zoning Regulation amendment to remove (in its entirety) the requirement for 100 square feet of commercial for every dwelling unit, which could provide to be a difficult and time consuming process.

As to the 36 townhouse lots recently recorded under F-12-001, the applicant/developer has indicated that it will take Richmond American approximately 1 year to pull permits to build their model homes and complete the build-out of 36 homes. Richmond American would like to pull permits as they sell the homes and not be "forced" to pull permits for all 36 units at one time for obvious economic reasons.


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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 in the conditions of approval.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at [tmaenhardt@howardcountymd.gov](mailto:tmaenhardt@howardcountymd.gov).

Sincerely,

  
Kent Sheubrooks, Chief  
Division of Land Development

attachment

KS/tkm/waivers 2014/Elkridge Crossing WP-15-075 approval 1-7-15

cc: Research  
DED  
RES-Tina Hackett  
Office of Law-L. O'Brien  
Elkridge Developers  
APR Associates  
Richardson Engineering  
Josh Bramucci  
Debbie Jackson  
Wendy McNeill  
Walter Jackson  
S-15-002 file  
F-12-001 file  
SDP-06-078 file  
SDP-07-055 file