



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

March 11, 2021

The Howard Hughes Corporation  
10960 Grantchester Way, Ste. 110  
Columbia, MD 21044

RE: WP-21-097, Crescent Neighborhood within Downtown Columbia  
Virtual Meeting Request

Dear Sir or Madam:

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

As of the date of this letter, 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 **Section 16.128(c)(1)** of the Subdivision and Land Development Regulations to allow the petitioner to host a virtual presubmission community meeting during the COVID-19 State of Emergency.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.128(c)(1) would result in unwarranted hardship. This determination is made with consideration of your alternative compliance application and the four (4) items you were required to address, pursuant to Section 16.104(a)(1):

**1. Strict conformance with the requirements will deprive the applicant of rights commonly enjoyed by others in similar areas.**

The State of Emergency prohibits large indoor public gatherings across the State. To allow the continuity of operations and essential functions related to construction, the Department of Planning and Zoning developed guidelines for conducting virtual meetings that must be met for approval of alternative compliance. This alternative process will allow current applicants to submit development plans so they can to enjoy the same rights commonly granted to others wanting to begin the development process when social distancing restrictions are not in effect.

**2. Uniqueness of the property or topographical conditions would result in practical difficulty; other than economic, or unreasonable hardship from strict adherence to the regulations.**

The presubmission community meeting requirement is an administrative procedure required for most developments to begin the development process. Physical conditions of the property are not considered when applying the presubmission community meeting requirements. Therefore, this criterion does not apply.

**3. The variance will not confer to the applicant a special privilege that would be denied to other applicants.**

Alternative compliance to the physical meeting requirement will not confer a special privilege since it is the only means of conducting these meetings during the current State of Emergency and will be needed for all applicants during this time. The pre-submission community will be held through virtual means and DPZ will require that guidelines be met to ensure that all necessary information is provided and accommodations are made to assist people that may need assistance accessing technology.

**4. The modification is not detrimental to the public health, safety or welfare, or injurious to other properties.**

Conducting a virtual presubmission community meeting will comply with the State of Emergency, allow for social distancing and the policies enacted to protect the public during the COVID-19 pandemic.

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

1. The alternative compliance petition will remain valid as long as the Howard County State of Emergency is in effect.
2. The petitioner must comply with the Department of Planning and Zoning's Virtual Presubmission Meeting Guidelines for applying and hosting a virtual public meeting (attached).

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 will remain valid as long as the Howard County State of Emergency is in effect.

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

Sincerely,

DocuSigned by:

*Amy Gowen*

Amy Gowen, Director

Department of Planning and Zoning

AG/jw

cc: Research  
DLD - Julia Sauer



## ALTERNATIVE COMPLIANCE APPLICATION

**Site Description:** 69.4 acres of land developed with a mix of uses including office, retail and residential, undeveloped parcels and open space.

**Subdivision Name/Property Identification:** Crescent Neighborhood within Downtown Columbia

**Location of property:** East of Broken Land Parkway, south of Little Patuxent Parkway and west of Rt.29.

**Existing Use:** Downtown Mixed Use, vacant and open space      **Proposed Use:** Downtown Mixed use and open space

**Tax Map:** 36, 39      **Grid:** 1, 1      **Parcel No:** 527, 452, 399      **Election District:** 4

**Zoning District:** New Town      **Total site area:** 69.04 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:**

FDP-DC-Crescent-1, FDP-DC-Crescent-1A, SDP-15-068, SDP-18-005, SDP-17-027, SDP-16-075, SDP-13-026

**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
Section 16.128(c)(1 )	Due to COVID 19 and the state of emergency in the state of Maryland. Applicant requests that the community meeting be held virtually. The meeting will be held on <a href="http://www.ZOOM.com">www.ZOOM.com</a> . Letters to the community and concerned parties will be sent with the date and link description of the meeting. In addition, email to the attendees (whose email is available) will be sent with a link to the meeting.
	Alternative Compliance is also requested from the Virtual Procedures that seem to require the Presubmission Meeting Certification to state that the meeting recording was posted on the Petitioner's website for 2 weeks. The presubmission meeting and subject filing is made in accord with the current Crescent phasing schedule with a next plan submission date of 4/1/2021. There is not sufficient time to meet that date and also post the meeting recording for two weeks prior to filing. Petitioner proposes to post the meeting to its website for two weeks following the presubmission meeting in accordance with the Virtual Guideline but to provide DPZ and meeting attendees with any community comments received during that period via a subsequent submission, if any such comments are received, to DPZ. No action on the Petition, once filed, will be required prior to the expiration of this additional two-week period and the receipt by DPZ of any additional received comments. Accordingly, DPZ and the community will be able to consider any comments received during the additional two-week period and will have ample time to provide the Planning Board with comment prior to Planning Board action on the petition. (cont.)

Section Reference No.	Brief Summary of Request
	<p>The requested alternative compliance, subject to review under then-existing Howard County Law per the Development Rights and Responsibilities Agreement, is in the public interest and will further the purposes of the Regulations by assuring the orderly development of the Crescent Properties, will not result in any detriment to other property owners as allocations have been approved, no other property owner will be denied allocations, and all interested parties will have ample opportunity to provide comments to staff and/or the Planning Board prior to final action. Whereas the denial of the alternative compliance request would result in extraordinary hardship, the potential voiding of the existing FDP approval, and potentially requiring re-approval without any public benefit, all to the detriment of Downtown Revitalization.</p>
	<p>Alternatively, Petitioner believes additional time to comply with the 4/1/2021 next submission deadline and/or the presubmission community meeting requirements would be appropriate based on governmental delay due to the Covid restrictions and overall difficulty in preparing and filing an FDP amendment such as that proposed.</p>

**Signature of Property Owner:**  **Date:** 3/1/2021

**Signature of Petitioner Preparer:** n/a **Date:** 

**Name of Property Owner:** The Howard Hughes Corporation **Name of Petition Preparer:** n/a

**Address:** 10960 Grantchester Way, Suite 110 **Address:** 

**City, State, Zip:** Columbia, MD 21044 **City, State, Zip:** 

**E-Mail:** [nancy.tucker@howardhughes.com](mailto:nancy.tucker@howardhughes.com) **E-Mail:** 

**Phone No.:** 410-977-1605 **Phone No.:** 

**Contact Person:** Nancy Tucker **Contact Person:** 

**Owner's Authorization Attached**

Section Reference No.	Brief Summary of Request