



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

January 25, 2018

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

Dear Mr. Lynch:

RE: WP-18-069, Laurel Park Station, (P-11-004,
SDP-15-043, F-16-013)

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 16.144(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. **Section 16.156(j) – Payment of Fees; Posting of Financial Obligations**, which requires the payment of fees and posting of financial obligation within 180 days of receiving approval of the site development plan; **Section 16.156(m) – Submission of Originals for Signature**; which requires the submission of originals for signatures within 180 days of approval of the site development plan; **Section 16.144(p) – Payment of Fees; Posting of Financial Obligations**, which requires the payment of fees and posting of financial obligation within 120 days of receiving approval of the final plan; **Section 16.144(q) – Submission of Originals for Signature**; which requires the submission of originals for signatures within 180 days of approval of the final plan.

Approval is subject to the following conditions:

1. The payment of fees and posting of financial obligations for the Site Development Plan (SDP-15-043) and the Final Plan (F-16-013) must be completed **on or before April 25, 2018**.
2. The original mylars for the Site Development Plan (SDP-15-043) and the Final Plan (F-16-013) must be submitted **on or before April 25, 2018**.
3. 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 August 12, 2018**.
4. 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 October 1, 2018**.
5. On all future plan submissions, provide a brief description of alternative compliance petition, WP-18-069, as a general note to include request(s), section(s) of the regulations, action and date.

Our decision was made based on the following:

JUSTIFICATION FOR RECOMMENDATION:

Extraordinary hardship or practical difficulties which may result from strict compliance with the Regulations - The extraordinary hardship or practical difficulty involved with this alternative compliance request would require the developer to lose their housing unit allocations if the APFO milestone date is not met. If the alternative compliance request 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 developer recently received State endorsement for an additional railroad station at Laurel Park Station. The extension will allow time to the Tax Increment Financing (TIF) for Phases 3 and 4. This extension will allow Real Estate Services additional time to prepare the developer's agreement and resolve discrepancies in the title report.

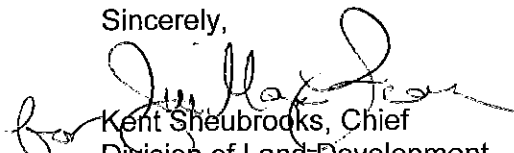
Not Detrimental to the Public Interest - Approval of the alternative compliance request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding properties. The granting of the alternative compliance request for 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 alternative compliance request does not request a relaxation in the design regulations; therefore, the approval of this alternative compliance request will not be detrimental to the public. The extension will allow the developer additional time to address the TIF requirements for Phases 3 and 4 which will provide a commuter hub via MARC train station and bus services. In addition, the extension will provide time for DPW to prepare the developer's agreement and resolve concerns with the title report.

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

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

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Real Estate Services
Vogel Engineering - Timmons Group