



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350
Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

December 19, 2019

Blue Stream 3 LLC
PO Box 416
Ellicott City, MD. 21041
A. Sagner

RE: WP-20-046 (Blue Stream)
(associated with SDP-18-058 & P-18-002)

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 16.144(k)** which outlines timing (milestone dates) for submittal of Final Plans (for 101+ housing units-9 months from preliminary plan approval) and an alternative compliance request to **Section 16.156(g)(2)** which states that if the Department of Planning and Zoning or the review committee indicates that additional information is needed, in order to decide whether to approve the plan, the developer shall provide the information within 45 days of receiving such indication.

Approval is subject to the following conditions:

1. Revised plans for SDP-18-058 ("Blue Stream 3-Apartments & Commercial") shall be submitted within **180** days of alternative compliance approval (**on or before June 16, 2020**).
2. All associated Final Plans and Site Development Plans for remaining allocations associated with Phases VII (128 allocations) and VIII (171 allocations) shall be submitted for review within **180** days of the current deadline date of alternative compliance approval (**on or before June 16, 2020**).
3. Any and all remaining commercial obligation for the entire "Blue Stream" project shall be addressed within **180** days of the current deadline date of alternative compliance approval (**on or before June 16, 2020**).

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

Extraordinary hardships or practical difficulties:

The petitioner is requesting an extension of time to submit a Preliminary Plan or Site Development Plan which would utilize the remaining 299 residential allocations from Phases VII and VIII. Currently, SDP-18-058 is being processed and now proposes 189 residential units. However, is anticipated by the applicant that a Zoning Regulation Amendment petition will be filed which would allow the total buy-down of the commercial requirement; this would permit the backfill of the allocated commercial space with additional apartments. Applicant is requesting a 1-year extension to address the remaining 299 residential units would provide the necessary time to process the Amendment. Additionally, "Blue Stream 3" (SDP-18-058) is currently being reviewed. Since it is not yet approved, there is potential for the project to change configuration. Also, there are other potential design alternatives which could increase the number of units.

If the allocation deadlines were not extended, the project would lose remaining allocations. This would be an extraordinary hardship due to the alternatives facilitated by the possible Zoning Regulation Amendment. In addition, project design refinement would no longer be viable/possible.

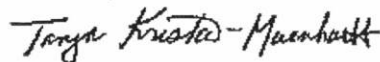
Detrimental to the Public Interest or nullify the Intent or Purpose of the Regulations:

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 site development requirements, but merely allows additional time to complete current plan processing and determine the ultimate design for the remainder of the site, without losing allocations. The granting of alternative compliance also provides the County and petitioner the time required to process any potential Zoning Regulation Amendment and to determine if the project may require and/or acquire additional allocations.

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.

Sincerely,



Acting Chief
Division of Land Development

TM/WP-20-046/WP-20-046 Blue Stream approval 12-19-19

cc: Research
DED
Real Estate Services
Vogel/Timmons
SDP-18-058 & P-18-002 files