



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 22, 2023

Scott Armiger
Toby's General Partnersip
10101 Twin Rivers Road #553
Columbia, MD 21044

RE: WP-23-064, New Cultural Center

Dear Mr. Armiger:

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 March 22, 2023 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 the following sections of the Subdivision and Land Development regulations:

- **Section 16.144(q) which states**, "Within 180 days of final plan approval, the developer shall submit the final subdivision plat to the Department of Planning and Zoning for signatures and recordation."
- **Section 16.156(l), which states**, "Payment of Fees; Posting of Financial Obligations. Within 180 days of receiving approval of the site development plan the developer shall pay all required fees to the County and If subject to a developer agreement or major facility agreement, post all monies and/or file appropriate surety covering the developer's financial obligations for the required improvements."
- **Section 16.156(m), which states**, "Within 180 days of final plan approval, the developer shall submit originals of the site development plan the Department of Planning and Zoning for signatures and recordation."

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Sections 16.144(q), 16.156(l), and 16.156(m) 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):

The development team is currently weighing several building modifications options to address budgetary constraints. This may result in minor site development plan adjustments. The owner was evaluating the extent of the changes prior to submitting the site development plan for signature and recording the plat to consolidate the properties. Howard Hughes Corporation, which currently owns a portion of the property on the site development plan, has requested that the transfer of that land to the New Cultural Center developer occurs prior to the completion of the Developer Agreements and the recordation of the plat. Strict compliance with the regulations would require the applicant to submit final official drawings absent resolution of these outstanding issues. Those drawings would then need to be revised should modifications be needed to address current

concerns. Approval of the alternative compliance promotes efficiency of the plan review process, as the plans will not be reviewed and circulated by the signing agencies before knowing whether new changes to the plan will be required. The development team communicated that with this extension they will have sufficient time to complete the developer agreements, submit the plat for recordation and the SDP for final signatures. It is anticipated that no additional time extensions will be needed and this will be the final timeframe in the conditions of approval. Future requests for extensions are less likely to be granted without progress in meeting the extended deadlines.


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

1. The developer shall pay all required fees to the County and If subject to a developer agreement or major facility agreement, post all monies and/or file appropriate surety covering the developer's financial obligations for the required improvements no later than six months from the prior December 27, 2022 deadline (on or before June 27, 2023).
2. The development shall submit the final plat for recordation no later than six months from the prior December 27, 2022 deadline (on or before June 27, 2023).
3. The development shall submit the site development plan for signature no later than six months from the prior December 27, 2022 deadline (on or before June 27, 2023).

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 Jill Manion at (410) 313-2350 or email at jmanion@howardcountymd.gov.

Sincerely,

DocuSigned by:

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Anthony Cataldo, AICP, Chief
Division of Land Development

AC/jam

cc: Research
DLD - Julia Sauer
Real Estate Services
GLW-Dan Sweeney



DPZ Office Use only:
File No.
Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: **New Cultural Center**

Subdivision Name/Property Identification: **Downtown Columbia - Crescent Neighborhood- Phase 2-Parcels S**

Location of property: **5900 Symphony Woods Rd**

Existing Use: **Dinner Theatre** Proposed Use: **mixed use**

Tax Map: **36** Grid: Parcel No: **307** Election District: **5**

Zoning District: **NT** Total site area: **3.04 Ac**

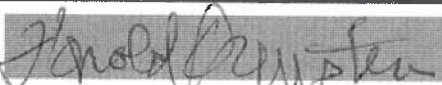
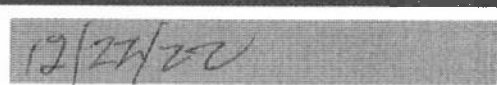
Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

FDP-DC-CRESCENT-2, SDP-17-043, F-17-080

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.

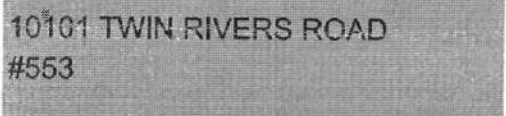
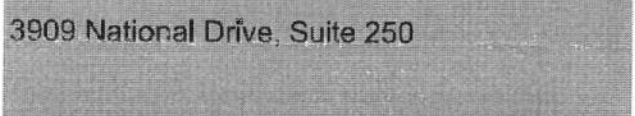
Section Reference No.	Brief Summary of Request
16.156.m	extend deadline for submission of SDP originals
16.144.q	extend deadline for submission of plat originals

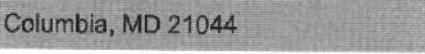
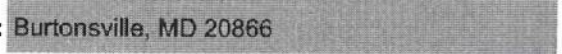
Section Reference No.	Brief Summary of Request
16.156.f	extend deadline for submission and fees for Developer Agreement

Signature of Property Owner:  Date: 

Signature of Petitioner Preparer:  Date: 

Name of Property Owner:  Name of Petition Preparer: 

Address:  Address: 

City, State, Zip:  City, State, Zip: 

E-Mail:  E-Mail: 

Phone No.:  Phone No.: 

Contact Person:  Contact Person: 

Owner's Authorization Attached