

Zoning Map Amendment

Staff Report

Case #: R-19-01

Applicant: Cromwell Investments, LLC

Request: Rezone 160.87 acres from Agricultural (A) to Planned Unit Development (PUD)

Site of Rezoning Request



Applicant's Proposal

Overview

The application proposes to rezone 160.8 acres from Agricultural (A) to Planned Unit Development (PUD) specifically as an age-restricted development with a maximum of 600 dwellings.

The application also proposes the option of having all or a portion of the project to be developed as a Continuing Care Retirement Community (CCRC), which could include nursing care, assisted living, and/or independent living components.

There is no commercial use proposed.

Proposed Concept Plan

Residential

The Cromwell PUD Concept Plan proposes a residential development, with an age-restriction, and a maximum of 600 dwellings. The application proposes a mix of dwelling types including:

- Single-family detached
- Single-family attached (villas)
- Multi-family (condo)
- Multi-family (affordable rental) - tentative

The Plan does not identify how many units of each would be proposed, but leaves that open to be determined at the Phase II subdivision/site plan stage.

CCRC Alternative

An alternative development concept would involve all or a portion of the site to be developed as a Continuing Care Retirement Community (CCRC). A CCRC may include any or all of the following:

- Nursing care
- Assisted living
- Independent living

A decision to pursue a CCRC would be made at the Phase II review of the project. The maximum of 600 dwellings for an age-restricted development would not apply to the CCRC. The nursing care and assisted living components are typically counted as beds or rooms. Any independent living units would be similar to conventional dwelling units and could take the form of detached units, attached units, or a multi-family building.

Public Use/Institutional

A 4-acre public use Site on the south side of Lake Linganore Blvd is identified on the Plan. This Site is proposed for a regional library and would be dedicated to the County.

Proposed Land Use Mix - Cromwell PUD Concept Plan

Proposed Land Use	Acres	Percentage (of gross land area)	Maximum Permitted or Minimum Required
Residential/CCRC	104.4	64.9%	
Institutional/Public Use Site	4	2.5%	
Open Space	48.5 ¹	30.2%	30% minimum (48.2 acres)
Road right-of-way	3.8	2.4%	
TOTAL	160.8 acres	100%	

1. Does not Include pocket parks/greens to be identified within the residential area

Open Space

With a gross area of 160.8 acres the open space requirement is 30% or 48.2 acres. The Plan designates open space along the entire eastern boundary of the site (15.5 acres), which incorporates the existing woodlands, steep slopes, and several stream corridors. The perennial stream along the eastern property line flows into Lake Linganore. This open space also extends into the middle of the property (13.5 ac.) encompassing two intermittent streams and their buffers. A smaller open space area (3.5 acres) is in the southwestern part of the site encompassing existing woodlands and wetlands. The third open space area (11 acres) encompasses the parcel on the west side of Meadow Rd. that is wooded with moderate and steep slopes.

A 1-acre pocket park is shown on the south side of Lake Linganore Blvd. and a 4-acre Site is shown at the entry corner with Street A. Together these open space areas total approximately 48.5 acres. Not identified on the plan would be pocket parks/greens that would be incorporated within the residential blocks.

Phasing Plan

The application does not propose a specific phasing plan (page 9 of justification statement). Given that the project will be dependent on Lake Linganore Blvd for access the developer will be responsible for constructing that roadway at least for the portion within their site if not including the portion through the Delauter property to Meadow Rd. The justification statement notes that the construction of Lake Linganore Blvd will be phased from east to west.

The developer will also be responsible for constructing the necessary water and sewer infrastructure, which is already in the vicinity of the site.

The market conditions for either age-restricted development or demand for CCRC facilities will determine when the project is likely to get underway.

Evaluation

Proposed Land Use Mix and Density

Gross density of a proposed PUD development shall comply with the following table.

County Comprehensive Plan Land Use Designation	Dwelling Units per Acre
Low Density Residential	3-6 du/ac
Medium Density Residential	6-12 du/ac
High Density Residential	12-20 du/ac

The Site, with a gross acreage of 160.8 acres and with the proposed maximum of 600 dwellings, would have a **gross density** of 3.7 dwellings/acre. A net density calculation, based on the residential area of 104.4 acres, would result in a **net density** of 5.7 dwellings/acre. These densities are consistent with the Comprehensive Plan range for Low Density Residential of 3-6 dwellings/acre. Development as a CCRC would not have a corresponding density figure.

Consistency with the Comprehensive Plan Map - Land Use Designation

The site is located within the Linganore Community Growth Area and represents the last major uncommitted property in the growth area. It has long been designated for Low Density Residential development as far back as the 1984 New Market Region Plan.

The application of PUD zoning with a gross density of 3.7 dwellings/acre is consistent with the Low Density Residential plan designation and is within the 3-6 dwelling/acre density range.

There has not been a specific Community or Corridor Plan developed for the Linganore community.

Consistency with the Livable Frederick Master Plan

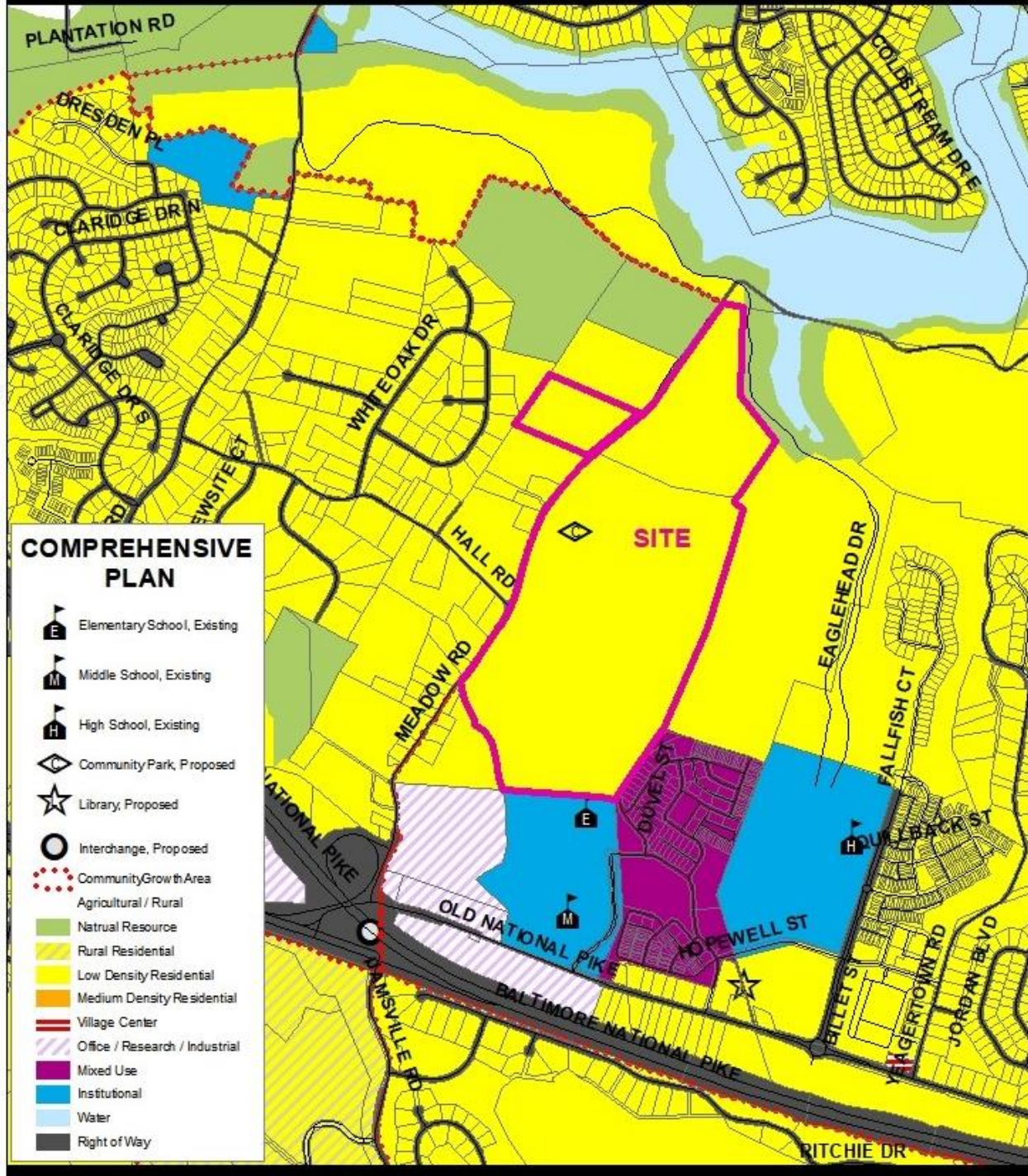
The Livable Frederick Master Plan (LFMP) embodies a focus on policy and general growth strategy in order to articulate a clear direction for Frederick County in the face of future change. In concert with the Comprehensive Plan Map, future community, corridor, large area, and functional plans, the LFMP constitutes Frederick County's Livable Frederick Comprehensive Plan.

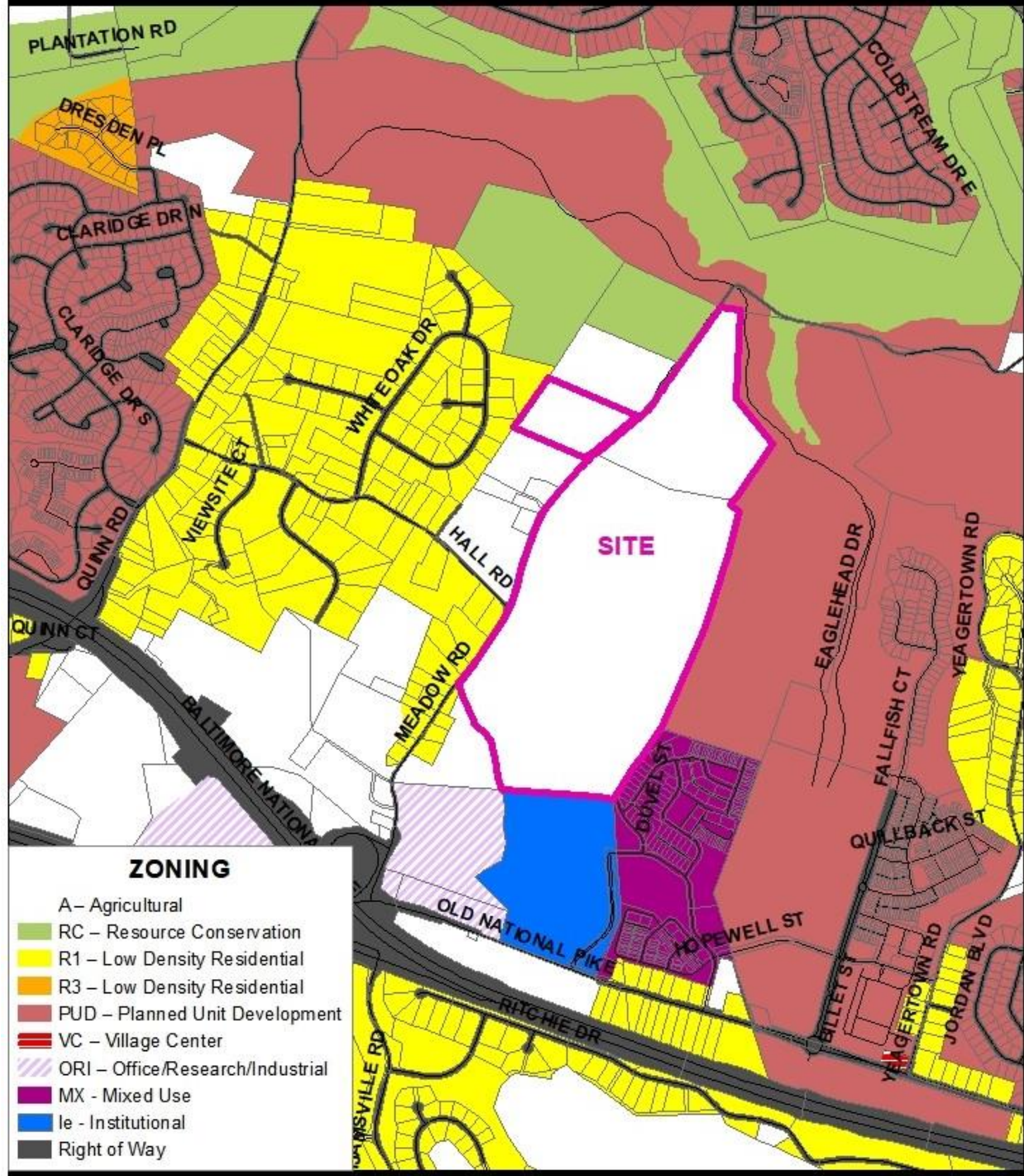
This Application is consistent with the broad LFMP policies that seek to establish land uses which are generally supportive of the residential and service needs of an increasingly older population, either through redevelopment or new development in communities and neighborhoods located within designated Community Growth Areas, such as the Linganore and Spring Ridge CGA's that surround this Site. The rezoning of the land that is the subject of this Application would create the potential for additional housing opportunities in an area long identified for such development in County planning documents. The proximity of local schools, commercial retail services, and a future library/senior center would provide for a richer mix of uses in this portion of the designated Community Growth Area.

The LFMP's Thematic Plan Diagram (and supporting text) identifies the Spring Ridge, Linganore, and Bartonsville areas as places where the County may support 'suburban retrofit' policies including provisions for "finding locations for mixed use" and strengthening suburban communities "by reinvesting in them with infill development and redevelopment that creates more opportunities to walk, shop, work, and recreate closer to home.". Targeted residential development that provides additional local opportunities for older or retired Frederick County residents to remain in the County supports a diverse residential marketplace while increasing the chance that extended, multi-generational families can continue to live in close proximity to one another.

Compatibility with Adjoining Zoning and Land Uses

The area surrounding the site includes, on the west side of Meadow Road, large-lot, well/septic residential uses that were developed primarily in the 1960's, 70's, and 80's. To the north and east is the Linganore PUD including the Alpine area to the north, which has not yet developed and the Linganore Town Center area, which is under construction. The Linganore Town Center is approved for 1,185 dwellings with a mix of several dwelling types. The area immediately adjacent to this site will develop as single-family detached houses and townhomes. The Oakdale Village development is located to the east of the Site with 315 dwellings including single-family, townhouses, and two-over-two units. Oakdale Elementary and Middle schools are located to the south of the Site.





Cultural Resources

The property has the original farm residence built about 1835. There are several outbuildings on the site as well. The house is listed on the Maryland Inventory of Historic Places (MIHP) as the *J. Cromwell Hammond House* (F-5-18). The County's survey files also indicate a graveyard on the site, but no detail as to an exact location. The application does not provide any information about whether the buildings will be adaptively reused in the project.



Schools

The application proposes the condition that the project will be age-restricted to residents 55 and over so there would be no impacts on school enrollments.

Water and Sewer

The site is classified Planned Service (PS) on the Water and Sewerage Plan.

Water Supply

Public water is provided through the New Design water system, which withdraws water from the Potomac River. The New Design Water Treatment Plant has a permitted withdraw capacity of 16 million gallons/day (average daily) and has a current average daily demand of approximately 6 MGD.

Sewer Service

Sewage treatment service is provided by the Ballenger-McKinney wastewater treatment plant (WWTP), which has a permitted capacity of 15 MGD and currently discharges into the Monocacy River. Current average daily demand at the Ballenger-McKinney WWTP is 7.3 MGD.

Based on the proposed 600 dwellings, and assuming 250 gallons/day/dwelling, the development would need approximately 150,000 gallons/day of both water supply and sewage treatment capacity. The developer will be

responsible for extensions and connections to the existing public water and sewer lines as well as constructing water storage tanks, pump stations etc. as required.

Public Safety

The Site is approximately 1.5 miles from the Spring Ridge Fire Station #33. Police protection for the Site is provided by the Frederick County Sheriff's Office.

Libraries

The Concept Plan proposes a 4-acre public use Site that would accommodate a new regional library. The accommodation for the library will address a condition for the adjoining Linganore Town Center development, which is part of the Linganore PUD.

Planned Improvements

The Linganore Regional Library is referenced in the FY 2020-2025 Capital Improvements Program (CIP) but is not funded until after FY 2025.

Parks

The nearest County parks are Old National Pike Park (6 miles) and Pinecliff Park (5.3 miles). Pinecliff Park is fully developed with playing fields, playgrounds, picnic areas, and access to the Monocacy River. Old National Pike Park is partially developed.

The proposed site development would include a private clubhouse and pathways/trails within the site which would be maintained by an HOA. As an active adult/age-restricted community there would not be demand for the usual play field and playground amenities. While the County Comprehensive Plan has a Community Park symbol on the site, the County Division of Parks and Recreation does not have any active plans to purchase land for a community park in this area.

Planned Improvements

The FY 2020-2025 CIP includes a project for Old National Pike Park Phase 2 for the construction of additional facilities in FY 2023.

Transportation

Existing Site Access Characteristics

The site has approximately 3,227 feet of frontage along the paved portion of Meadow Rd. Beyond this point Meadow Rd. is gravel and primarily serves as a private driveway to a residence where the road/driveway dead ends. The Concept Plan only proposes a secondary access to Meadow Rd.

Meadow Rd. looking north



North end of Meadow Rd. looking south



The primary site access will be the planned Lake Linganore Blvd, which the developer will be responsible for constructing within their project limits. The Concept Plan shows two access points onto Lake Linganore Blvd. The proposed Street A is across from a proposed extension of Neuville St. which will provide access to the Oakdale Village development.

Neuville St looking north into Cromwell property



Pedestrian and Bicycle Facilities

There are no existing sidewalks along either Old National Pike or Meadow Rd. The planned Lake Linganore Blvd will have sidewalks to provide pedestrian access primarily to the east towards the Linganore Town Center and Oakdale Village developments. The neighborhoods to the west of Meadow Rd. do not have any sidewalks.

There are no existing bicycle facilities in the area of the site, but bike lanes would be provided on Lake Linganore Blvd.

Existing and Future Traffic Volumes and Capacity on Adjoining Roads

A measure of additional capacity of a roadway can be generally determined through the calculation of the Volume/Capacity (V/C) ratio, which can be obtained by dividing the **capacity** of the road (based on the number of existing thru lanes) by the current average daily traffic (ADT) **volume**.

4-lane arterial capacity – 34,000 vehicles/day

2-lane arterial capacity – 18,000 vehicles/day

A V/C ratio below 1.0 indicates that capacity is available.

Count Location	Average Annual Daily Traffic (AADT) 2015/2040	Volume/Capacity (VC) Ratio 2015/2040
Old National Pike – west of Boyers Mill Rd.	9,750/11,300	0.54/0.63
Meadow Rd. – north of I-70 Ramps	430/980	0.02/0.05
MD 144/Old National Pike – west of Meadow Rd.	19,100/17,550	0.56/0.52

Note that traffic on MD 144 would drop appreciable once the two missing interchange ramps with I-70 are constructed, then slowly grow back to near today's volume by 2040. The same would be true of Old National Pike when the Lake Linganore Blvd is constructed.

The proposed 600 dwellings would have the following daily weekday trip generation, with Staff assumptions for dwelling types solely for the purpose of estimating trip generation:

Single-Family (400 dwellings)	1,708 daily trips (4.27 trips/dwelling)
Townhouses (100 dwellings)	370 daily trips (3.70 trips/dwelling)
Multi-Family (100 dwellings)	202 daily trips (2.02 trips/dwelling)

Should a continuing care retirement community (CCRC) be substituted as a land use, the trip yield would be 2.40 daily trips per unit.

Comprehensive Plan Map Designations for Adjoining Roads

Old National Pike – Minor Arterial

Meadow Rd. – Minor Arterial (only between Old National Pike and the I-70 ramp access) Local Road north of the I-70 ramp access. The Minor Arterial designation was intended to reflect its incorporation into the planned alignment for Lake Linganore Boulevard.

Lake Linganore Boulevard – Minor Arterial

Planned Improvements

Lake Linganore Boulevard – proposed Minor Arterial roadway, referred to on Comprehensive Plans as the Town Center Connector will connect Meadow Rd. at the I-70 interchange ramps to Boyers Mill Rd. A portion of the west leg to the eastern boundary of the Cromwell property will be constructed as part of the Linganore Town Center. The developers of the Delauter MXD and the proposed Cromwell PUD would be responsible for the remaining portion. The west leg will connect with Eaglehead Dr. The east leg would connect Eaglehead Dr. to Boyers Mill Rd. The road is proposed to be a 2-lane divided roadway (one lane in each direction).

I-70/Meadow Rd. Interchange – a new ramp (Phase 1) to westbound I-70 was opened to traffic on October 1st. Phase 2 will provide a new ramp from eastbound I-70 down to a reconstructed intersection with MD 144/Old National Pike. This phase is under design and expected to be completed in late 2021 or early 2022 .

Bicycle Facilities – MD 144/Old National Pike is designated as part of the on-street bikeway network on the County's Bikeways and Trails Plan (2018). This designation would support the application of bike lanes, improved shoulders, or pavement markings/signage as part of any roadway improvements to Old National Pike. . Bike lanes would be provided on Lake Linganore Boulevard.

Summary of Findings

§ 1-19-3.110.4 (A) – Approval Criteria for Zoning Map Amendments

(1) Consistency with the comprehensive plan;

Staff finds that the proposed PUD is consistent with the Low Density Residential land use plan designation on the current Comprehensive Plan Map within the Linganore Community Growth Area. The gross density of 3.7 dwellings/acre is within the range of 3-6 dwellings/acre for low density residential development.

(2) Availability of public facilities;

Staff finds that parks, libraries, and public safety facilities are currently adequate to serve the proposed age-restricted residential development. Schools will not be impacted due to the age-restriction of 55 years of age and older for residents. For water/sewer service, the proposed 600 dwellings or CCRC facility can be served by the existing water/sewer facilities. There is approximately 10 MGD of available water supply in the New Design water system and 7.7 MGD of sewage treatment capacity currently available at the Ballenger-McKinney WWTP.

(3) Adequacy of existing and future transportation systems;

Staff finds the existing and planned road network to be adequate to accommodate the additional traffic that would be generated by either an age-restricted development or a CCRC. Old National Pike has a volume/capacity ratio less than 1.0 indicating the ability to accommodate additional traffic. The planned extension of Lake Linganore Blvd from the Linganore Town Center will provide the primary access to the site. Having this road connect directly to the recently opened westbound ramp to I-70 will minimize the amount of trips having to use MD 144 into Frederick.

(4) Compatibility with existing and proposed development;

The proposed development would be denser than existing residential uses to the west of Meadow Rd. The density and dwelling types would be similar to the adjoin Oakdale Village and Linganore Town Center developments to the east.

(5) Population change; and

The proposed maximum of 600 dwellings will result in a population increase of approximately 1,602 people based on an average household size of 2.67 persons/household. This additional population would be on the high side based on the age-restriction, which would likely have a smaller average household size.

(6) The timing of development and facilities.

The application does not have a specific phasing plan for the development. The market conditions for either an age-restricted development or CCRC will dictate how quickly any construction will proceed. Any development will not occur until Lake Langanore Blvd is constructed, which is the responsibility of the developer. Water and sewer infrastructure is in the vicinity of the site and will also be the developers responsibility to extend to the site.

§ 1-19-10.500.3. – Approval Criteria for Planned Development Districts

(A) The proposed development is compact, employing design principles that result in efficient consumption of land, efficient extension of public infrastructure, and efficient provision of public facilities;

Staff finds that the proposed development is in a location where existing water/sewer infrastructure is in place and planned facilities such as the Lake Langanore Blvd will provide access and connections to the surrounding community.

(B) The proposed development design and building siting are in accordance with the County Comprehensive Plan, and any applicable community and corridor plans;

Staff finds that the proposed PUD zoning is consistent with the Low Density Residential plan designation of the Comprehensive Plan. While the concept plan does not have building siting detail the proposed mix of dwelling types would support the County's Comprehensive Plan goals regarding efficient and well-planned development patterns supporting a mix of residential. There is no Community or Corridor Plan for this area.

(C) The proposed development is compatible with existing or anticipated surrounding land uses with regard to size, building scale, intensity, setbacks, and landscaping, or the proposal provides for mitigation of differences in appearance or scale through such means as setbacks, screening, landscaping; or other design features in accordance with the County Comprehensive Plan, and any applicable community or corridor plans;

The proposed development would be denser than existing residential uses to the west of Meadow Rd. The density and dwelling types would be similar and compatible with the adjoining Oakdale Village and Langanore Town Center developments to the east.

(D) The proposed development provides a safe and efficient arrangement of land use, buildings, infrastructure, and transportation circulation systems. Factors to be evaluated include: connections between existing and proposed community development patterns, extension of the street network; pedestrian connections to, from, and between buildings, parking areas, recreation, and open space;

The proposed development will be able to connect with existing and planned infrastructure (water/sewer and roads) in the vicinity. The planned Lake Langanore Blvd will connect this site with the larger Langanore Town Center area to the east. The proposed public use site to accommodate a library will also help to establish a civic focus for the larger community.

(E) The transportation system is or will be made adequate to serve the proposed development in addition to existing uses in the area. Factors to be evaluated include: roadway capacity and level of service, on-street parking impacts,

access requirements, neighborhood impacts, projected construction schedule of planned improvements, pedestrian safety, and travel demand modeling;

With the planned Lake Linganore Blvd staff finds the transportation system will be adequate to accommodate the development. The recently opened ramp to westbound I-70 will provide a direct access to the west into Frederick that will alleviate traffic on MD 144. Currently Old National Pike/MD 144 to the east and west of the site have available capacity (VC ratios less than 1.0).

(F) The proposed development provides design and building placement that optimizes walking, biking, and use of public transit. Factors to be evaluated include: extension of the street network; existing and proposed community development patterns; and pedestrian connections to, from, and between buildings, parking areas, recreation, and open space;

The concept plan does not have building design and location detail. The planned Lake Linganore Blvd. will connect the project to the Linganore Town Center development to the east.

(G) Existing fire and emergency medical service facilities are or will be made adequate to serve the increased demand from the proposed development in addition to existing uses in the area. Factors to be evaluated include: response time, projected schedule of providing planned improvements, bridges, roads, and nature and type of available response apparatus;

The Spring Ridge Fire Station (Station #33) is approximately 1.5 miles from the site. This station has professional staff and a full complement of fire and rescue equipment.

(H) Natural features of the site have been adequately considered and utilized in the design of the proposed development. Factors to be evaluated include: the relationship of existing natural features to man-made features both on-site and in the immediate vicinity, natural features connectivity, energy efficient site design, use of environmental site design or low impact development techniques in accordance with Chapter 1-15.2 of the Frederick County Code;

The natural features including existing woodlands, moderate/steep slopes, and streams are incorporated into the open space areas of the development. The extent of the required stream buffers are also within the open space area. The open space area along the eastern boundary of the site will adjoin an existing open space corridor, in the Linganore Town Center, centered along a stream.

(I) The proposed mixture of land uses is consistent with the purpose and intent of the underlying County Comprehensive Plan land use designation(s), and any applicable community or corridor plans;

The proposed age-restricted development will include a mix of dwelling types from single-family to multi-family with the specific proportions to be determined in Phase II.

(J) Planned developments shall be served adequately by public facilities and services. Additionally, increased demand for public facilities, services, and utilities created by the proposed development (including without limitation water, sewer, transportation, parks and recreation, schools, fire and emergency services, libraries, and law enforcement) shall be evaluated as adequate or to be made adequate within established county standards.

Staff finds that parks, libraries, and public safety facilities are currently adequate to serve the proposed age-restricted residential development. Schools will not be impacted due to the age-restriction of 55 years of age and older for residents. For water/sewer service, the proposed 600 dwellings or CCRC facility can be served by the existing

water/sewer infrastructure in the vicinity of the site. There is approximately 10 MGD of available water supply in the New Design water system and 7.7 MGD of sewage treatment capacity currently available at the Ballenger-McKinney WWTP.

§ 1-19-10.500.10. – Specific Development Standards within the Planned Development Districts

For a PUD that proposes to be age-restricted the following criteria shall be considered to determine whether the project or portion thereof may be approved for designation as an age-restricted community.

1. Active and passive recreational amenities.

The project proposes to have a clubhouse with a pool and fitness center. Walking trails are also proposed within the project site.

2. Availability, suitability and proximity of development to planned support services.

The nearest existing medical offices or facilities are located in the New Market shopping center approximately 3.5 miles to the east at MD 75; an FMH facility in Urbana approximately 4.5 miles south; and at various locations in and around the City of Frederick approximately \pm 5 miles to the west. The adjoining proposed Delauter MXD (R-19-02) includes a commercial land use component that would provide an opportunity for medical offices and other support services. The proposed use for the public use site identified in this application is a new regional library.

3. The amount of existing and approved age-restricted development in the county and in proximity to the proposed development.

There are two existing age-restricted developments in the County, Crestwood Village, in the Ballenger Creek area and a portion of the Greenview PUD located on Old National Pike at Mussetter Rd.. Two planned developments in the County include a portion of the Ballenger Run PUD (36 dwellings) and the Woodlands at Urbana project (566 dwellings). One age-restricted project is proposed in the City of Frederick on the Crum farm (Bloomfields) for up to about 1,500 dwellings.

Applicant Proposed Conditions

1. *The PUD project shall be permitted to develop up to 600 age-restricted dwelling units.*

Staff concurs with slightly different wording.

2. *Some or all of the proposed residential land use area for the age-restricted dwellings may be developed as Continuing Care Retirement Community (CCRC). If developed as a CCRC, nursing home/assisted/independent living facility, the number of units/beds will be determined as part of the site development plan, and not subject to the unit cap established in condition #1 as it is an institutional use.*

There should be some quantification of the number of beds/dwellings for a CCRC facility. A range could be provided based on whether part of the site or the entire site is developed as a CCRC.

3. *Due to the nature of the proposed and adjacent developments including the proposal to donate a 4-acre site for the potential use for a library/senior center as part of the project, the Planning Commission may consider this of development and reduce the strict compliance of 'the square footage required for the clubhouse/multi-purpose or other equivalent space' as required in Section 1-20-7 (F)(5)(B) accordingly.*

Staff would not object to this condition with the replacement of the word “shall” with “may.” The Planning Commission has the ability to consider a modification to the code and there should not be a condition that takes away the Planning Commission’s authority.

Planning Commission Action

Options for Planning Commission Action

The Planning Commission may take any of the three following actions regarding this application:

1. Approval of the request as presented by the Applicant;
2. Conditional approval of the Applicant’s request;
3. Denial of the Applicant’s request.