



# 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 14, 2017

Blue Stream LLC  
PO Box 416  
Ellicott City, MD. 21041  
A. Sagner

RE: WP-18-053 (Blue Stream: Phases VI-VIII)  
[associated with: P-15-001, P-14-002, P-13-004 & SDP-18-022]

Dear Mr. Sagner:

The Director of the Department of Planning and Zoning considered your request for an alternative compliance from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for an alternative compliance of **Section 16.1106(d)** which outlines timing (milestone dates) for residential projects (for 101+ housing units-9 months after starting date) and an alternative compliance 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 conditions:**

1. A new Preliminary Plan "cover sheet" that includes updates to all housing unit allocation and phasing charts shall be submitted within **45 days** of alternative compliance approval, **on or before January 28, 2018**. Notes and charts shall clearly address the requirements of Section 127.5.E.3.e. and 127.5.E.3.c. and d, if applicable.
2. The required Final Plans or Site Development Plans for the remainder of Phase V, which currently includes 66,667 square feet of shopping center and 96,667 square feet of office carried over from Phases I through III, and 263,334 square feet of commercial development carried over from Phase IV shall be submitted within 6 months of October 24, 2017 (**on or before April 22, 2018**). The Final Plan or Site Development Plan for Phase VI, which currently includes 56,000 square feet of office and 141 housing units, shall be submitted within 6 months of November 7, 2017 (**on before May 6, 2018**). 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 within 6 months of February 27, 2018 (**on before August 26, 2018**) and 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 within 6 months of March 10, 2018 (**on or before September 6, 2018**).

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

**Extraordinary hardships or practical difficulties:**

Denial of the alternative compliance 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 project would be significantly impacted having to wait for new allocation or for school capacity issues to be resolved, which is time consuming and costly, considering the original infrastructure, cost of bonding, taxes and other fees.

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

The granting of the alternative compliance would not be detrimental to the Public Interest or Nullify the Intent of the Regulations because the alternative compliance 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 alternative compliance request provides for the continuation of the "Blue Stream" project in an orderly and consistent progression.

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Indicate this alternative compliance 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 alternative compliance 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](mailto:tmaenhardt@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/TKM/WP-18-053/Blue Stream Phases VI-VIII WP-18-053 approval 12-14-17

cc: Research  
DED  
Real Estate Services  
SDP-18-022, P-15-001, P-14-002 and P-13-004 files  
Vogel Engineering/Timmons Group