



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov

FAX 410-313-3467

TDD 410-313-2323

January 14, 2013

Bob Jenkins
Howard Hughes Corporation
10275 Little Patuxent Parkway
Columbia, MD 21044

RE: WP-13-095, Downtown Columbia – Warfield
Neighborhood (FDP-DC-Warfield-1)

Dear Mr. Jenkins:

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

As of the date of this letter, the Planning Director **approved** your request to waive **Section 16.1106(e)**, which states that Adequate Public Facilities milestones for Downtown Columbia occur nine months after the starting date. Milestones are assigned for Downtown Columbia at the time the Final Development Plan is initially submitted for review.

Approval is subject to the following conditions:

1. The Site Development Plan for Parcel C-2 must be submitted **on or before October 1, 2013**.
2. No more than **277 residential units** may be requested for Parcel C-2.
3. Development proposals for Parcels C-2 (Allocation Year 2015) and Parcel C-1 (Allocation Year 2016) may be submitted as **one integrated Site Development Plan to be submitted on or before October 1, 2013 and proposing no more than 437 residential units**.
4. The Road Construction Drawings and Final Plat, F-13-015, and the Site Development Plan (SDP-13-007) originals shall include the updated allocations chart with a footnote referencing the amendments granted as part of this waiver petition (WP-13-095).
5. A general note shall be included on the Road Construction Drawings and Final Plat (F-13-015) and the Site Development Plan (SDP-13-007) that references this waiver petition and includes the purpose of the waiver, the date of approval, and lists the conditions of approval.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – The applicant requests this waiver so that the design for two blocks that will be part of an integrated streetscape will be shown on one plan, which allows for a more comprehensive review by the Design Advisory Parcel (DAP), Subdivision Review Committee (SRC) agencies, and the Planning Board, as well as by the public. The proposed timeframe will allow sufficient time for the design development and to meet the pre-submission community meeting and DAP submission requirements for the integrated development plan. If this waiver petition is not granted, the design for each block must be submitted individually and the design could not be reviewed by the public or by the SRC, DAP, or Planning Board as a coordinated unit since the allocation timeframes currently do not overlap. In addition, the integration of the 10 additional units will allow the developer to retain the allocations that were not used within

the first phase (SDP-13-007) but were tentatively granted overall as part of the first final development plan for the Warfield Neighborhood, FDP-DC-Warfield-1.


Not Detrimental to the Public Interest - Approval of the waiver request will not alter the essential character of the Warfield Neighborhood as proposed and approved on FDP-DC-Warfield-1 and will not substantially impair the appropriate use or development of the surrounding properties. Approval of this waiver also will not adversely impact any projects awaiting allocations, since allocations for Downtown are separated in the Adequate Public Facilities Act and there are no other projects currently in the pipeline for Downtown that require allocations. Rather, approval of this waiver will allow the public, the DAP, the SRC, and the Planning Board to review these developments as the integrated unit that they will operate as once they are built and allow the developer to have all the allocations available that were approved as part of FDP-DC-Warfield-1.

Will Not Nullify the Intent or Purpose of the Regulations – The waiver does not negate the intent or purpose of the Adequate Public Facilities Act since the overall development will still be designed and approved within the general timeframe and does not exceed the allocations granted with FDP-DC-Warfield-1. It also does not alter the character of the development as approved on FDP-DC-Warfield-1. Therefore, the overall density will not be exceeded and build-out will occur as envisioned with the granting of the allocations. This waiver petition simply adjusts when and how the plans for these improvements will be designed and submitted to the County and allows for more coordination between the parcels.

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 the time period specified in the conditions of approval or as long as this final development plan and subsequent site development plans subdivision remain in active processing.

If you have any questions, please contact Jill Manion-Farrar at (410) 313-2350 or email at jfarrar@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/JMF 

cc: Research
DED
Mark Thompson
GLW
Brian Spencer
Todd Brown
Patricia Laidig
Mary Clay
Mary Kay Sigaty
Jen Terrasa
FDP-DC-Warfield-1