June 30, 2016

Blue Stream LLC
P.O. Box 416
Ellicott City, MD. 21041
c/o: A. Sagner

RE: WP-16-153 (Blue Stream: Phases V-VIII)
[associated with: P-15-001, P-14-002, P-13-004, P-12-003]

Dear Mr. Sagner:

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 6-month extension of **Section 16.1106(d)** which outlines timing (milestone dates) for residential projects (for 101+ housing units- 9 months after starting date) and a time extension to **Section 16.1106(e)** which outlines timing (milestone dates) for non-residential projects (9 months after starting date).

Approval is subject to the following condition:

The required Final Plans or Site Development Plans for the remainder of Phase V, which currently include 66,667 square feet of shopping center and 96,667 square feet of office carried over from Phases I through III, 263,334 square feet of commercial development carried over from Phase IV and 145 remaining housing units in Phase V shall be submitted **on or before April 24, 2017.** The Final Plan or Site Development Plan for Phase VI, which currently includes 56,000 square feet of office and 176 housing units, shall be submitted **on before May 7, 2017.** The Final Plan or Site Development Plan for Phase VII, which currently includes 40,667 square feet of office and 176 housing units, shall be submitted **on before August 27, 2017,** the Final Plan or Site Development Plan for Phase VIII which currently includes 16,667 square feet of office and 171 housing units shall be submitted **on or before September 10, 2017.**
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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 result in the loss of tentatively approved allocations which would jeopardize development of the balance of the property. The applicant would need to obtain new allocations, which is time consuming and costly, considering the original infrastructure, cost of bonding, taxes and other fees. Per the applicant's justification, "the financial institutions will not finance the balance of the project, if the project were to lose building and school allocations and the bonding entities may take issue with existing bonds if the project lost its future allocations. This project has had a positive influence in the Route 1 re-development corridor. The applicant states that the proposed retail scheme was presented to the Design Advisory Plan on July 7, 2015 and the Site Development Plan will be submitted for review and approval".

Detrimental to the Public Interest or nullify the Intent or Purpose of the Regulations:

The granting of the waiver would not be detrimental to the Public Interest or Nullify the Intent of the Regulations because the waiver does not request relaxation of any technical subdivision or development requirements, but merely allows additional time to complete current plan processing. The granting of the

waiver provides for the continuation of the "Blue Stream" project in an orderly and consistent progression.

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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/WP-16-153/Blue Stream WP-16-153 approval 7-30-16
cc: Research
       DED
       Real Estate Services
       P-15-001, P-14-002, P-13-004 & P-12-003 files