



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

October 9, 2015

William Rowe  
Howard Hughes Corporation  
10221 Wincopin Circle, Suite 300  
Columbia, MD 21044

RE: WP-16-024, Downtown Columbia, Crescent  
Neighborhood, Parcel A (SDP-15-068)

Dear Mr. Rowe:

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

On October 7, 2015, the Planning Director **approved** your request to waive **Section 16.119(f)(1) of the Subdivision and Land Development Regulations**, which states "where a proposed subdivision involves frontage on an arterial road, or a residential subdivision fronts a major collector, the street layout should provide vehicular access to the subdivision by a lower classification public road, except as provided in Paragraph (3) of **this subsection (i.e. no other means of access)**."

Approval is subject to the following conditions:

1. The service area must be fully screened from Broken Land Parkway with gates, screen walls and landscaping.
2. Access to the loading area must be designed to ensure that delivery and trash vehicles will not have any backing up movements within the Broken Land Parkway right-of-way.
3. Compliance with the attached DED comments dated August 26, 2015.
4. Add a general note to SDP-15-068 referencing this waiver petition and its decision.

Our decision was made based on the following:

**Extraordinary Hardship or Practical Difficulty** - The applicant has a practical difficulty due to the orientation of this building on a primary intersection within Downtown Columbia since the building fronts on two major roads. Furthermore, the two service areas cannot be merged. In one case the office trash would have to pass through the restaurant premises, and in the other the restaurant trash would need to be transported through the lobby in the first floor areas. Both of the service areas are necessary for the proper functioning of the building. The western service area cannot be reached from the arrival court due to the geometric and aesthetic conditions of the building. That approach would also lead to the interference with the north end garage. The orientation of this building on a primary intersection within Downtown Columbia exacerbates the problem, as the building fronts on two major roads.

**Implementation of an Alternative Proposal** - Aesthetics and functionality of the site area are both desirable and necessary. Given the low volume of traffic expected to use this entrance onto Broken Land Parkway, and the scrutiny given to the design and redesign of the service area, the proposed entrance can function safely with its intended uses. Any other service area location would require a full redesign of the site in order to accommodate the aesthetics and other functionality issues of the site.

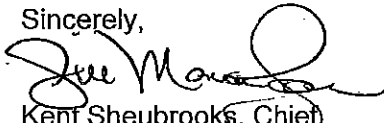
**Not Detrimental to the Public Interest** - Due to the very low volume of truck and design refinements requested by County staff, the entrance should function safely, and will not be detrimental to the public interest. The access to the service area for the restaurant is necessary for the proper and successful function of the site and its uses of a first-class office complex.

**Will Not Nullify the Intent or Purpose of the Regulations** - Approval of the waiver request will not nullify the intent of the regulations and allows the SDP to continue through the design process. The intent of the regulations is to limit the number of vehicular entrances onto higher classification roads, and to ensure that only limited numbers of vehicles are provided the opportunity to enter higher-speed and higher-use travel lanes. County staff have also analyzed and requested redesign to ensure that vehicles are not backing into the driveway from the public right of way, or backing out into the right-of-way to leave the site. Due to the high level of scrutiny for the proposed entrance and its design, and to the limited use, a hap-hazard condition will not be created.

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 or as long as 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](mailto:jfarrar@howardcountymd.gov).

Sincerely,

  
Kent Sheubrooks, Chief  
Division of Land Development

KS/JMF

cc: Research  
DED  
Real Estate Services  
GLW