



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

April 3, 2017

Thomas Fahs
Corporate Office Properties Trust
6711 Columbia Gateway Drive, Suite 300
Columbia, Maryland 21046

Re: SDP-17-010, Frameworks
Alternative Compliance WP-17-079

Dear Mr. Fahs:

The purpose of this letter is to inform you that the Director of the Department of Planning and Zoning considered your request for alternative compliance from the Howard County Subdivision and Land Development Regulations. The alternative compliance requested seeks relief from Subsection 16.134(a)(2) of the Howard County Subdivision and Land Development Regulations, which states that in nonresidential subdivisions and site developments the developer shall construct sidewalks on one or both sides of the street. Alternative compliance approval would relieve Corporate Office Properties Trust of the requirement to construct sidewalks on both sides of the streets where sidewalks exist and pedestrian crossings form sidewalk continuity.

As of the date of this letter, the Planning Director approved your request subject to the following conditions:

1. Sidewalk connection improvements shall be made at a minimum to the standard written as Item 2 in the Applicant's justification dated February 8, 2017 per the attached DED comments.
2. The Applicant shall make a fee-in-lieu contribution as a portion of the funding of the shared use pathway along Robert Fulton Drive in accordance with the attached Office of Transportation comments dated March 16, 2017.
3. The alternative compliance petition shall be valid for one year from the date of approval or as long as the site development plan remains in active approval.

Our decision to approve the alternative compliance was made based on the following justification submitted by Site Resources, Inc.:

Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the regulations.

1. There are extensive topographic challenges in providing accessible sidewalks along Robert Fulton Drive (RFD) and Columbia Gateway Drive (CGD). The existing berms along RFD and CGD would require broad grading areas and retaining walls.
2. The existing berms are covered in established tree growth. If sidewalks were constructed, most of the existing trees would need to be removed for grading and retaining wall construction.
3. There are existing public utilities within the right-of-way along RFD and CGD. These utilities include, but are not limited to, fiber optic, gas, electric, telecom, etc. If retaining walls are required within the ROW to construct an accessible sidewalk, the utilities would require relocation where the retaining wall foundations would likely interfere with the existing utilities or the utility owner would not allow for the retaining wall to be constructed over the utility. The relocation of utilities, especially fiber optic lines, is costly and is an

unnecessary expense to the project. The length of time involved in providing the final plan would negatively affect the compressed and established schedule of the proposed development construction.

4. There is a hardship and practical difficulty in complying with the current regulations as it relates to time in processing of a site development plan as well as securing bonds, fees and sureties associated with the site development plan process.

Verify that the intent of the regulations will be served to a greater extent through the implementation of the alternative proposal.

5. As an alternative to providing sidewalks along the CGD frontage, a sidewalk connection will be provided from the east exit at CGD. The access will be a painted crosswalk and will extend to the east side of CGD and connect to an existing sidewalk. New ADA ramps will be included with this connection improvement.
6. As an alternative to providing sidewalk along the RFD frontage, an ADA accessible sidewalk will be provided to the main entrance to the site. This ADA accessible sidewalk will provide access to new bus stop locations on each westbound and eastbound of RFD.

Substantiate that approval of the Alternative Compliance will not be detrimental to the public interests.

7. The alternative compliance provides ADA connections to existing sidewalks.
8. The alternative compliance provides ADA connection to two new bus stops located near to the main entrance of the proposed development.

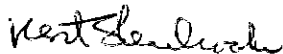
Confirm that approval of the Alternative Compliance will not nullify the intent of the regulations.

9. Section 16.134(a)(2) states that the developer shall construct sidewalks on one or both sides of the street, if the Department of Planning and Zoning deems it necessary to serve anticipated internal pedestrian traffic, to provide access to transit stops or to make connections to surrounding land uses. The alternate compliance meets these Regulations where sidewalks are to be located on one side of each RFD and CGD and appropriate connection from the site will be provided to these sidewalks. The connections will also provide access to the new transit stops of RFD.

Indicate this alternative compliance petition file number, section of the regulations, action, conditions of approval, and date on all related plats and site development plans. See Condition #3 for the term of validity of this alternative compliance approval.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by email at dboellner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/DBB:dbb

C: DPZ, Research
DPZ, DED
Site Resources, Inc.
SDP-17-010 file