



Howard County Department Of Planning And Zoning

3430 Courthouse Drive + Ellicott City, Maryland 21043 + 410-313-2350

Valdis Lazdins, Director

www.co.ho.md.us

FAX 410-313-3467

TDD 410-313-2323

July 17, 2015

Robert H. Vogel Engineering, Inc.
8407 Main Street
Ellicott City, Md. 21043

**RE: Laurel Park Station, Phase 2, Site Development Plan Extension Request
(WP-15-135)**

Dear Mr. Vogel:

This letter is in response to your undated correspondence requesting a 90 day extension of the July 30, 2015 site development plan submission deadline for Phase 2 as required per condition #4 under Waiver Petition, WP-15-135 decision letter dated May 18, 2015 for the above referenced Laurel Park Station project based on governmental delay as a result of the State Highway Administration's (SHA) inaction providing Route 1 road improvement comments for this project to move forward.

This Division has determined that any design changes required for this project necessitated by SHA comments for Route 1 road improvements is critical for the coordinated processing and design of this project for the upcoming Phase 2 site development plan submission. Therefore, based on the justifications contained in your letter and the need to maintain sequential plan processing order for each phase of this project, this Division hereby finds that governmental actions may have contributed with the processing delay of this project in accordance with Section 16.144(r) of the Subdivision and Land Development Regulations. Accordingly, this Division will issue the 90 day plan submission extension for Phase 2 of this project as follows:

The site development plan and/or associated final plan for Phase 2 must be submitted to the Department of Planning and Zoning on or before **October 28, 2015.**

An extension of the December 31, 2015 and the January 30, 2016 plan submission deadline dates for submission of the site development plans for Phases 3 and 4 of this project were not requested for an extension at this time and the deadline dates remain as referenced above. If you have any questions about the information contained in this letter, please contact me or Brenda Luber at your convenience at (410) 313-2350 or by e-mail at ksheubrooks@howardcountymd.gov or bluber@howardcountymd.gov

Sincerely,

Kent Sheubrooks, Chief
Division of Land Development

DPZ/shared/DLD/kent/laurelparkstationphase2extension07-17-15

cc: Research, DED, WP-15-135
DPW, Real Estate Services
TSG Maryland



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

May 18, 2015

Mr. Walter Lynch
TSG Maryland
1058 Jefferson Street
Washington, DC 20007

Dear Mr. Lynch:

RE: WP-15-135, Laurel Park Station (P-11-004
and SDP-15-043)

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 16.144(k) (3) (i) – Submission of Final Plan**, which requires the submission of the Final Plan within 4 months of preliminary plan approval. **Section 16.1106(d) – Milestone – timing for Residential Projects:** For residential projects, each milestone occurs: 50 or fewer housing units 4 months after starting date; 51 – 100 housing units 6 months after starting date; 101 + housing units 9 months after starting date, and **Section 16.1106(e) - Milestones – Timing for Non-Residential Projects:** For non-residential projects, each milestone occurs 9 months after the starting date. The applicant requested an extension from April 30, 2015 deadline date for Phase 2 until July 30, 2015, and, an extension of the June 30, 2015 deadline date for Phase 3 to December 31, 2015, and an extension of the July 30, 2015 deadline date for Phase 4 until January 30, 2016. In addition, the applicant requested that 32 of the housing unit allocations which were part of Phase 1 be transferred to Phases 2, 3 and 4.

Approval is subject to the following conditions:

1. The required Concept Plan must be submitted to the DPZ within 30 days on or before June 18, 2015.
2. Prior to the submission and acceptance of any Site Development Plans for Phases 2, 3 and 4 the developer shall submit the project plans for Design Advisory Panel review.
3. Compliance with the comments from the Development Engineering Division dated May 13, 2015.
4. The Site Development Plan and/or associated Final Plan for Phase 2 must be submitted to the Department of Planning and Zoning **on or before July 30, 2015.**
5. 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 December 31, 2015.**
6. 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 January 30, 2016.**

- 7. The request to transfer the 32 housing unit allocations from Phase 1 is denied at this time. The 32 housing unit allocations for Phase 1 which were not submitted under SDP-15-043 cannot be transferred through the waiver petition process. Please contact Jeff Bronow, Division of Research for the proper re-phasing process under the APFO Regulations per Section 16.1104(b) of the County Code.

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 waiver request would require the developer to lose their housing unit allocations if the APFO milestone date is not met. If the waiver petition 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. The extension will allow the developer time to prepare the required plans for the Design Advisory Panel and continue the process to secure the Tax Increment Financing associated with the MARC train station rehabilitation and parking garage structure.

Not Detrimental to the Public Interest - Approval of the waiver 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 waiver petition for an extension of the APFO milestone deadline date will not significantly change the design of the site and will not be detrimental to the public interest. The waiver request does not request a relaxation in the design regulations; therefore, the approval of this waiver request will not be detrimental to the public. The extension will allow the developer additional time to design the plan to accommodate the outfall from Davis Avenue pond and the existing runoff from the CSX swales. In addition, plan design will provide various public pedestrian connections which will be beneficial to the public.

Will Not Nullify the Intent or Purpose of the Regulations - Approval of this waiver request will not nullify the intent or purpose of the regulations since the design of the previously submitted preliminary plan will only change slightly.

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

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

Enclosure (DED comments)

cc: Research
DED
Real Estate Services
P-11-004
SDP-15-043
Vogel Engineering