



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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Ellicott City, Maryland 21043

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Voice/Relay

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April 14, 2020

Annapolis Junction Town Center, LLC
4816 Del Ray Avenue
Bethesda, MD. 20814

RE: WP-20-073, Annapolis Junction Town Center

Dear Sir or Madam:

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 16.156(o)(1)(ii)** which requires that with all apartment and nonresidential developments involving multiple buildings or staged construction, the developer shall apply for building permits for all construction approved under the site development plan within 2 years of signature approval and relief to **Section 16.156(o)(2)** which states that if the developer does not apply for building permits as required, the site development plan shall expire and a new site development plan submission will be required.

Approval is subject to the following conditions:

1. All remaining building permits in relation to Site Development Plan, **SDP-13-048 ("Annapolis Junction")** shall be applied for **within 2 years of extension to previous deadline (on or before March 9, 2022*)**.

Our decision was made based on the following:

Unreasonable Hardship or Practical Difficulties:

Per the applicant's justification, "construction for all of the proposed buildings on the site could not commence until the commuter garage construction was complete and in service. This resulted in delays for the construction of the other buildings until such time as the underlying ground was no longer needed as a surface commuter parking lot. Additionally, the applicant's justification states that the duration of approval is insufficient for a large mixed-use project like AJTC. Due to the timing of the construction of the various buildings, it is difficult to have the construction of all buildings occurring at one time. Since each building has a long construction time, this necessitates a much longer duration for the ultimate build out of the project. The market has changed, and the developer is adjusting to meet the current market demand.

Most of the infrastructure improvements have already been constructed as part of the first phase of construction, which should allow for the remaining buildings to be completed more quickly. To not approve the waiver and thus have the current Site Development Plan expire, would impose a hardship on the developer by incurring additional engineering and review fees for a new Site Development Plan which would not change from the currently proposed design."

The alternative is to allow the Site Development Plan to expire and require the applicant to resubmit the same Site Development Plan for review and approval by County and State agencies. Since the plan will not change, the additional review cycle and government resources associated with review is not warranted or recommended.

The applicant anticipates that the timeline for the revision to the footprint, County approval for the change in the building height, final design of the new buildings, and permitting will require approximately 2 years.


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 alternative compliance approval will remain valid for one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

This requested alternative compliance will remain valid for the time period specified in the conditions of approval.

***Deadlines for submission are pursuant to the Fifth Edition of the Subdivision and Land Development Regulations. Pursuant to Executive Order 2020-04 and as per DPZ Director Department Order dated April 14, 2020, certain deadlines are reinstated. Should those deadlines lapse while Executive Order 2020-03 is in effect, those deadlines are automatically extended to (30 Days) beyond the termination of the order.**

If you have any questions, please contact Donna Despres at (410) 313-3429 or email at ddepres@howardcountymd.gov.

Sincerely,


Anthony Cataldo, Chief
Division of Land Development

AC/DD

cc: Research
DED
DLD - Julia Sauer
Real Estate Services
Marian Honeczy- DNR (if waiver to forest conservation sections)