



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

Valdis Lazdins, Director

FAX 410-313-3467

December 7, 2015

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

RE: **WP-16-060** (Mission Place-Parcel 'B')
[Associated with SDP-07-113 (Mission Place-Parcel 'B')]

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 **DENIED your request for a 1-year extension and APPROVED a 90-day extension** 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.

Approval of the 90-day extension subject to the following conditions:

1. The developer must submit for building permit application in association with SDP-07-113 within **90 days** of the date of waiver approval (**on or before March 6, 2016**).

Denial of the 1-year extension was based on the following reasons:

1. The applicant has submitted the same justification for every waiver (5 waivers in all--for a total of 6 years of extension requests (2009-2015) to **Section 16.156(o)(1)(i)** and **Section 16.156(o)(2)**, and has not provided any recent information on action being taken to move this project forward.
2. Economic conditions have begun to improve. Therefore past justifications indicating the downturn of the economy/poor economic conditions as a suitable reason for request for a lengthy time extension is no longer valid.
3. The applicant has not provided a justifiable timetable to move this project to building permit application.

The Planning Director's decision for a 90-day extension 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. A 90-day extension should give the applicant's consultant sufficient time to prepare and submit building permit application for the remaining retail/office component.

Detrimental to the Public Interest/Nullifies the Intent or Purpose of the Regulations:

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) would require red-line amendment to the site development plan.

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.

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

attachment

KS/TKM/waivers 2015/Mission Place Parcel B approval WP-16-060 12-7-15

cc: Research
DED
Real Estate Services
SDP-07-113 file