



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

November 10, 2014

Mission Road Investors, LLC
2600 Midway Branch Dr.-2nd floor
Odenton, MD. 21113
Matt Bitar

RE: WP-15-053 (Mission Place)
(associated with SDP-07-113-Mission Place, Phase
II, Parcel B (office building).

Dear Mr. Bitar:

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 for a waiver for the reactivation of plan approval status and 1-year extension to file for building permit per **Section 16.156(o)(1)(i)** which requires that within 1 year of signature approval of a site development plan original, the developer shall apply for building permit to initiate construction on site and **Section 16.156(o)(2)**, which states that if the developer does not apply for building permits within the required timeframe per Section 16.156(o)(1), the site development plan shall expire and a new site development plan submission will be required.

Waiver approval is subject to the following:

1. The developer must submit for building permit application in association with SDP-07-113 within **1-year** of the date of waiver approval (**on or before November 10, 2015**).
2. Contact the Howard County Public School System (Joel Gallihue: 410-313-7184) to discuss possible low interest lease for pre-kindergarten center.

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

Extraordinary hardships or practical difficulties:

Denial of the waiver petition would result in undue hardship because it would require the submission of a new site development plan and all associated documents. No significant site changes would occur with a new site development plan submittal. The project has already been subject to a complete plan review and has an established file history. Per the applicant's justification, "due to dramatic changes in the economy over the past several years, there has been no interest nor response to marketing of the office space. Even with a retail requirement reduction to 100 sf/DU (the applicant will be seeking a reduction from previously approved 235 sf to 100 sf), the location and access to the site have proven to be obstacles to attracting tenant interest. In addition, Parcel C's retail vacancy rate is currently at 60%. The developer has

continued marketing efforts with Metropolitan Management Company, although a lack of interest had continued for 3 years. Recently, however, renewed interest has been expressed, but potential tenants are more conservative and demand more concessions from developers. By approving the waiver petition, the developer believes he will be in better position to offer a shorter timeline to construction and income generation”.

Detrimental to the Public Interest:

Granting the extension of time for building permit application will not be detrimental to the public interest. Issues such as grading, layout, parking, utilities, storm water management, sediment control, compliance with the Route 1 Manual and landscaping have already been addressed with the Site Development Plan. Any proposed changes to the overall plan (ie. reduction of required commercial and/or access to the site) would require red-line amendment to the site development plan.

Nullifies the Intent or Purpose of the Regulations:

Granting of this waiver would not nullify the intent or purpose of the regulations. This is an approved and signed site development plan that has undergone a complete review. An extension of time will simply allow the developer to pursue renewed interest in the parcel.

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.

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/waivers 2014/Mission Place WP-15-053 approval 11-7-14

cc: Research
DED
RES
BOE
SDP-07-113 file