



# 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

August 27, 2020

Emerson Development IX, LLC  
Attn: Kate Sanft  
One Texas Station, Suite 100  
Timonium, Maryland 21093

RE: WP-21-003 Emerson Corporate Commons North  
(SDP-16-060 & F-17-035)

Dear Ms. Sanft:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject project was reviewed.

On August 26, 2020 and pursuant to Section 16.104, the Director of the Department of Planning and Zoning, considered and **approved** your request for alternative compliance with respect to **Sections 16.156(l), 16.156(m) and 16.144(r)** of the Subdivision and Land Development Regulations to reactive the site development plan and final subdivision plat and extend the deadline dates to complete developer agreements and submit the plan originals.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Sections 16.156(l), 16.156(m) and 16.144(r) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the one (1) item you were required to address, pursuant to Section 16.104(a)(1):

**1. Unreasonable hardship or practical difficulties may result from strict compliance with the regulations.**

The applicant would incur an unnecessary hardship or practical difficulty if the alternative compliance request were not approved. Denial of the petition would result in undue hardship because it would require the submission of a new Original's Only request and plat, new Environmental Concept Plan and a new Site Development Plan. The current Site Development Plan was designed for a specific governmental tenant, with certain "Federal Government" setbacks, parking and utility criteria. The layout therefore may not be conducive to standard office users. Strict compliance with the previous deadlines resulted in the hardship of leasing the building as designed. The project has already been subject to a complete review and has an established file history. Submission of new plans would be repetitive for all involved and would require additional effort and resources by County staff. Approval of the alternative compliance promotes efficiency of the plan review process. By approving the extension request, the County is granting the owner additional opportunity to secure a lease with a long-term tenant.

Approval of this Alternative Compliance is subject to the following conditions:

1. The developer must submit the originals for F-17-035 prior to submission of the Site Development Plan (SDP-16-060) originals. The plat mylars must be signed and recorded prior to final signature of SDP-16-060. See attached "Originals Only" comments dated October 4, 2016. If the applicant wishes to amend the "Originals Only" request (e.g. address road name change and right-of-way dedication), a NEW request must be submitted to the Division of Land Development.

2. The developer must submit the Site Development Plan (SDP-16-060) originals for signature within one year from the date of this letter (**on or before August 27, 2021\***). Prior to submitting the SDP originals, the developer must complete the following:
  - a. Receive signature approval of the Environmental Concept Plan (ECP-15-068) originals.
  - b. Submit the revision plat originals.
  - c. Submit the Developer's Agreements, post financial sureties, and pay all fees in association with SDP-16-060.
3. Prior to signature approvals of SDP-16-060 or F-17-035 the applicant shall revise the traffic impact study to update the build-out year. A growth rate shall be applied, and mitigation provided, if needed.

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 the time period specified in the conditions of approval.

If you have any questions, please contact Julia Sauer at (410) 313-2350 or email at [jsauer@howardcountymd.gov](mailto:jsauer@howardcountymd.gov).

Sincerely,

DocuSigned by:



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Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/js

cc: Research  
DED  
DLD - Julia Sauer  
Real Estate Services  
Century Engineering



**Howard County Maryland**  
**Department of Planning and Zoning**  
 3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350

DPZ Office Use only:  
 File No. *WP-20-003*  
 Date Filed *7/7/2020*

**ALTERNATIVE COMPLIANCE APPLICATION**

**Site Description:** Emerson Corporate Commons North  
**Subdivision Name/Property Identification:** Emerson  
**Location of property:** 9800 S. Eternal Rings Drive  
**Existing Use:** Vacant **Proposed Use:** Commercial Office Building  
**Tax Map:** 47 **Grid:** **Parcel No:** 837 **Election District:**  
**Zoning District:** MXD-3 **Total site area:** 45.13 acres

Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

F-11-032, F-16-055, S-99-012, PB CASE #339, ECP-15-068, P-08-008, F-04-053, PB-359, ZB-479-14, PLATS 23039-23642, UP-19-090

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the request. Please use the additional page if needed.

Section Reference No.	Brief Summary of Request
Art. V.16.156 Procedure (M)	Submission of originals for signature within 180 days
16.144(r)	Establishes deadline for submission of plats/mylars

Section Reference No.	Brief Summary of Request
16.156 (k)(l)(m)	Establishes deadlines for submission of Developers Agreements, fees, posting of financial obligations and the submission of plan originals

Signature of Property Owner:

*[Handwritten Signature]*

Date: 06/17/2020

Signature of Petitioner Preparer:

*[Handwritten Signature]*

Date: 06/17/2020

Name of Property Owner: James Knott

Name of Petition Preparer: Michael Pieranunzi

Address: One Texas Station  
Suite 100

Address: 10710 Gilroy Road

City, State, Zip: Timonium, Maryland 21093

City, State, Zip: Hunt Valley, Maryland 21031

E-Mail: ksanft@knottrealty.com

E-Mail: mpieranunzi@centuryeng.com

Phone No.: 443-689-8000

Phone No.: 443-589-2400

Contact Person: Kate Sanft

Contact Person: Michael Pieranunzi



Owner's Authorization Attached