



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

September 26, 2019

Mr. Mark Thompson  
20006 Delaware, Inc.  
455 Magna Drive  
Aurora Ontario L4G7A9

Dear Mr. Thompson:

RE: WP-20-021, Laurel Park Station (S-19-011)

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 Alternative Compliance Request(s): Section 16.144(r) – Status of Plans which do not meet milestone deadlines, or which fail to provide information in a timely manner:** requires the submission of plans within a specified deadline date; **Section 16.145(b)(8)(i)(a) – Submission of Preliminary Plan;** which requires the submission of the preliminary plan/SDP within a specified milestone time period from the approval date of the Sketch Plan; and **Section 16.1106(d) and (e) - Milestone Extensions for residential and non-residential properties**

Approval is subject to the following conditions:

1. The Site Development Plan and/or associated Final Plan for Phase 3 must be submitted to the Department of Planning and Zoning **on or before November 30, 2020.**
2. The Site Development Plan and/or associated Final Plan for Phase 4 must be submitted to the Department of Planning and Zoning **on or before March 1, 2021.**
3. The 15 housing unit allocations from Phases 1 and 2 must be shown on the Site Development Plan submitted as part of Phase 3.
4. Compliance with comments from the Development Engineering Division dated September 17, 2019.
5. On all future plan submissions, provide a brief description of alternative compliance petition, WP-20-021, as a general note to include request(s), section(s) of the regulations, action and date.

Our decision was made based on the following:

**Extraordinary hardship or practical difficulties which may result from strict compliance with the Regulations** - The extraordinary hardship or practical difficulty involved with this alternative compliance request would require the developer to lose their housing unit allocations if the APFO milestone date is not met. If the alternative compliance request was not approved, the issued housing unit allocations will be forfeited, and a new Sketch Plan would be required thus placing a hardship on the applicant. Phase 1 of the development is under contract with a builder. Additional time is needed to complete construction of Phase 1

infrastructure and begin construction of the residential units approved for Phase 1. In addition, more time is needed to finalize the SDP for Phase 2, respond to MARC train comments and to analyze future project components. The extension of time granted to Phases 3 and 4 and the transfer of the 15 housing allocations will allow the project to proceed in an orderly and appropriate manner.

**Not Detrimental to the Public Interest** - Approval of the alternative compliance request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding properties. The granting of the alternative compliance request for an extension of the APFO milestone deadline date will not change the uses proposed on the site but will provide an economically feasible project. The alternative compliance request does not request a relaxation in the design regulations; therefore, the approval of this alternative compliance request will not be detrimental to the public. The extension will allow the engineer and architect to perfect the design of the site and prepare the necessary plans for submission. Also, the additional time will allow the developer to respond to the MARC train comments.

**Will Not Nullify the Intent or Purpose of the Regulations** - Approval of this alternative compliance request will not nullify the intent or purpose of the regulations since the site will be design under the TOD regulations. The new design will provide an economically feasible project with the same number of residential units and commercial space (office and retail) as approved under the original design.

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 Brenda Luber at (410) 313-2350 or email at [BLuber@howardcountymd.gov](mailto:BLuber@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/BL  
Attachment – DED comments  
cc: Research  
DED  
Real Estate Services  
Vogel Engineering  
Brian Schade, MDOT  
S-19-011