



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

February 21, 2018

Taylor Service Company
Historic Ellicott Properties
4100 College Avenue
Ellicott City, MD 21043

RE: WP-17-048 Taylor Highlands

Dear Sir/Madam:

The Director of the Department of Planning and Zoning considered your request for an alternative compliance from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for an alternative compliance of **Section 16.120(c)(4)** and **Section 16.1205(a)(7)**.

Approval is subject to the following conditions:

1. The proposed private streets within the project area shall be designed and constructed to public road standards in accordance with the Design Manual or as approved by the Development Engineering Division and the Department of Public Works. The private streets within the R-A-15 zoned portion of the property shall comply with the setbacks in Section 112.0 of the Zoning Regulations.
2. The Homeowner's Association shall own and maintain the private streets within this development and shall be responsible for all maintenance, trash collection and snow removal.
3. The planned residential lots shall front on and obtain access from the proposed private streets. The applicant shall be responsible for establishing safe vehicular access to all residential lots.
4. Sidewalks and street trees shall be provided along the private streets in accordance with Sections 16.124 and 16.134 of the Subdivision Regulations and the Landscape Manual.
5. The developer shall provide a stream restoration plan as part of the final construction drawings for "Stream #2" as identified on the Natural Resource Inventory/Forest Stand Delineation Plan dated June 24, 2016. The restoration plan shall include debris removal, grade controls, riparian plantings, live staking, or similar restoration practices as outlined in the Stream Restoration Narrative dated January 17, 2018. A final as-built plan and report shall be submitted to DPZ upon completion of the stream restoration work. The 2-year survival period for the afforestation plantings will not begin until the as-built report is received by DPZ.
6. The approval of this alternative compliance request applies only to the 72 specimen trees as shown to be removed on the plan exhibit. The removal of any other specimen tree on the subject property is not permitted under this request unless it can be sufficiently demonstrated by the applicant to be justified.
7. The developer shall mitigate the removal of 72 specimen trees by planting a mix of native shade trees at a 2:1 ratio, totaling 144 shade trees. The plantings shall have a caliper of no less than 2½" and will be bonded as part of the landscaping surety with future plans. The locations, species and planting specifications will be reviewed by DPZ as part of the final landscaping plan. The 144 trees will be in addition to any trees required per the afforestation planting calculations and stream restoration plan.
8. The pavement and gravel piles along the existing service road extending from New Cut Road to the proposed Limit of Disturbance shall be removed and the area shall be planted and placed within a Forest Conservation Easement.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

The project site has several constraints which limit the developable portion of the property. Topographic challenges, environmental features and zoning district boundaries limit the potential configuration of the site. The existing Sheppard Pratt hospital will remain in service for several years during construction of the Taylor Highlands development, which must be accommodated in the design. Also, the site is located within the Hudson-Tiber watershed, which requires additional stormwater management not typically required in other areas of the county. This results in a significant volume of water to be stored onsite. The proposed private roads are designed to accommodate the topographic and geometric constraints and therefore require flexibility from the public road standards. Public roads would also require additional setbacks in the POR-zoned portion of the site, which could potentially push the proposed development into the more environmentally-sensitive areas.

The R-A-15 zoned portion of the site is proposed to include a large number of apartments which will help to minimize the development footprint. The proposed development utilizes the portion of the site which has previously been developed and/or graded. A considerable percentage of the 72 specimen trees are located within the previously developed or graded areas. Many of the trees are in fair or poor condition or are species which do not adapt well to disturbances within the critical root zones. Extensive grading is proposed, mainly due to the topographic challenges of the site, which will result in impacts to the critical root zones of the trees.

Alternative Proposal:

The single-family attached lots (88 lots total) will utilize the private road network to access College Avenue and Village Crest Drive. Taylor Highlands will be part of the same master association as the adjacent Village Crest (Taylor Village) development, which also utilizes a private road network. The maintenance and snow removal infrastructure is already in place in the adjacent development and the association has maintained the private roads and provided snow removal for several years.

The applicant is proposing to mitigate the removal of 72 specimen trees by planting 144 additional shade trees onsite. A significant portion of the existing forest is proposed to be retained within forest conservation easements (approximately 11.5 acres). The proposed development has been designed to minimize the removal of vegetation in the higher priority areas including steep slopes, streams, wetlands and their buffers.

Not Detrimental to the Public Interest:

The proposed private road network will be owned and maintained by the same master association as the adjacent Village Crest development. This association has the infrastructure and services already in place to accommodate the proposed road network. The proposed development has been designed to minimize impacts to high priority environmental areas such as steep slopes, streams, wetlands and their buffers. A large number of the specimen trees proposed to be removed include species such as Tulip Poplars (33 trees), which are subject to losing limbs and have weak root structure which may compromise nearby homes, vehicles, etc. Others include ash trees, which are at a high risk of ash borer infestations, or trees which are in fair or poor condition and should be removed to reduce safety risks to the new residents.

Will not nullify the intent or purpose of the regulations:

The proposed private road network has been utilized in the adjacent Village Crest community and will be maintained by the same master association. This will allow the developer to have greater design flexibility, which will be beneficial due to the number of constraints on the property. The development envelope has been designed to reduce impacts to steep slopes and stream/wetland areas. Unfortunately, many of the specimen trees are located within the previously developed areas in the upland portion of the property. The specimen tree mitigation plantings will result in additional native shade trees onsite, which will be planted in areas that will help to ensure their long-term protection.

Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval and approval date on all related plats, site development plans and building permits. This alternative compliance approval will remain valid for one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

Sincerely,

Handwritten signature of Kent Sheubrooks in cursive, with the initials 'KS' written at the end.

Kent Sheubrooks, Chief
Division of Land Development

KS/eb

cc: Research
DED
Real Estate Services
Vogel + Timmons