



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

January 26, 2024

Blue Stream 3, LLC
PO Box 416
Ellicott City, MD 21041

RE: WP-24-045, Brompton III

Dear Applicant:

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 January 25, 2024 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) and 16.156(m)** of the Subdivision and Land Development Regulations for an extension to process the Developers Agreements and submit the site development plan electronic original drawings for signature approval.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.156(l) and Section 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 subject site development plan is currently designed with a multi-family building with structured parking and some single family attached dwellings. The project is reliant on HUD financing, and HUD construction finance rates are currently at historically high rates. In addition, construction costs reflect current inflation and are also historically high. The combination of high construction finance interest rates and inflated construction costs created a project that is not viable to construct. It is anticipated that both construction costs and interest rates will decrease over the next several months and the project will proceed as designed. There is an alternate single family attached design that is also being pursued if the economic factors don't resolve.

The current deadline to submit the Developers Agreement and submit the site development plan electronic originals was October 21, 2023. However, the project cannot proceed without the necessary construction and financing contracts in place. The petitioner intends to proceed with the project as approved or with the alternate design. In order to secure financing and initiate construction, it is necessary for the current "technically complete" status be preserved. Granting the extension would preserve the current project status as strict compliance with the regulations would require the applicant to submit a new formal Site Development Plan for the proposed project. Approval of the alternative compliance will also promote efficiency of the plan review process as the existing drawings have been reviewed and approved by the County. The developer has also completed the construction of the Route 1 traffic and pedestrian signals and is currently completing the conversion of the stormwater management pond, landscaping, and Blue Stream Drive extension. The extension will provide the

necessary time to resolve the finance and construction cost issues and resume processing in accordance with the Land Development Regulations.

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

1. Completion of Development Agreements, payments of fees, and submission of the Site Development Plan originals for the apartment building and townhouse design for SDP-18-058b (Brompton 3) shall be submitted within 1 year from the previously established milestone date (on or before October 21, 2024).
2. Add the Alternative Compliance Request number, purpose, section, date, and conditions on all subsequent plan submissions.

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 Nicholas Haines at (410) 313-4333 or email at nhaines@howardcountymd.gov.

Sincerely, 
1EB75478A22B49A...
Anthony Cataldo, AICP, Chief
Division of Land Development

AC/NH

cc: Research
DLD - Julia Sauer
Real Estate Services
Vogel Engineering



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cc: Research
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Real Estate Services
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ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Beamstead III SDP-18-058b

Subdivision Name/Property Identification: BLUE STREAM

Location of property: BLUE STREAM DRIVE

Existing Use: VACANT **Proposed Use:** MULTIFAMILY + SINGLE FAMILY DETACHED

Tax Map: 43 **Grid:** 4 **Parcel No:** 14 **Election District:** 18

Zoning District: CAC-CL1 **Total site area:** 6.65ac

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-18-058b
P-18-002
WA-23-003 (EXT)

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
<u>16.156(k)</u>	<u>DEVELOPER'S AGREEMENTS CONCURRENT WITH THE APPROVAL OF THE SITE DEVELOPMENT PLAN</u>
<u>16.156(m)</u>	<u>SUBMISSION OF ORIGINALS FOR SIGNATURE WITHIN 180 DAYS OF APPROVAL OF THE SITE DEVELOPMENT PLAN</u>

Section Reference No.	Brief Summary of Request

Signature of Property Owner: *[Signature]* for David Sagner Date: 10/20/23

Signature of Petitioner Preparer: *[Signature]* Date: 10/20/23

Name of Property Owner: Blue Stream 3 LLC Name of Petition Preparer: Vogel Engineering + Timmons Group

Address: PO Box 945 Address: 3300 North Ridge Road., Suite 110

City, State, Zip: Brooklandville, MD 21022 City, State, Zip: Ellicott City, Maryland 21043

E-Mail: DSagner@DOL.com E-Mail: rob.vogel@timmons.com

Phone No.: 410-465-2020 Phone No.: 410-461-7666

Contact Person: David Sagner Contact Person: Robert H. Vogel

Owner's Authorization Attached