



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

March 6, 2018

Annapolis Junction Town Center, LLC
4816 Del Ray Avenue
Bethesda, MD 20814

RE: WP-18-076 Annapolis Junction Town Center

Dear Mr. Greenberg:

The Director of the Department of Planning and Zoning considered your request for an alternative compliance from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for an alternative compliance of **Section Section 16.156(o)(1)(ii)** which requires that with all apartment and nonresidential developments involving multiple buildings or staged construction, the developer shall apply for building permits for all construction approved under the site development plan within 2 years of signature approval and relief to **Section 16.156(o)(2)** which states that if the developer does not apply for building permits as required, the site development plan shall expire and a new site development plan submission will be required.

Approval is subject to the following conditions:

1. All remaining building permits in relation to Site Development Plan, **SDP-13-048 ("Annapolis Junction")** shall be applied for **within 2 years of extension to previous deadline (on or before March 9, 2020)**.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Per the applicant's justification, "construction for all of the proposed buildings on the site could not commence until the commuter garage construction was complete and in service. This resulted in delays for the construction of the other buildings until such time as the underlying ground was no longer needed as a surface commuter parking lot.

Most of the infrastructure improvements have already been constructed as part of the first phase of construction, which should allow for the remaining buildings to be completed more quickly. To not approve the waiver and thus have the current Site Development Plan expire, would impose a hardship on the developer by incurring additional engineering and review fees for a new Site Development Plan which would not change from the currently proposed design."

Alternative Proposal:

The alternative is to allow the Site Development Plan to expire and require the applicant to resubmit the same Site Development Plan for review and approval. Since the plan will not change, the additional review cycle and resulting delay would be counterproductive to the public good. This option is not recommended.

Not Detrimental to the Public Interest:

The granting of the petition will not be detrimental to the Public Interest because it has undergone a complete review at both the plat and Site Development Plan stages. Construction has been ongoing since the first building permit was received for the commuter garage. The remaining uses are anticipated to benefit not only the Annapolis Junction Town Center but also the surrounding community and county tax base. Not granting the relief from strict compliance to the deadlines would result in the required resubmittal of the same Site Development Plan to be reviewed by County and State agencies, resulting in additional delays but with no change to the overall project.

Will not nullify the intent or purpose of the regulations:

The granting of the petition will not Nullify the Intent or Purpose of the Regulations because it has undergone a complete review at both the plat and Site Development Plan stages. The plan complies with all regulations and the intent of the Subdivision and Zoning Regulations have been met.

Indicate this alternative compliance 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 alternative compliance approval will remain valid for one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Donna Despres at (410) 313-3429 or email at ddespres@howardcountymd.gov.

Sincerely,

Handwritten signature of Kent Sheubrooks in black ink, with the initials 'KS' written below the signature.

Kent Sheubrooks, Chief
Division of Land Development

KS/JF/DD

cc: Research
DED
Real Estate Services
GLW
SDP-13-048