



Howard County Department of Planning and Zoning
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Valdis Lazdins, Director

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November 23, 2015

Howard Community College
10901 Little Patuxent Parkway
Columbia, Maryland 21044
ATT: Chuck Nightingale

RE: WP-16-056/Howard Community College
East Parking Garage No. 2 (SDP-16-003)

Dear Mr. Nightingale:

The Director of the Department of Planning and Zoning considered the request for waiver(s) from the Howard County Subdivision and Land Development Regulations for the above referenced project.

As of the date of this letter, the Planning Director **approved** the waiver request to Section 16.115(c)(1) prohibiting storage of materials of any kind in a floodplain either temporarily or permanently to create a temporary stream crossing to aid in construction of the proposed access road; Section 16.116(a)(1) prohibiting grading or removal of vegetative cover or construction of new structures within 25' of a wetland and Section 16.116(a)(2)(iv) prohibiting grading or removal of vegetative cover or construction of new structures within 50' of a perennial stream bank buffer in non-residential zoning districts. All waivers are required for the construction of Parking Garage No. 2 on Parcel B of the Howard Community College campus (SDP-16-003). Approval is subject to the following Conditions:

1. Temporary storage of materials within the floodplain is approved for the installation of a pipe to allow for unrestricted flow of the perennial stream which is located on Parcel B. The pipe crossing shall be removed upon completion of the parking garage and the stream and flood plain area of disturbance shall be restored to its existing condition by replacing natural vegetation.
2. Maryland Department of the Environment (MDE) permits for disturbance of the perennial stream, 50' stream bank buffer, wetlands, 25' wetland buffer and floodplain area as applicable on Parcel B for construction of Parking Garage No. 2, the retaining wall along the eastern perimeter of the garage and construction of the bridge abutments across Parcel B will be required and a note referencing the MDE permit number(s) added to SDP-16-003.
3. A Forest Conservation Plat of Abandonment shall be recorded for abandonment of that portion of existing Retention Easement D as previously recorded under Plat No. 14956 and a fee-in-lieu of abandonment paid to the Forest Conservation Fund. The plat must be recorded prior to final signature approval of SDP-16-003.
4. The applicant is advised that Planning Board approval will be required for the construction of the bridge across Non-Credited Open Space Lot A-2 as shown on SDP-16-003. A Planning Board Meeting date has not yet been scheduled, and the applicant will be notified under separate letter, once a date has been determined.
5. All other County and State permits are applicable as required.
6. The waiver petition approval pertains to the limit of disturbance within the wetlands, stream, their buffers and flood plain as shown on SDP-16-003. Best management practices for working within the wetlands, stream their buffers and flood plain shall be used by all contractors during construction of the access road and garage.

JUSTIFICATION FOR APPROVAL:

1. Extraordinary hardships or practical difficulties will result from strict compliance with the Regulations. The HCC is proposing to expand on-site campus parking by the construction of an eastern Parking Garage No. 2. The proposed garage is in response to an anticipated increase of the student population. The garage will be six stories and cover approximately 1.13 acres, consisting of 750 parking spaces. The selected site is within a previously graded area adjacent to an existing Forest Conservation Retention Easement D. Construction will impact a portion of the retention easement and will require recordation of a Forest Conservation Plat of Abandonment. The location for the new garage was selected to allow for connection to an existing entrance onto Little Patuxent Parkway across adjoining properties. Plan revisions (red-line) to SDP-73-051c (Firestone Building), SDP-78-083c (Grempler Building) and recordation of a final Plat of Easement are being processed to complete the use-in-common access from the parking garage to the public road right-of-way. A temporary stream crossing will be required for construction of a proposed bridge to be situated over an eastern perennial stream located on Parcel B of the College Campus where the garage will be located. This bridge will extend from the garage and span across adjoining Non-Credited Open Space Lot A-2, owned by HCC. The open space lot contains wetlands, the 25' wetland buffer and a 75' stream bank buffer. Disturbance of these environmental features for construction of bridge abutments is considered essential disturbance and is not part of this waiver request. A northeastern corner of the garage will be constructed approximately 15' into the 50' stream bank buffer shown on Parcel B (non-residentially zoned property). A 75' stream bank buffer is required from the same perennial stream when the buffer crosses onto open space land in the New Town Zoning Districts, therefore the difference of required buffer widths. The northeastern corner of the garage will also be constructed approximately 8' into the required 25' eastern wetland buffer. A retaining wall stretching along the entire eastern width of the parking garage ranging from 8' to 23' in height will be constructed within the 50' stream bank buffer and 25' wetland buffer. No impact is proposed to the perennial stream or flood plain area by construction of the parking garage or retaining wall. However, a temporary pipe will be installed across the stream and floodplain area to alleviate any disturbance during construction of the garage and bridge abutments. The temporary pipe will allow for unrestricted flow of the perennial stream and is in accordance with MDE 2011 Standards and Specifications for Soil Erosion and Sediment Control. To deny the waiver request would cause extraordinary hardship to the College by restricting the number of parking spaces and adversely affect the student and teaching population.

2. The intent of the Regulations will still be served to a greater extent through implementation of an alternative proposal and approval of the waiver request(s) will not nullify the intent of the Regulations. The College Campus consists of 117 acres of land located in the center of the New Town Zoning District of Columbia. As a central component of Columbia, the College embraces the same tenants that guide development of the larger community: preservation of environmentally sensitive areas with integration of new construction. However, the campus is land locked with collector roads to the north and south, a hospital complex to the west and a stream valley, BG&E facility and dense residential development to the east. The garage cannot be shifted any further to the west due to existing buildings and a pedestrian bridge. In addition, the design of the entranceway to the garage cannot be shifted due to requirements of the Design Manual and topography at the northern entrance. The location of the garage is further restricted by an existing parking garage to the south which will be approximately 22' from the closest point of the new garage. Allowing the garage to be constructed at the proposed location will have the least impact to exiting forest, will restrict the limit of disturbance and allow a connection to properties to the east. Approving the waiver for disturbance in the 50' Stream Bank Buffer, 25' wetland buffer, the perennial stream and flood plain area on Parcel B will allow the College to move forward with proposed development which has been years in progress. The disturbance and removal of vegetation shall be the minimum necessary to construct the garage, retaining wall and bridge abutments. The stream crossing shall be temporary to allow for better flow of the perennial stream during construction and is a better alternative than stream diversion. The College shall be required to restore the environmental features to its original vegetative state and to obtain all Maryland Department of the Environment Permits as applicable. In addition, a Forest Conservation Plat of Abandonment for that portion of existing forest to be removed shall be recorded and a fee-in-lieu of abandonment required. The construction of the bridge across Non-Credited Open Space Lot A-2 shall be reviewed at a regular scheduled Planning Board Meeting prior to signature approval of the site development plan, SDP-16-003.

3. Approval of the waivers will not be detrimental to the interests of the public. The College is moving forward with the College Master Plan approved for the ultimate development on the College Campus. This Master Plan is in the best interest of the public by determining accessible and safe access and location of educational facilities, on-site parking, storm water management, pathways and infrastructure. The Master Plan establishes a framework for the orderly development of all capital improvements that support the mission, vision, values and strategic initiatives of the College through to the year 2020. The proposed building improvements are situated to minimize disturbance of environmental features on site while prioritizing the safety and accessibility of public facilities. Supporting the community with an accessible college campus while incorporating green space with infrastructure, roadways and parking needs is part of the College Mission to succeed and is of utmost importance in the educational future of the population. Providing a second parking garage with a connection to the existing entranceway onto Little Patuxent Parkway through the parking area of the Firestone Building will open a significant new travel way to the College and improve vehicular circulation. The proposed improvements will be in the best interests of the public and is a major component of the College Master Plan.

Indicate this waiver petition file number, request, section of the regulations, action taken, date and conditions of approval on all related future plats, site development plans and and/or building permits. This requested waiver will remain valid for as long as the plans remain in process and as indicated in the Conditions of Approval. Should you have any questions regarding this matter, please contact Brenda Barth at (410) 313-2350 or email: bbarth@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development



:btb

cc: Research/DED
KCI Technologies
SDP-16-003