



# 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

November 1, 2018

9051 BNP, Inc.  
9051 Baltimore National Pike  
Ellicott City, Maryland 21042

RE: WP-18-132 9051 Baltimore National Pike

To Whom It May Concern:

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 16.155(a)(1)(ii), Site Development Plan Applicability**: A site development plan, approved by the Department of Planning and Zoning is required of any establishment of a use or change in use, unless the Department of Planning and Zoning determines that the establishment or change in use will cause less than 5,000 square feet of site disturbance, that no significant alteration to access, parking, circulation, drainage, landscaping, structures, or other site features is required, and that the proposed use does not qualify as redevelopment that requires stormwater management in accordance with the Design Manual.

The applicant is requesting relief from the requirements of a Site Development Plan (SDP) for the establishment of the property as a Shopping Center.

**Approval is subject to the following conditions:**

1. The Alternative Compliance plan exhibit shall serve as the substitute for a Site Development Plan. The exhibit shall be submitted as an original Mylar and receive signature approval from the Department of Planning and Zoning prior to any future tenant change or application for permits. Changes shall be made to the plan exhibit per the attached comments from the Division of Land Development. The original Mylar shall be submitted within 45-days of this letter (on or before December 16, 2018). All site improvements shown on the plan exhibit are recognized as existing site conditions.
2. The Department of Planning and Zoning is recognizing the existing parking spaces along the front perimeter property line as non-conforming uses because they are currently within the parking use setbacks established by Section 119.0. D of the Howard County Zoning Regulations. No further parking space encroachment is permitted within the setbacks. Any new site improvements shall be in compliance with "B-2" Zoning Regulations.
3. Based on the existing site conditions with limited parking spaces with four existing buildings, and based on the submitted Parking Needs Study and compliance with the Zoning Regulations definition for a shopping center, this Department will recognize the site as a shopping center for parking requirements.

**Our decision was made based on the following:**

**Extraordinary Hardships or Practical Difficulties:** The buildings and parking lot have existed since approximately 1971 with no SDP on record with the Department of Planning and Zoning. There is no redevelopment of the site proposed. This property has been in this condition for approximately 47 years and

cannot fulfill the parking requirements due to site constraints. To require full SDP review would be burdensome to the owner.

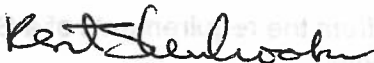
**Not Detrimental to the Public Interest:** The buildings and parking already exists and there are no alterations proposed for the site, A parking study conducted by Mars Group, dated October 15, 2018, confirmed that existing parking onsite can accommodate the demand for current uses, future proposed users, and seasonal parking demands.

**Will Not Nullify the Intent or Purpose of the Regulations:** This site is not proposing any disturbance, additional structures, significant changes to access, parking, circulation, draining, landscaping, or other site features. There are no proposed additions to impervious areas, so this request is exempt from stormwater management, forest conservation, and landscaping. A parking study conducted by Mars Group determined that parking was adequate for existing and proposed users. An exhibit will be submitted to the Department of Planning and Zoning for record of the existing conditions. Due to these factors, the site proposal will not nullify the intent or purpose of the regulations.

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 Kathryn Bolton at (410) 313-2350 or email at [kbolton@howardcountymd.gov](mailto:kbolton@howardcountymd.gov).

Sincerely,

  
Kent Sheubrooks, Chief  
Division of Land Development

KS/ktb  
cc: Research  
DED  
Real Estate Services  
Benchmark

**GENERAL NOTES:**

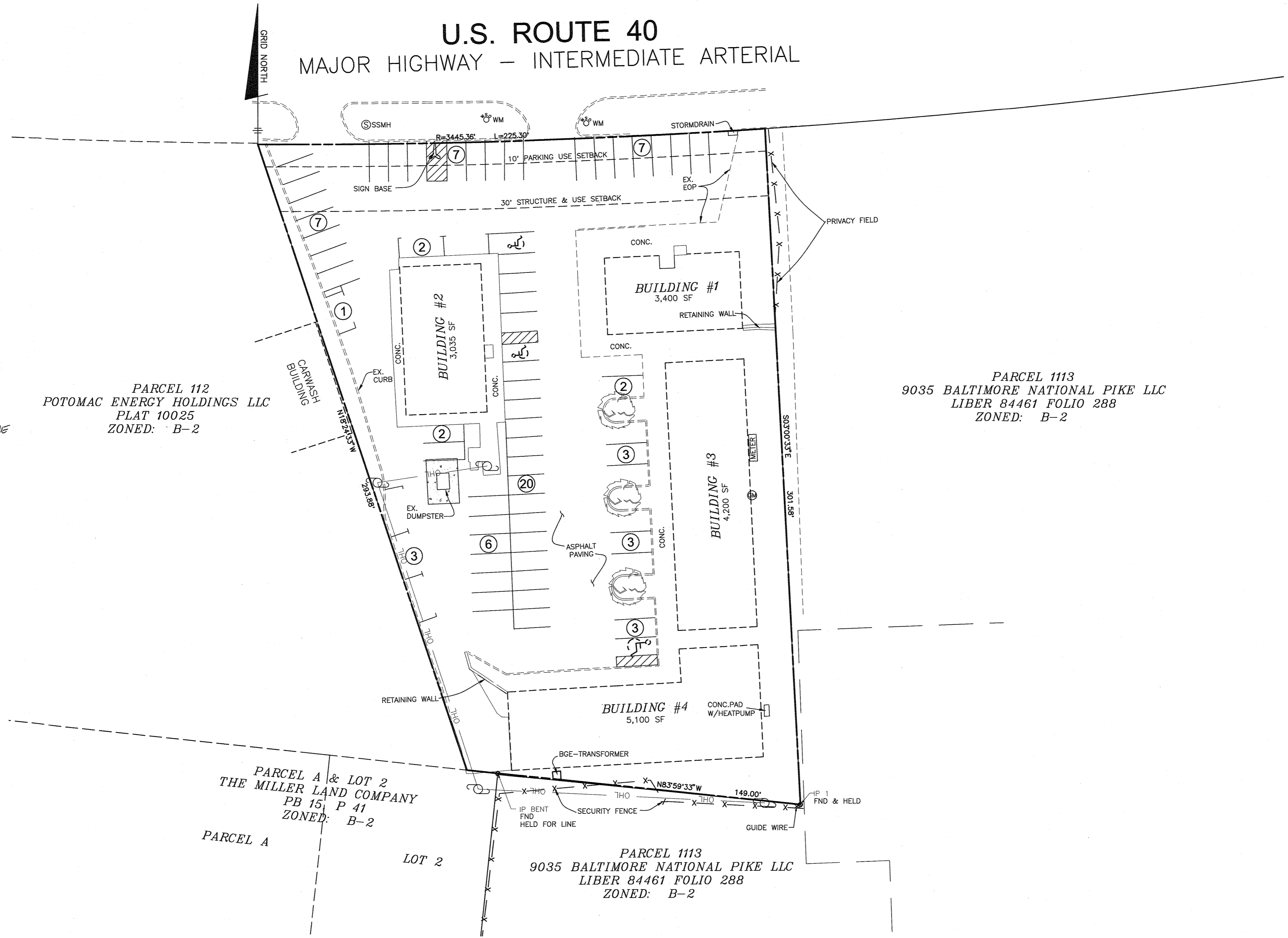
- OWNER: BNP, LLC
- DEED REFERENCE: LIBER 18030 / FOLIO 417
- TAX MAP: 24
- LOT: 9051 BALTIMORE NATIONAL PIKE
- EXISTING ZONING: B-2
- SITE AREA: 53,616 SF OR 1.23 AC±
- PROPOSED USE: SHOPPING CENTER
- BUILDING AREA: 15,735 SF
- EXISTING PARKING: 66 SPACES
- TO THE BEST OF MY KNOWLEDGE, THERE ARE NO HISTORIC STRUCTURES, CEMETERIES OR ENVIRONMENTALLY SENSITIVE AREAS ON SITE.
- BASED ON VISUAL OBSERVATIONS, THERE ARE NO FLOODPLAINS, STREAMS, WETLANDS OR FORESTED AREAS ONSITE.
- THE SITE IS SERVED BY PUBLIC WATER AND SEWER SYSTEMS.
- PROPERTY OUTLINES SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY BY BENCHMARK ENGINEERING, INC. IN APRIL 2018.
- THE PURPOSE OF THIS EXHIBIT IS TO ESTABLISH THE EXISTING CONDITIONS ON-SITE AND TO ESTABLISH A USE DESIGNATION SINCE NO SITE DEVELOPMENT PLAN CURRENTLY EXISTS FOR THIS PROPERTY. THIS PLAN SHALL BE FILED WITH HOWARD COUNTY DPZ FOR FUTURE REFERENCE.
- THE EXISTING PARKING SPACES LOCATED AT THE FRONT PERIMETER, ADJACENT TO U.S. ROUTE 40 ENCR OACH WITHIN THE REQUIRED 10' PARKING USE SETBACK. NO FURTHER ENCR OACHMENTS OF THE PAVED PARKING LOT ARE PERMITTED.
- A PARKING NEEDS STUDY WAS PERFORMED BY MARS GROUP DATED OCTOBER, 2018 TO SUPPORT THE EXISTING PARKING ON-SITE.
- THE OWNER/MANAGEMENT OF THIS PROPERTY/BUILDINGS SHALL MONITOR THE PARKING SPACES FOR THIS PROJECT AND RESOLVE ANY PARKING INADEQUACIES, SHOULD THEY ARISE.
- THIS SITE COMPLIES WITH THE DEFINITION OF A SHOPPING CENTER UNDER ZONING CODE SECTION 103.0 AS A GROUP OF SIX OR MORE RETAIL USES OR RETAIL AND SERVICE USES THAT ARE DESIGNED, DEVELOPED AND MANAGED AS AN INTEGRAL ENTITY SHARE COMMON VEHICULAR ACCESS AND PARKING.
- ALTERNATIVE COMPLIANCE OF SECTION 16.155 (a)(1)(11) WAS APPROVED UNDER WP-18-132 ON NOVEMBER 1, 2018 AND SUBJECT TO THE FOLLOWING CONDITIONS:
  - THE ALTERNATIVE COMPLIANCE PLAN EXHIBIT SHALL SERVE AS THE SUBSTITUTE FOR A SITE DEVELOPMENT PLAN. THE EXHIBIT SHALL BE SUBMITTED AS AN ORIGINAL MYLAR AND RECEIVE SIGNATURE APPROVAL FROM THE DEPARTMENT OF PLANNING AND ZONING PRIOR TO ANY FUTURE TENANT CHANGE OR APPLICATION FOR PERMITS. CHANGES SHALL BE MADE TO THE PLAN EXHIBIT PER THE ATTACHED COMMENTS FROM THE DIVISION OF LAND DEVELOPMENT. THE ORIGINAL MYLAR SHALL BE SUBMITTED WITHIN 45-DAYS OF THIS LETTER (ON OR BEFORE DECEMBER 16, 2018). ALL SITE IMPROVEMENTS SHOWN ON THE PLAN EXHIBIT ARE RECOGNIZED AS EXISTING SITE CONDITIONS.
  - THE DEPARTMENT OF PLANNING AND ZONING IS RECOGNIZING THE EXISTING PARKING SPACES ALONG THE FRONT PERIMETER PROPERTY LINE AS NON-CONFORMING USES BECAUSE THEY ARE CURRENTLY WITHIN THE PARKING USE SETBACKS ESTABLISHED BY SECTION 119.0.D OF THE HOWARD COUNTY ZONING REGULATIONS. NO FURTHER PARKING SPACE ENCR OACHMENT IS PERMITTED WITHIN THE SETBACKS. ANY NEW SITE IMPROVEMENTS SHALL BE IN COMPLIANCE WITH "B-2" ZONING REGULATIONS.
  - BASED ON THE EXISTING SITE CONDITIONS WITH LIMITED SPACES WITH FOUR EXISTING BUILDINGS, AND BASED ON THE SUBMITTED PARKING NEEDS STUDY AND COMPLIANCE WITH THE ZONING REGULATIONS DEFINITION FOR A SHOPPING CENTER, THE DEPARTMENT WILL RECOGNIZE THE SITE AS A SHOPPING CENTER FOR PARKING REQUIREMENTS.
- No SIT DOWN RESTAURANTS ARE ALLOWED IN THE EXISTING BUILDINGS DUE TO PARKING CONSTRAINTS.

**PARKING ANALYSIS:**

- PROPOSED USE: SHOPPING CENTER
- PARKING REQUIRED USING 5 SPACES/1000 SF (DUE TO AGE OF SITE) 15,735 SF @ 5/1000 = 79 SPACES
- EXISTING PARKING PROVIDED: 66 SPACES
- PARKING NEEDS STUDY: INDICATES THAT THERE ARE 24 SPACES AVAILABLE DURING PEAK HOUR DEMAND ON A WEEKDAY OR WEEKEND AND THAT THE EXISTING 66 SPACES CAN ACCOMMODATE THE CURRENT USES, FUTURE USES AND SEASONAL PARKING DEMAND.



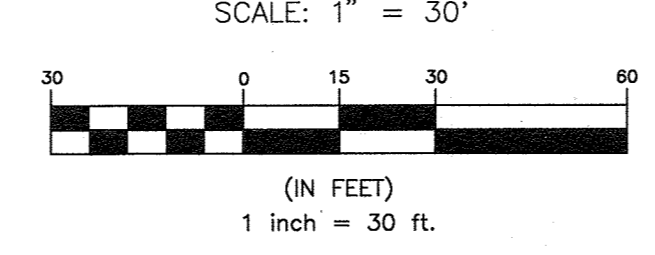
ADC MAP 4815 GRID J6  
VICINITY MAP  
SCALE: 1" = 2000'



**LEGEND**

- EXISTING BUILDING
- SANITARY MANHOLE
- WATER METER
- UTILITY POLE
- GAS METER
- BGE TRANSFORMER
- EXISTING TREE

**SITE LAYOUT**



APPROVED: DEPARTMENT OF PLANNING AND ZONING

<i>Kent D. ...</i>	12-3-18
CHIEF, DIVISION OF LAND DEVELOPMENT	DATE
<i>...</i>	11-29-18
CHIEF, DEVELOPMENT ENGINEERING DIVISION	DATE
<i>...</i>	12-3-18
DIRECTOR	DATE

NO. DATE REVISION	
<b>BENCHMARK</b> ENGINEERS • LAND SURVEYORS • PLANNERS <b>ENGINEERING, INC.</b> 8480 BALTIMORE NATIONAL PIKE SUITE 315 • ELLICOTT CITY, MARYLAND 21043 (P) 410-465-6105 (F) 410-465-6644 WWW.BEI-CIVILENGINEERING.COM	
Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 22390, Expiration Date: 06-30-2019.	
OWNER: 9051 BNP, LLC 10132 BALTIMORE NATIONAL PIKE SUITE A ELLICOTT CITY, MD 21042	9051 BALTIMORE NATIONAL PIKE TAX MAP: 24 - GRID: 05 - PARCEL: 853 ZONED: B-2 ELECTION DISTRICT NO. 2 - HOWARD COUNTY, MARYLAND <b>PLAN TO ACCOMPANY ALTERNATIVE COMPLIANCE PETITION APPLICATION</b>
DATE: NOVEMBER, 2018	BEI PROJECT NO. 2889
DESIGN: LDD DRAFT: LDD	SCALE: 1" = 30' SHEET 1 OF 1

WP-18-132