



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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June 23, 2015

Kevin Peterkin
Parcel C Property, LLC
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

RE: WP-15-146, Downtown Columbia, Warfield
Neighborhood, Parcels C1 & C2 (SDP-14-024)

Dear Mr. Peterkin:

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(l)**, which requires that within 180 days of site development plan approval, the developer shall submit the completed developer's agreement documents and pay all fees to the County and post all monies and/or file appropriate surety covering the developer's financial obligations for the required improvements; and to **Section 16.156(m)**, which requires that within 180 days of site development plan approval, the developer shall submit the original mylar plans.

Approval is subject to the following conditions:

1. The applicant must submit the completed developer agreement documents, pay any associated final obligations, and submit the Site Development Plan original mylars within **90 days** of the current deadline (**on or before August 22, 2015**).
2. Add a note to the SDP that indicates that this waiver was submitted (identified by file number), and states the purpose of the waiver, the date of decision and a list of all conditions of approval.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty: See the applicant's attached justification letter. The applicant has come up against the deadline for completing the Developer's Agreement. Progress has been made to complete the paperwork for the Developer's Agreement and the applicant is waiting for items from Real Estate Services in order to complete the process. Missing the deadline would require restarting the SDP from scratch, using County and Developer resources to submit and review an identical plan.

Implementation of an Alternative Proposal: Granting a waiver for a short extension of time takes in consideration the unique circumstances and the investment of time and money already contributed to the project by all parties, including the County.

Not Detrimental to the Public Interest: Approval of this waiver request will keep the SDP active and on the intended path prescribed and anticipated by the allocation phasing. Allowing the SDP to be reactivated will keep the projected construction and occupancy on schedule and advance the continued evolution of Downtown Columbia while the Developer negotiates through a challenging economic environment.

Will Not Nullify the Intent or Purpose of the Regulations: The only purpose of the deadline in this circumstance is to ensure a project will continue and will not lapse in any regulations which are applicable to the site between approval and construction (if not grandfathered). The applicant has demonstrated that the Developer's Agreements are close to completion and no significant delays are anticipated at this time.

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 or as long as this site development plan remains in active processing.

If you have any questions, please contact Jill Manion-Farrar at (410) 313-2350 or email at jfarrar@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JMF *JMF*
cc: Research
DED
Real Estate Services
SDP-14-024 (PDox and file)
GLW