



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

September 26, 2018

Blue Stream LLC
PO Box 416
Ellicott City, MD. 21041
A. Sagner

RE: WP-19-004 (Blue Stream-Phases I-VIII)
RECONSIDERATION

Dear Mr. Sagner:

The Director of the Department of Planning and Zoning considered your reconsideration 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 the reconsideration request to Section 16.144(k)** which outlines timing (milestone dates) for submittal of Final Plans (for 101+ housing units-9 months from preliminary plan approval) and the reconsideration request to the alternative compliance request to **Section 16.156(g)(2)** which states that if the Department of Planning and Zoning or the review committee indicates that additional information is needed in order to decide whether to approve the plan, the developer shall provide the information within 45 days of receiving such indication.

Reconsideration approval is subject to the following conditions:

1. A revised Site Development Plan for SDP-18-058 ("Blue Stream 3-Apartments & Commercial") shall be submitted within **180 days** of the current due date of November 11, 2018 (**on or before May 10, 2019**).
2. All associated Final Plans and Site Development Plans for remaining allocations associated with Phases VII (161 allocations) and VIII (171 allocations) shall be submitted for review within **180 days** of the current due date of November 11, 2018 (**on or before May 10, 2019**).
3. Any and all remaining commercial obligation for the entire "Blue Stream" project shall be addressed within **180 days** of the current due date of November 11, 2018 (**on or before May 10, 2019**).

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

An updated justification was provided on September 12, 2018 along with a request for an **additional 180-day extension** to resubmit revisions for SDP-18-058 ("Blue Stream 3-Apartments & Commercial"). The owner and developer are considering the expansion of the residential component to increase the number of units. The additional extension would provide the time needed to complete a new design. An additional extension would allow additional time for DAP review, if required.

In addition, the applicant is requesting a 180-day extension for file Phases VII and VIII Final Plan OR Site Development Plan as established by the April 25, 2018 approval letter regarding Preliminary Plan, P-18-002. The owner/developer may require allocations if Site Development Plan, SDP-18-022 is not approved and required further re-design. Additionally, it is anticipated that additional allocations will be required for SDP-18-058.

If the resubmission deadline is not extended, the project would be voided and a new plan would be required. Although the owner /developer is reviewing options to expand the residential component, it is conceivable that the design could not change. Due to the significant submission fees paid, it would be hardship for the petitioner to

submit a new Site Development Pan. The granting of the alternative compliance does not provide any relief from the issued comments or any other technical requirement.”


The granting of the alternative compliance would not be detrimental to the Public Interest or Nullify the Intent of the Regulations because the alternative compliance does not request relaxation of any technical subdivision or site development requirements, but merely allows additional time to complete current plan processing, providing the relief necessary to determine the ultimate design for the remainder of the site, without losing allocations. The granting of the alternative compliance request provides for the continuation of the “Blue Stream” project in an orderly and consistent progression.

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 requested alternative compliance 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.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/TKM/WP-19-004 Blue Stream Phases I-VIII approval 9-26-18

cc: Research
DED
Real Estate Services
Vogel Engineering/Timmons Group