

# Frederick County Planning Commission

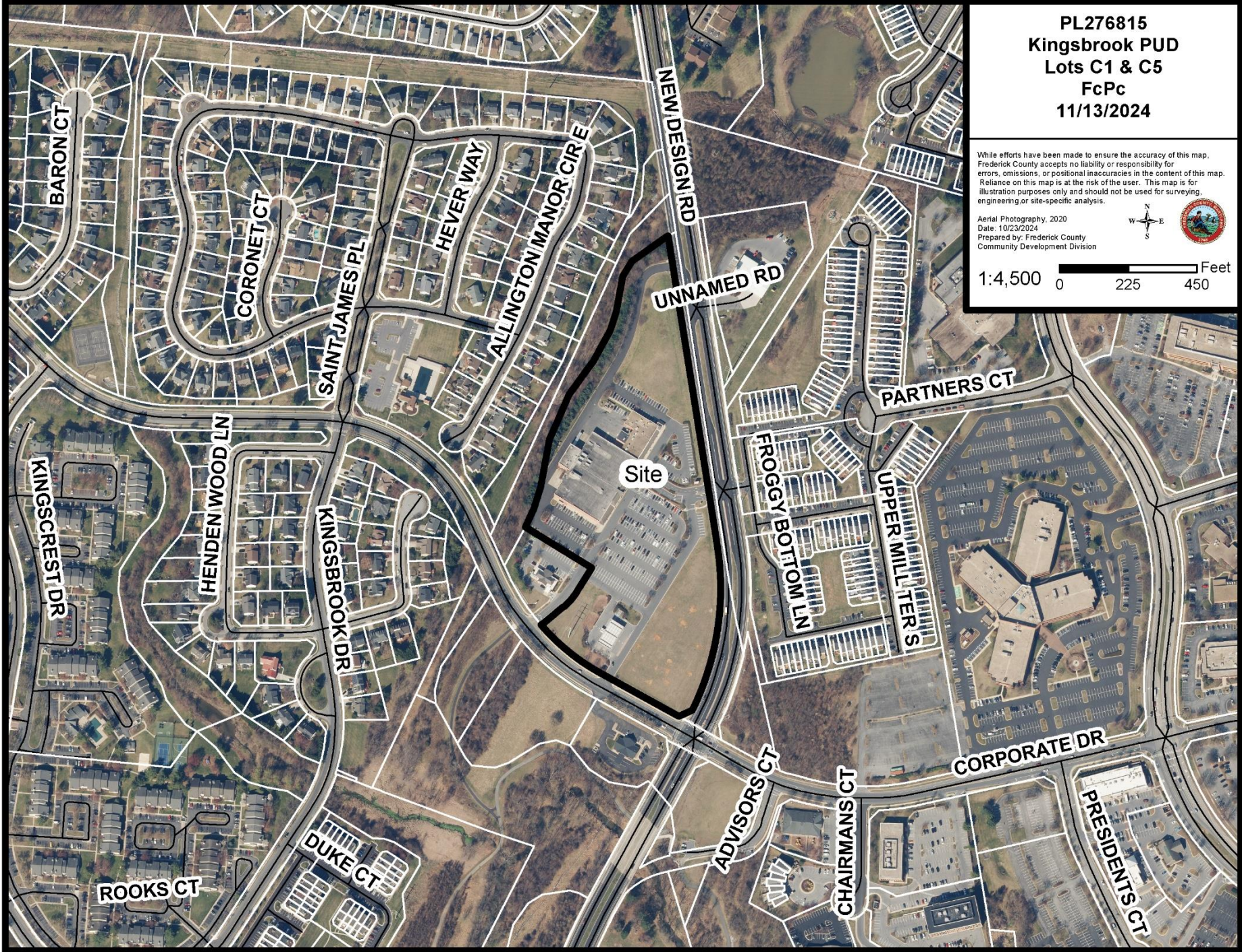


November 13, 2024

# ***Kingsbrook PUD Lots C1 and C5***

## ***Combined Preliminary/Final Subdivision Plat***

The Applicant is requesting Combined Preliminary/Final Subdivision Plat approval to subdivide a 14.197-acre lot into two (2) lots.



**PL276815**  
**Kingsbrook PUD**  
**Lots C1 & C5**  
**FcPc**  
**11/13/2024**

While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or positional inaccuracies in the content of this map. Reliance on this map is at the risk of the user. This map is for illustration purposes only and should not be used for surveying, engineering or site-specific analysis.





Aerial Photography, 2020  
Date: 10/23/2024  
Prepared by: Frederick County  
Community Development Division



1:4,500 0 225 450 Feet

**PL276815**  
**Kingsbrook PUD**  
**Lots C1 & C5**  
**FcPc**  
**11/13/2024**

**Zoning**

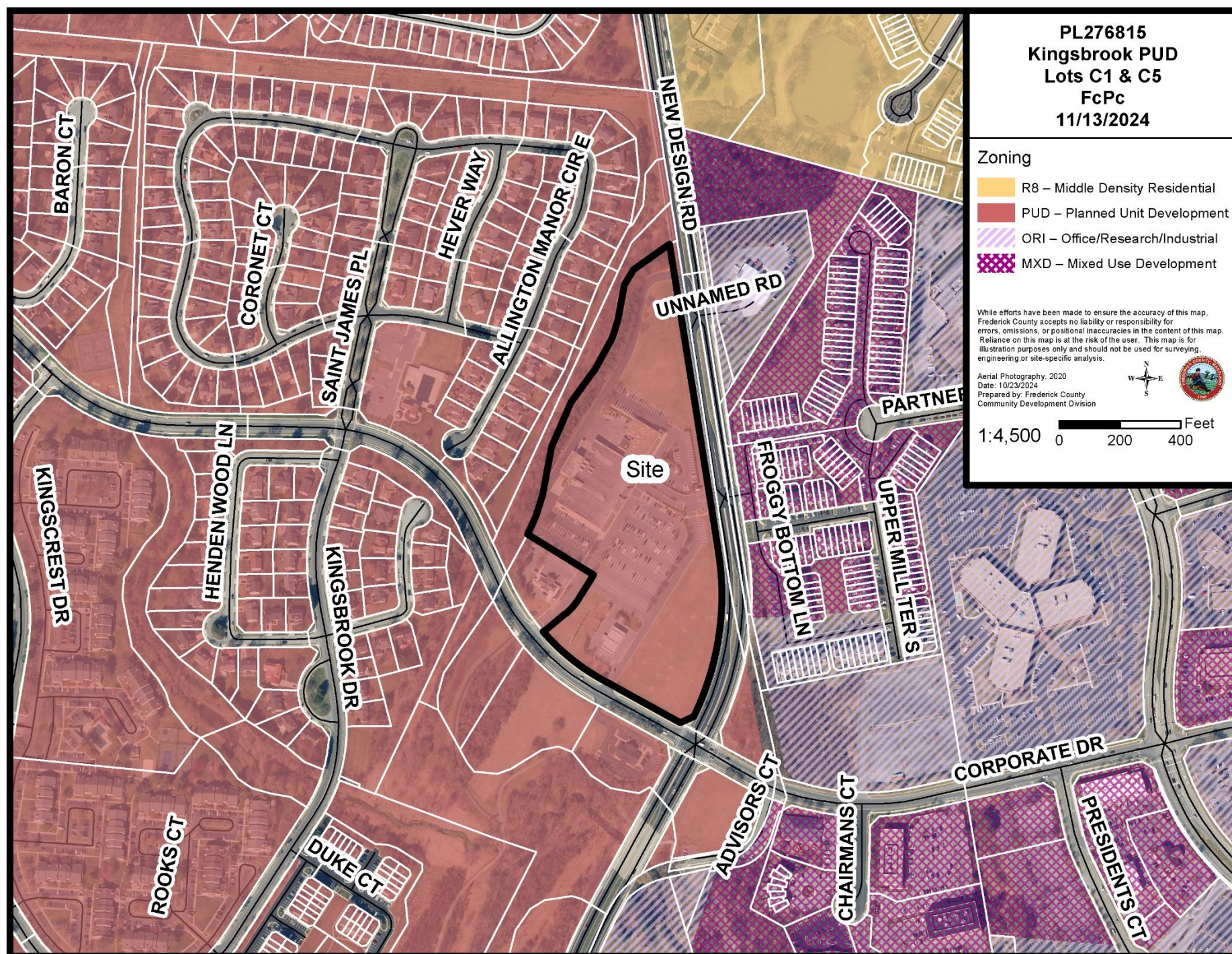
-  R8 – Middle Density Residential
-  PUD – Planned Unit Development
-  ORI – Office/Research/Industrial
-  MXD – Mixed Use Development

While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or positional inaccuracies in the content of this map. Reliance on this map is at the risk of the user. This map is for illustration purposes only and should not be used for surveying, engineering or site-specific analysis.

Aerial Photography, 2020  
Date: 10/23/2024  
Prepared by: Frederick County  
Community Development Division



1:4,500  Feet



PL276815  
Kingsbrook PUD  
Lots C1 & C5  
FcPc  
11/13/2024

Comprehensive Plan

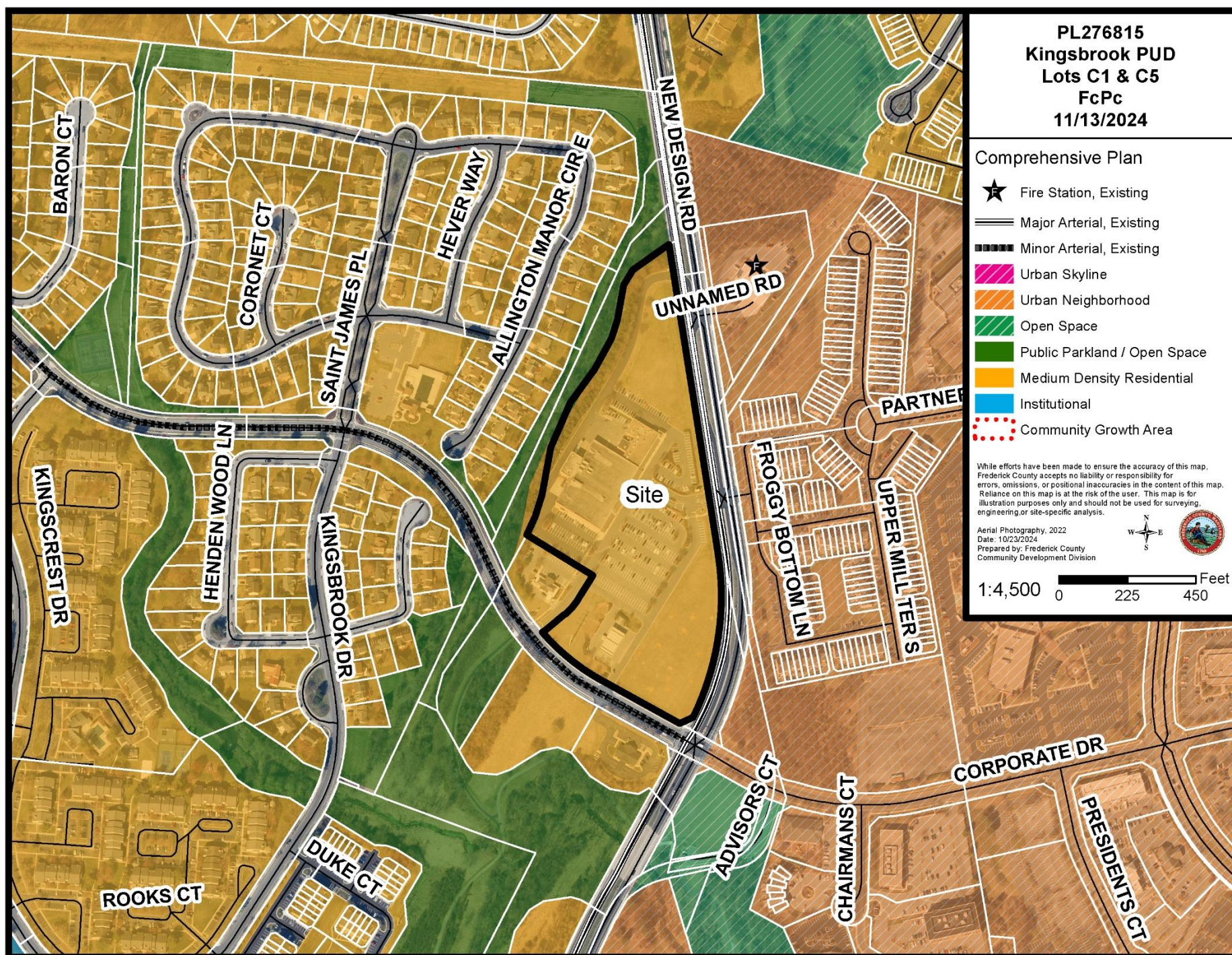
- ★ Fire Station, Existing
- == Major Arterial, Existing
- Minor Arterial, Existing
- Urban Skyline
- Urban Neighborhood
- Open Space
- Public Parkland / Open Space
- Medium Density Residential
- Institutional
- Community Growth Area

While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or positional inaccuracies in the content of this map. Reliance on this map is at the risk of the user. This map is for illustration purposes only and should not be used for surveying, engineering, or site-specific analysis.

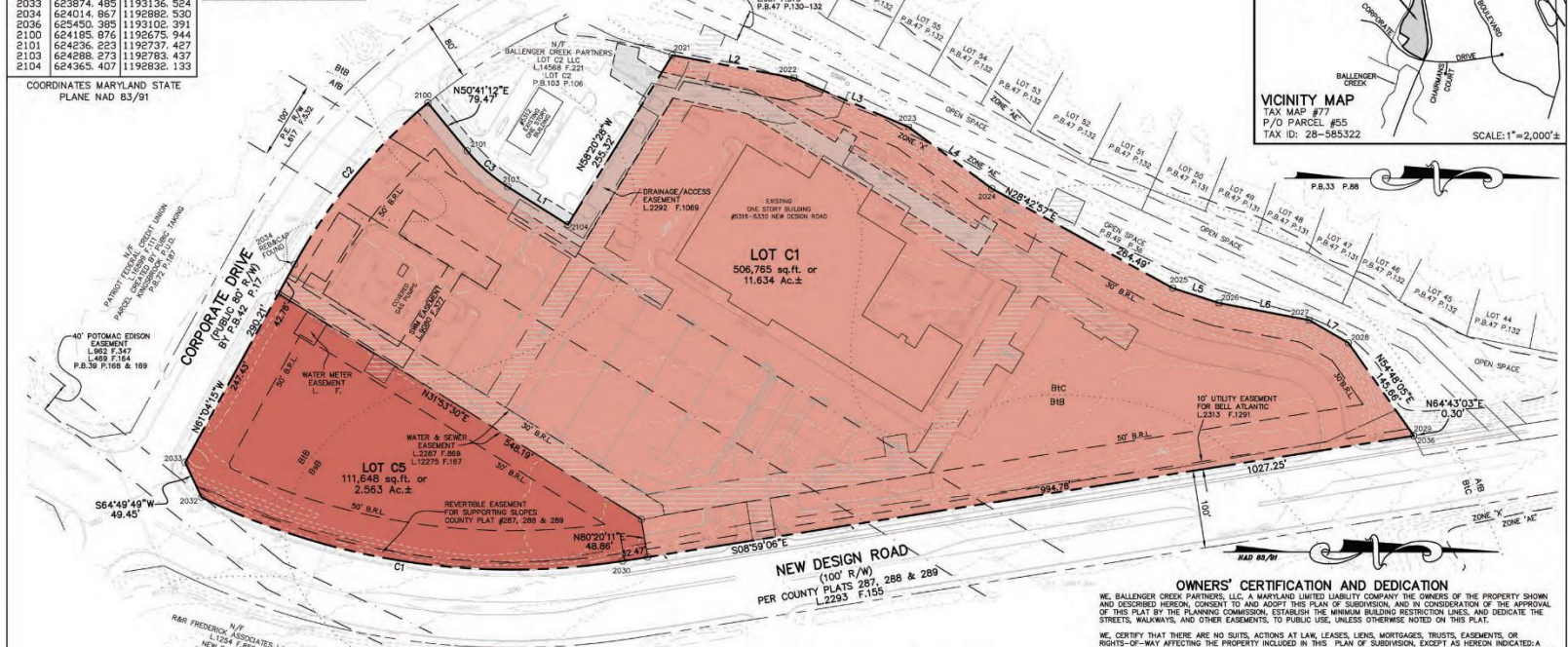
Aerial Photography, 2022  
Date: 10/23/2024  
Prepared by: Frederick County  
Community Development Division



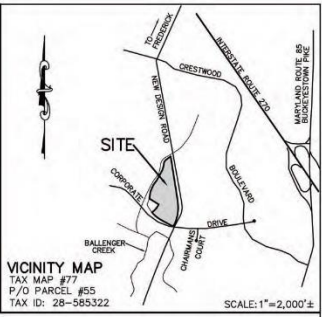
1:4,500 0 225 450 Feet



COORDINATES			CURVE TABLE				
Number	Northing	Easting	CURVE	RADIUS	LENGTH	DELTA	TANGENT
2021	624499.416	1192614.805	C1	904.93	555.00	35°08'24"	286.54
2022	624653.406	1192643.856	C2	722.99	269.74	21°22'57"	136.48
2023	624802.386	1192706.905	C3	217.00	68.17	18°25'19"	35.19
			LINE TABLE				
			LINE	BEARING	DISTANCE		
			L1	N3°25'53"E	97.22		
			L2	N10°32'59"E	158.67		
			L3	N2°31'30"E	159.93		
			L4	N3°32'22"E	133.00		
			L5	N17°52'09"E	81.98		
			L6	N10°45'28"E	118.07		
			L7	N30°07'57"E	57.80		



AREA SUMMARY			
AREA OF LOT C1	506,785 sq. ft.	or	11.634 Ac. ±
+AREA OF LOT C5	111,648 sq. ft.	or	2.563 Ac. ±
+AREA OF DEDICATION	0 sq. ft.	or	0.000 Ac. ±
+AREA OF OPEN SPACE	0 sq. ft.	or	0.000 Ac. ±
TOTAL AREA OF PLAT	618,433 sq. ft.	or	14.197 Ac. ±
TOTAL NUMBER OF LOTS	= 2		



**PROP. LOT C5**

**PROP. LOT C1**

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS CORRECT AND IN COMPLIANCE WITH MARYLAND MINIMUM STANDARDS OF PRACTICE, ANNOTATED CODE OF MARYLAND, SECTION 1-15-108, THAT IT IS BASED ON A FIELD SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND THAT IT IS A SUBDIVISION OF PART OF THE LANDS OWNED BY RAB FREDERICK ASSOCIATES, L.L.C. (THE "OWNER"). I AM A LICENSED SURVEYOR IN THE STATE OF MARYLAND AND I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

DATE: \_\_\_\_\_ DAVID THOMAS BEARD  
PROPERTY LINE SURVEYOR,  
MD. REG. NO. 576, EXPIRES 03/23/25  
FOR HARRIS, SMARIGA & ASSOCIATES, INC.  
MD. REG. NO. 24.

**OWNERS:**  
BALLENGER CREEK PARTNERS, L.L.C.  
600 S. EDEN ST., SUITE 250  
BALTIMORE, MD 21231

**APPROVED:**  
FREDERICK COUNTY PLANNING COMMISSION

DATE: \_\_\_\_\_ SECRETARY OR CHAIRMAN

**APPROVED:**  
FREDERICK COUNTY HEALTH DEPARTMENT  
PUBLIC WATER AND SEWER ARE IN CONFORMANCE WITH THE FREDERICK COUNTY MASTER WATER AND SEWER PLAN.

DATE: \_\_\_\_\_ APPROVING AUTHORITY

**NOTES:**

- SITE IS ZONED P.U.D.
- WATER AND SEWER CLASSIFICATION, W-1 AND S-1.
- 6" WIDE DRAINAGE AND UTILITY EASEMENTS ARE RESERVED ALONG ALL LOT LINES.
- THIS PLAT PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.
- ALL REQUIRED SIDEWALKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE FREDERICK COUNTY DESIGN MANUAL, AND SHALL BE MAINTAINED BY THE ADJOINING LOT OWNERS. A HOMEOWNER'S ASSOCIATION OR SIMILAR ORGANIZATION.
- SITE ACCESS FOR BOTH LOTS C1 AND C5 GRANTED EXCEPT AT CURRENT ACCESS LOCATIONS AS SHOWN.
- SITE SUBJECT TO ANY AND ALL OTHER EASEMENTS, RIGHTS OF WAYS AND COVENANTS OF RECORD.
- LOT OWNERS ARE RESPONSIBLE FOR MAINTENANCE OF ANY COMMON DRIVEWAY/ACCESS SERVING THEIR LOTS. THE COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF COMMON DRIVEWAYS/AREAS.
- LOT C5 IS A FROM COUNTY-605 WEST, DATED AUGUST, 2019 AND SUPPLEMENTED WITH FIELD RUN ASSUITS.
- FLOODPLAIN (ZONE AE) SHOWN HEREON PER FEMA MAP #4020000083E, DATED AUGUST 1, 2023.
- PLAT IS SUBJECT TO A RECIPROCAL EASEMENT AND MAINTENANCE AGREEMENT AND DECLARATION OF COVENANTS RECORDED IN L13467.544.
- SITE SUBJECT TO SMA/NO EASEMENT RECORDED IN UBER \_\_\_\_\_ FOLD \_\_\_\_\_

**SYMBOLS:**

○ - REBAR & CAP SET (UNLESS OTHERWISE NOTED HEREON)

□ - MONUMENT

— OVERHEAD UTILITY LINES

**MINIMUM BUILDING RESTRICTION LINES**

FRONT: 50'  
SIDE: 30'  
REAR: N/A CORNER LOT

**DATE** 09/09/24 **REVISIONS** COMMENTS DATED 08/30/24

**COMBINED PRELIMINARY/FINAL PLAT**  
LOTS C1 AND C5  
**KINGSBROOK P.U.D.**

PREVIOUSLY RECORDED IN PLAT BOOK 103 AT PAGE 106  
SITUATED ON NEW DESIGN ROAD & CORPORATE DRIVE  
FREDERICK ELECTION DISTRICT NO. 28  
FREDERICK COUNTY, MARYLAND  
SCALE: 1"=100' JULY, 2024

**Harris, Smariga & Associates, Inc.**  
Planners/Engineers/Surveyors  
125 South Carroll Street/Frederick, MD 21701  
301-662-4488

Recorded \_\_\_\_\_ Plat Book \_\_\_\_\_ Page \_\_\_\_\_ Job No. 6876-88

**OWNERS' CERTIFICATION AND DEDICATION**

WE, BALLENGER CREEK PARTNERS, L.L.C., A MARYLAND LIMITED LIABILITY COMPANY THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, CONSENT TO AND ADOPT THIS PLAN OF SUBDIVISION, AND IN CONSIDERATION OF THE APPROVAL OF THIS PLAT BY THE PLANNING COMMISSION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE THE STREETS, WALKWAYS, AND OTHER EASEMENTS, TO PUBLIC USE, UNLESS OTHERWISE NOTED ON THIS PLAT.

WE CERTIFY THAT THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES, TRUSTS, EASEMENTS, OR RIGHTS-OF-WAY AFFECTING THE PROPERTY INCLUDED IN THIS PLAN OF SUBDIVISION, EXCEPT AS HEREON INDICATED-A PURCHASE MONEY DEED OF TRUST AND SECURITY AGREEMENT DATED OCTOBER 16, 2017 AND RECORDED AMONG THE LAND RECORDS OF FREDERICK COUNTY, MARYLAND IN LIBER 12088 AT FOLD 152 AND THAT THE REQUIREMENTS OF THE ANNOTATED CODE OF MARYLAND, REAL PROPERTY BOOK, TITLE 3, SUBTITLE 1, SECTION 3-108, AND THAT THE REQUIREMENTS OF THE FREDERICK COUNTY CODE, SECTION 1-16-108, AND AS ENACTED OR AMENDED SO FAR AS IT MAY CONCERN THE MAKING OF THIS PLAT AND THE SETTING OF MONUMENTS AND MARKERS HAVE BEEN COMPLIED WITH.

PLANS FOR COMMUNITY WATER AND SEWER SYSTEMS AND FOR A POINT OF DISCHARGE HAVE BEEN APPROVED BY THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT. LOT IS SERVED BY PUBLIC WATER AND SEWER SYSTEMS. FACILITIES WILL BE AVAILABLE TO ALL LOTS OFFERED FOR SALE.

**BALLENGER CREEK PARTNERS, L.L.C.**  
BY: VANGUARD MANAGEMENT SERVICES, INC., MANAGER

BY: \_\_\_\_\_ LEONARD WEINBERG DATE: \_\_\_\_\_

**Lienholder Consent:**  
SUN LIFE ASSURANCE COMPANY OF CANADA.

BY: \_\_\_\_\_ (DIRECTOR) DATE: \_\_\_\_\_

BY: \_\_\_\_\_ (DIRECTOR) DATE: \_\_\_\_\_

CHECKED DTB 07/31/24



# CHICK-FIL-A BALLENGER CREEK

MDA220084.00



5/10/2024



KINGSBROOK CROSSING SHOPPING CENTER  
FREDERICK, MARYLAND



## **RECOMMENDATION**

Staff has no objection to conditional approval of the Combined Preliminary/Final Subdivision Plat. If the Planning Commission conditionally approves the Plat, it is valid for a period of five (5) years from the date of Planning Commission approval (November 13, 2029) or the period of the APFO approval, whichever is less. APFO approval is valid for three (3) years from the date of Planning Commission Site Plan approval; therefore, the LOU must be satisfied and vested by June 12, 2027.

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable Subdivision, Zoning, APFO, and FRO requirements once the following conditions are met:

### **Staff-proposed conditions of approval:**

1. The Applicant shall comply with all Staff and agency comments through the completion of the plan.
2. FRO mitigation (transfer of forest banking credits) must be provided prior to plat recordation and prior to applying for grading permits or building permits, whichever is applied for first.