



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

September 14, 2021

Mr. Mark Thompson
20006 Delaware, Inc.
198 Laurel Track Road
Laurel, MD 20725

Dear Mr. Thompson:

RE: WP-21-144, Paddock Pointe, Phase 2, SDP-15-063

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 September 12, 2021 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 16.156(g)(2)** of the Subdivision and Land Development Regulations which states 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 request.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.156(g)(2) 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 owner/developer was unable to contract with a developer/partner for the apartment building during the COVID-19 pandemic due to COVID-19 protocols, restrictions in both the United States and Canada. In addition, the current building material shortages have resulted in unforeseen impacts regarding the project schedule and viability. The developer is anticipating that minor revisions to the site development plan may be required when the future developer for this building is selected.

Granting the Alternative Compliance request and extending the deadlines does not relax any technical requirements but provides the time necessary to locate an appropriate partner. Denial would create an unreasonable hardship since extensions were granted to other project teams that were actively working on plans but were unavoidably impacted by the COVID related delays and uncertainty. In addition, strict compliance with the regulations would require the developer to submit a new application and plans for review with only minor changes as there have been no technical changes to the regulations since the expired deadline date. Approval of the alternative compliance promotes efficiency of the plan review process.

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

1. The Site Development Plan (SDP-15-063) for Phase 2 must be resubmitted **on or before (within 6-months from the date of the letter) on or before March 14, 2022.**

2. The project must comply with the conditions of approval from all previously approved Alternative Compliances. This includes, but is not limited to, a condition of approval for WP-11-184, which required a shared parking agreement and private road maintenance agreement to be recorded in the Land Records office. This document must be recorded before the Site Development Plan for Phases 2, 3 or 4 will be signed.
3. The fee-in-lieu cost for the road improvements at the intersection of Whiskey Bottom Road and US Route 1 must be paid as determined by DED and DPW.
4. On all future plan submission, provide a brief description of alternative compliance petition, WP-21-144, as a general note to include request(s), section(s) of the regulations, action and date.

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 Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,



Anthony Cataldo, AICP, Chief
Division of Land Development

AC/bl

cc: Research
DED
DLD - Julia Sauer
Real Estate Services
Julian Olin (Julian.Olin@stronachgroup.com)
Vogel + Timmons



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

(410) 313-2350

DPZ Office Use only:
 File No.
 Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Laurel Park Station Phase 2, Parcels C-1, J & K-1	
Subdivision Name/Property Identification: Laurel Park Station Phase 2, SDP-15-063	
Location of property: Laurel Park Boulevard	
Existing Use: Vacant	Proposed Use: Apartments
Tax Map: 50	Grid: 10
Parcel No: 384	Election District: 6th
Zoning District: TOD	Total site area: 6.98 Ac.

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:

SDP-15-063
 S-19-011
 S-18-001

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
16.156(g)(2)	45-day requirement to submit revised Site Development Plans

Section Reference No.	Brief Summary of Request

Signature of Property Owner: *Mark J. Thompson* Date: 6/21/21

Signature of Petitioner Preparer: *[Signature]* Date: 6/21/21

Name of Property Owner: 20006 Delaware, Inc. Name of Petition Preparer: Vogel Engineering + Timmons Group

Address: 198 Laurel Race Track Road Address: 3300 North Ridge Road., Suite 110

City, State, Zip: Laurel, Maryland 20725 City, State, Zip: Ellicott City, Maryland 21043

E-Mail: mark.thompson@stronachgroup.com E-Mail: rob.vogel@timmons.com

Phone No.: 443-794-7161 Phone No.: 410-461-7666

Contact Person: Mark Thompson Contact Person: Robert H. Vogel

Owner's Authorization Attached



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

April 17, 2020

Mark Thompson
Stronach Properties
198 Laurel Race Track Road
Laurel, MD 20725

Dear Mr. Thompson:

RE: **SDP-15-063, Laurel Park Station, Phase 2**

The Subdivision Review Committee has determined that the above referenced plan does not conform with the objectives of the Howard County Subdivision and Land Development Regulations. The plan markups and comments in ProjectDox must be addressed in a **revised** plan submission within **45*** days from the date of this letter (**on or before June 1, 2020***). Please submit a point-by-point response letter with the revised plan submission that addresses each of the comments and plan markups from the agencies with confirmation as to how and specifically where on the plan the comments have been addressed.

***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.**

In accordance with adopted Council Bill No. 51-2016, effective on 10/5/16, if the deadline date is a Saturday, Sunday, or holiday or if the County offices are not open, the deadline shall be extended to the end of the next open County office business day.

The resubmission of revised plans in Project Dox must be completed by the applicant and payment of any required additional fees, if applicable, shall be verified by DPZ staff prior to 5:00 p.m. of the deadline date to ensure acceptance of the plan for processing. If the revised plan submission is not received by that date, your plan submission will become null and void in accordance with Section 16.156 of the Howard County Subdivision and Land Development Regulations. After that date, any plans resubmitted must be processed as a new site development plan application. You will be required to comply with all plan submission requirements and regulations in effect at the time of resubmission.

This is the 9th request for revised plans. As such, a fee equivalent to 50% of the original filing fee is required to be paid with the submission of the above referenced revised plans. The fee is \$2,437.50. Be advised that your revised plans will not be processed without this fee.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,

Anthony Cataldo, AICP, Chief
Division of Land Development

AC/bl

cc: Research
DED
SCD
Vogel Engineering
20006 Delaware, Inc.
[Brian Schade \(bschade@mdot.maryland.gov\)](mailto:bschade@mdot.maryland.gov)

LAUREL PARK STATION, PHASE 2
ALTERNATIVE COMPLIANCE

III JUSTIFICATION

SECTION 16.156 (g)(2)

This project is now known as Paddock Pointe Phase 2. The purpose of this Alternative Compliance petition is to request an additional 6-month extension to resubmit the Phase 2 plans. During the past year, the ownership/developer has been unable to effectuate a sale or partnership with an apartment developer in part due to COVID restrictions in both the United States and Canada (location of ownership). Additionally, the current building material shortages and supply costs could result in unforeseen impacts regarding the project proforma and viability. The developer may expose himself to potential financial risks if he were to move forward considering current building material fluctuations.

The additional time requested would provide the petitioner the time necessary to seek out an appropriate partner and for the building supply chain to stabilize. The availability and pricing of construction materials may require consideration be given to building design and modifications. If this Alternative Compliance were not granted and the current site development plan voided, the petitioner would be required to process a new site development plan. This would result in additional fees, time, and potentially the loss of allocations. This would be a significant hardship for the petitioner and would compromise the orderly development of the project.

This Alternative Compliance petition is not requesting relief from any technical or material requirements. The extension requested will facilitate the proper completion/modification of building plans and correspondingly, the site development plan. This should circumvent the need to generate significant redline revisions in the future.

The granting of this Alternative Compliance does not compromise the intent of the Regulations and does not result in any adverse impacts in regards to the public.