TITLE: Villages of Urbana - VC East

FILE NUMBER: SP-01-36, AP 15072, APFO 15073, FRO 15074

REQUEST: Combined Preliminary Subdivision/Site Development Plan
The Applicant is requesting Combined Preliminary Subdivision/Site Development Plan approval for a 7-lot residential development (5 townhomes and 2 single-family detached dwellings) on a 0.77-acre Site.

PROJECT INFORMATION:
ADDRESS/LOCATION: Located on the north side of the intersection of Urbana Pike and Sugarloaf Parkway, west of Fingerboard Road (MD 80)
TAX MAP/PARCEL: Tax Map 96, Parcel 249
COMP. PLAN: Village Center (VC)
ZONING: Village Center (VC)
PLANNING REGION: Urbana
WATER/SEWER: W-3/S-3

APPLICANT/REPRESENTATIVES:
APPLICANT: Monocacy Land Company LLC
OWNER: - same -
ENGINEER: Rodgers Consulting
ARCHITECT: Not Listed
ATTORNEY: Not Listed

STAFF: Denis Superczynski, Principal Planner II

RECOMMENDATION: Conditional Approval

ATTACHMENTS:
Exhibit 1 - Combined Preliminary Subdivision/Site Plan Rendering
Exhibit 2 - Parking Space Modification Request
Exhibit 3 - Draft Amended APFO LOU
ISSUE
The Applicant is requesting Combined Preliminary Subdivision/Site Development Plan approval for five (5) Townhouse dwellings and two (2) single-family dwellings on a 0.77-acre Site. The Site is zoned Village Center (VC) and was not included in the Villages of Urbana PUD rezoning, though a very small portion of the northernmost single-family lot is zoned PUD. The two proposed single-family homes located on the Site do not require site development plan approval but do require preliminary subdivision plan approval and are thus included in this Application. The proposed use is being reviewed as “Townhouse” land use under the heading of Residential Uses per §1-19-5.310 (Use Table) in the Zoning Ordinance. A townhouse residence is a principal permitted use subject to site development plan approval in the Village Center zoning district.

Modification Requests
1. Modification to the parking requirements of Section 1-19-6.200 of the Zoning Ordinance to allow 2 of the required 4 parking spaces for the two single-family detached houses to be located in the parking lot immediately adjacent to the affected home sites.
2. Building height modification to allow a maximum of 40’ and no more than 3 stories for the proposed townhouses.

Relationship with adjoining Villages of Urbana PUD
The Site is under the ownership and control of the developer of the Villages of Urbana PUD. The lots proposed in this Application, while not included in the PUD, are integrated into the design of Section M-1F of that development and will otherwise become part of the neighborhood, indistinguishable from the other homes in the vicinity. A similar approach was taken by the Applicant in the development of six single-family detached dwellings located across Sugarloaf Parkway to the west of the Site. In both instances, the dwellings located on VC-zoned land outside of the PUD share internal access roads with the Villages of Urbana units.
BACKGROUND

Overview
The Site was previously part of a farm upon which a large portion of the Villages of Urbana PUD now sits.
Although this 0.77-acre area has been zoned VC Village Center for many years, it is not included in the Villages of Urbana PUD and has not been subject to that development review process. The Site has been illustrated informally as a functional part of the Villages of Urbana PUD – specifically Section M-1F - and is now being developed in conjunction with the M-1F section of the PUD located north of, and adjacent to, the Site.

Existing Site Characteristics
The Site is predominantly zoned VC, Village Center (with a small portion of PUD-zoned land on the northernmost SFD lot), and is currently vacant. The northern side of the Site is currently under development as Section M-1F of the Villages of Urbana PUD. The property immediately to the south of the Site (across Urbana Pike) is developed as a Starbucks café. Along the eastern boundary of the Site is the Cockey House (offices) and a former gas station, now re-purposed as a salon. Across Sugarloaf Parkway, west of the Site, is an additional VC-zoned site controlled by the Monocacy Land Company. That site received Preliminary Plan approval for six (6) single-family detached dwellings in June 2012 and homes were constructed within the past year.
ANALYSIS

Key issues of the proposed development include:

- Integration of seven (7) VC-zoned lots into the layout of Section M-1F of the PUD including the 1 additional townhouse lot proposed in this iteration of the Site Plan
- Vehicular access to homes fronting on major roadways (Urbana Pike and Sugarloaf Parkway) including elimination of the short extension of Cockey House Lane from the interior of the Site to its connection with Urbana Pike
- Development of overflow parking at the junction of the VC and PUD areas of the neighborhood
- Dense and effective screening of rear facades of M-1F townhouses from the view of Urbana Pike
- Establishment of appropriate building setbacks and building massing to provide visual and practical integration of the proposed development with the PUD development

Summary of Development Standards Findings and Conclusions

General Site Development and Layout
Designed as a natural extension of the Villages of Urbana PUD, this small 0.77 acre Site of VC-zoned land serves as a transitional area bridging the development patterns of old Urbana – including non-residential uses in close proximity – and the more recent area of residential construction in Section M-1F. The five proposed townhomes face Urbana Pike while the two single family houses present their primary facades to Sugarloaf Parkway. None of the homes seek direct vehicular access from these roadways and instead are served by an extension of the PUD’s internal street and alley network. Given the extent of previous infrastructure design and development planned to serve the PUD, most of the technical issues regarding utility lines, easements, and public safety have been resolved in the review and approval of the adjacent PUD Section M-1F.

Access to the seven (7) VC-zoned homes – plus nine (9) additional homes in M-1F - is provided via the development of Cockey House Lane which extends to, and terminates at Landon House Lane in the PUD. This feature has been altered since the Plan was approved by the Planning Commission in its approvals of Section M-1F in 2012 and the Concept Plan for this Site in 2013. Cockey House Lane no longer extends to Urbana Pike which allows significant buffering between the proposed townhomes and the existing salon/barber, as well as removes turning movements off or Urbana Pike along a very busy section of that roadway. Detached and integral garages (including parking pads) provide parking for the seven homes while overflow parking provisions are accommodated in the shared spaces developed in the alley.

Figure 1- View of Site (to North) from south side of Urbana Pike
Detailed Analysis of Findings and Conclusions

General Zoning Ordinance Requirements

Site Development Plan Approval in the VC District shall include evaluation of the criteria found in:

§1-19-7.500(C) Site Development of the Frederick County Zoning Ordinance for the VC District.

Community or Corridor Plans
1. No county community or corridor plan has been adopted for the Urbana area. The proposal demonstrates adherence to the general principles for compact development outlined in the County’s Comprehensive Plan through seeking a mix and intensity of uses conducive to the continuing development of compact neighborhoods in areas served by public infrastructure and facilities.

Density
1. Due to the nature of the proposed subdivision and its reliance on adjacent infrastructure and integration into the adjacent Villages of Urbana PUD, the density of this infill development was determined at Concept Plan approval to be 5 dwelling units per acre, which meets the requirement for residential development in the VC District to measure no more than 5 DU/acre.

    Total Area of Concept Plan: 2.60 acres
    Number of Dwelling Units: 13
    Gross Density: 5 DUs/acre

Design Standards
1. The proposed development reflects existing neighborhood characteristics including building form, lot configuration, and circulation.

Site Development and Layout
1. Every effort has been made by the Applicant to ensure that buildings face the public ways (roads, pedestrian network). The visibility of rear building facades – those townhouse units with rear facades facing Urbana Pike - is minimized through careful arrangement of the townhouse blocks on the Site as well as an effective vegetative screening strategy utilizing the island within the internal parking area of Cockey House Lane. Pedestrian facilities in this Plan are illustrated as primary elements and organizing features in the laying out of the proposed homes.

2. A future connection to the adjacent commercial property to the east is not precluded by the layout of Cockey House Lane, leaving an additional point for interconnectivity in the future.

3. The proposed Plan adequately differentiates between areas of pedestrian access and areas of vehicular movement. The proposed residential dwellings along Sugarloaf Parkway and Urbana Pike have been designed with garages to the rear of the structures thus reducing the need for vehicular access to these roadways and facilitating pedestrian movement.

4. Due to the design and characteristics of the proposed M-1F neighborhood, the opportunity for the provision of shared parking is realized with the proposed 7 parking spaces provided within Cockey House Lane. The parking provided in the proposal is screened and internal to the Site.

5. The proposed development has been designed around an internal street network that is interconnected and facilitates efficient movement through and within the Site. The Applicant has proposed access points to and from the Site, that support efficient traffic movement while not disrupting vehicle flow on public roadways. The removal of the Cockey House Lane intersection with Urbana Pike does not result in a significant loss in interconnectivity in the neighborhood. Previously designed for right-in/right-out movements only, the short 100 ft. connection would have provided marginal value to the street network.

6. This project sits in close proximity (less than 1,400 feet) to the SHA Park and Ride site at Urbana Villages of Urbana (VC East) – Combined Preliminary Subdivision/Site Development Plan

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Church Road. Connections to MARC, Metro, and regional airports are currently available via the express bus system operating from this point.

Building Massing and Bulk
1. With no community or corridor plan in effect for the Urbana community, residential building bulk is limited only by the underlying zoning regulations.
2. The buildings in this project are oriented to show their access/entry features to the public street. The Plan illustrates the use of front stoops/porches and other human-scaled architectural elements on the proposed typical townhouses and single-family units.
3. The elevations submitted for the Site Plan generally provide for building shape, height, massing and window and door placement that is representative of the surrounding Village Center zoning district. Building design and finish is representative of surrounding development. Certain units (i.e. corner units) are detailed to ensure the inclusion of design elements which continue around the entirety of the public facing façades.

Modifications
1. The VC District provides an avenue for modification of dimensional standards as provided in the Zoning Ordinance. The Applicant is seeking modification of dimensional standards in order to accommodate this project. A chart on the Site Plan (Sheet 1) details the dimensional modifications that would be sought for this particular arrangement of structures in the VC district. The Applicant has requested a building height modification to allow a maximum of 40’ and no more than 3 stories for the proposed townhouses which is consistent with Concept Plan approval. Approval of the modification would serve to integrate these VC-zoned homes into the surrounding PUD neighborhood as well as the Worthington Square project located across the intersection on its southwest quadrant.

Findings/Conclusions
Based upon the review and analysis as provided above, Staff finds that the proposed application meets the intent of the Development Standards within the VC zoning district. Staff will continue to work with the Applicant as the project moves through the development process to address all outstanding items as discussed in this Staff Report. Staff believes that the application meets the Village Center Design Standards §1-19-7.500(C).

Detailed Analysis of Findings and Conclusions

Site Development Plan Approval shall be granted based upon the criteria found in:

Site Development §1-19-3.300.4 (A): Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.

Within the VC zoning district, building placement and scale are established through compliance with dimensional standards as provided in the zoning ordinance (Section 1-19-6.100) and design standards as discussed above. The proposed Plan provides a design that acts as a transition between existing historic development to the east of the subject property and the newer development to the north and west of the subject property.

The Applicant has utilized available modifications to dimensional standards in order to accommodate the proposed layout of the residential portion of the project. The VC District provides for modification of dimensional standards as outlined in the Zoning Ordinance in the following sections:
Findings/Conclusions

1. **Dimensional Requirements/Bulk Standards**: In the approved Concept Plan for this development (AP 13251), the Planning Commission established setback and building height requirements commensurate with those approved in the Villages of Urbana PUD. Prior dimensional standards have been based upon building type, building density, surrounding development, topographical or other site constraints, and application of appropriate urban design principles.

The Applicant is proposing the following dimensional requirements that are consistent with the approved Concept Plan:

<table>
<thead>
<tr>
<th>Type</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
<th>Garage</th>
<th>Min. Lot Area</th>
<th>Min. Lot Width</th>
<th>Max. Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Detached</td>
<td>15’</td>
<td>8’</td>
<td>30’</td>
<td>6’</td>
<td>6,727 sf</td>
<td>58’</td>
<td>40’ (3 stories)</td>
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<tr>
<td>Single-Family Attached TH</td>
<td>20’</td>
<td>5’</td>
<td>20’</td>
<td>N/A</td>
<td>2,012 sf</td>
<td>20’</td>
<td>40’ (3 stories)</td>
</tr>
</tbody>
</table>

The proposed dimensional standards are appropriate to the overall design and layout of the Site and are in keeping with the patterns in surrounding similar developments.

2. **Signage §1-19-6.300**: The Applicant is not proposing any new signage at this time.

3. **Landscaping §1-19-6.400**: The landscaping plan contains a variety of plant species, which provides screening, shade, delineation of public spaces, and represents a continuation of the street tree planting pattern seen in the PUD and Worthington Square. The planting schedule follows the standard sizes that have been previously approved by the Planning Commission. The Applicant has provided selective vegetative screening of building sides where they face the public street network and between residential and commercial properties. Shade trees are generally placed in such a way as to shade parking areas and other paved surfaces.

4. **Lighting §1-19-6.500**: No site lighting, other than that approved for Section M-1F of the PUD, is propose

**Transportation and Parking §1-19-3.300.4 (B):** The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.

1. **Access/Circulation**: Vehicular access to the Site is planned to occur from within the internal street network constructed to serve Section M-1F of the PUD. The 7 proposed lots will gain access to Cockey House Lane which serves as the link to Landon House Lane (with connections...
at both Worthington Blvd. (MD 355) and Sugarloaf Blvd). While the concept plan proposed a more direct vehicular access to the rear of these 7 houses via Urbana Pike, staff believes the benefit to traffic operations on Urbana Pike by the removal of the access outweighs the dis-benefit of creating a 7 unit dead end system.

Staff finds the Access/Circulation characteristics of the Site to be adequate to meet the standards established in the Zoning Ordinance.

2. **Public Transit**: This project sits in close proximity (a safe 5-minute walk) to the SHA Park and Ride site at Urbana Church Road. Direct connections with the DC Metro Red Line at Shady Grove and greater College Park, as well as indirect connections with AMTRAK, MARC, Baltimore LRT and BWI Airport are currently available via the MTA Commuter Bus system operating from this point.

3. **Parking**: Pursuant to Section 1-19-6.220 of the Zoning Ordinance: The Applicant is providing a total of 24 parking spaces accomplished through the provision of garage, driveway pad, and on-street parking situated within the Cockey House Lane terminus area. With the inclusion of private driveway parking pads and one- or two-car garages, the Applicant is able to provide 17 owner-controlled spaces. The zoning ordinance requires 2.5 parking spaces for each 3-bedroom townhouse. The Plan provides 3 spaces per townhouse. Each single-family detached dwelling is required to provide 2 spaces. The Plan provides 1 space each via the 2-car garages, and 1 space each via dedicated spaces in the Cockey House Lane parking bay. Staff recommends that these spaces be demarcated at construction. As designed, the homes in the proposed development will have access to an adequate number of parking spaces for personal use. In practice, additional spaces will be available if garage and driveway spaces are utilized for the parking of vehicles and not as on-site personal storage.

**Requirements**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>1 space per dwelling, plus ½ space per bedroom</th>
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</thead>
<tbody>
<tr>
<td>Townhouse</td>
<td>2 spaces per dwelling</td>
</tr>
<tr>
<td>Single-Family Detached</td>
<td>Staff encourages the provision of 15% overflow spaces in higher density developments</td>
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<tr>
<td>Overflow</td>
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</table>

**Townhouses (3-bedroom)**

- 5 DUs x 2.5 spaces = 13 spaces required

**Single-Family Detached**

- 2 DUs x 2.0 spaces = 4 spaces required

**TOTAL REQUIRED SPACES**

- 17 spaces

**Proposed Parking Plan**

<table>
<thead>
<tr>
<th>Type</th>
<th>Proposed Spaces</th>
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</thead>
<tbody>
<tr>
<td>2-car garages</td>
<td>7 spaces (14 actual spaces with 50% discounted)</td>
</tr>
<tr>
<td>Driveway pads</td>
<td>10 spaces</td>
</tr>
<tr>
<td>On-street</td>
<td>7 spaces (with 2 dedicated to the SFDs)</td>
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</tbody>
</table>

**TOTAL PROPOSED**

- 24 spaces (on- and off-site)

Staff supports a modification request by the Applicant to allow 2 of the required 4 parking spaces for the SFD dwellings and overflow parking to be provided in the Cockey House Lane parking bay. There is no net excess of parking spaces provided in this Plan since overflow parking would be available to the rear of the lots in the previously approved Section M-1F.

4. **Pedestrian Circulation and Safety §1-19-6.220 (G)**: The Applicant is proposing a system of sidewalks along the perimeter of the proposed development. The Applicant also utilizes sidewalks as a method of defining the edges of the open space situated at the junction between the townhouses and single-family units. There are direct sidewalk connections from the front entry at...
each home to the public sidewalk. A segment of sidewalk is proposed that links the Urbana Pike frontage (adjacent to the Cockey House and salon) to Cockey House Lane and the remainder of Section M-1F. This sidewalk is the vestigial path of the original street connection at this location.

The pedestrian crossing at the intersection of Urbana Pike and Sugarloaf Parkway may be shifted slightly to accommodate road geometry and the sidewalk link will shift accordingly to provide access. A pedestrian phase will be added to the traffic signal.

Staff finds that the pedestrian circulation system proposed for the Site is adequate to meet the needs of the proposed development and the surrounding community.

**Conditions:**

1. Staff supports the modification to allow 2 of the 4 parking spaces serving the SFDs to occur in the Cockey House Lane parking bay.

**Public Utilities §1-19-3.300.4 (C):** Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.

**Findings/Conclusions**

1. **Public Water and Sewer:** The Site is to be served by public water and sewer and is classified W-3/S-3 in the Frederick County Water and Sewerage Plan. Water and sewer APFO is addressed in the draft amended APFO LOU (attached as Exhibit 3). Public water and sewer infrastructure, wastewater treatment capacity, and water supply are sufficient and adequate to serve the 7 homes proposed in this Plan.

**Natural features §1-19-3.300.4 (D):** Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.

**Findings/Conclusions**

1. **Topography:** The Site is generally flat with a slight 5 or 6 foot drop in elevation from the southeast corner to the northwest corner.

2. **Vegetation:** An existing tree line runs along the boundary between the Cockey House site and the subject Site. Much of this existing vegetation will be removed or cut back and replaced with new site-appropriate trees and landscaping.

3. **Sensitive Resources:** There are no sensitive natural resources on the Site.

4. **Natural Hazards:** There are no natural hazards located on the Site that are affected by the development proposal.

**Common Areas §1-19-3.300.4 (E):** If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such...
lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.

A small open space area is provided as a break between the single-family homes on Sugarloaf Pkwy and the townhouses along Urbana Pike. A second open space area serves as the pedestrian connection between Urbana Pike and Cockey House Lane. Both areas are heavily landscaped and will serve to screen views of the parking area to the rear of the homes on this Site.

**Subdivision Regulations – Chapter 1-16:** This application meets the requirements of the applicable subdivision regulations in Chapter 1-16.

1. **Article I: In General - § 1-16-12 Public Facilities**
   - **(B) Road Adequacy**
     - All proposed lots will have frontage on public roads or privately maintained streets with continuously paved surfaces of at least 20 feet in width.
     - The subdivision will have direct access to MD 355 (Worthington Blvd) via Landon House Lane. MD 355 is an existing Arterial roadway which is of a higher classification than a Collector Roadway.
     - Emergency Services will access the subdivision via Sugarloaf Pkwy and MD 355, a Collector and an Arterial roadway respectively.
     - All planned and existing roadways are considered adequate for emergency service access and meet the standards of this section.

   - **(C) Water and Sewer Facilities**
     - The project will be served by public water and sewer service. The property is classified W3/S3 on the Frederick County Water and Sewerage Master Plan indicating improvements to, or construction of, publicly-owned sewerage or water systems are planned within a 3 year time period. Water and sewer service is established on the adjacent M-1F section of the PUD.

2. **Article IV: Required Improvements - §1-16-109 Street, Common Driveway, and Sidewalk Construction:**
   - The proposed Combined Preliminary/Site Plan includes 5’ sidewalks along all proposed streets. Crosswalks are provided at all appropriate locations. A sidewalk connection to Cockey House Lane is provided to allow for natural pedestrian movements between the homes in Section M-1F and the commercial uses located south and east of the Site.
   - The eastern termination point of the Urbana Pike sidewalk must be terminated in such a way as to permit for a future connection across the Cockey House/salon property. The precise conditions for the termination will be determined during review of Improvement Plans for the Site.

3. **Article VI: Design Standards and Requirements**
   - **§ 1-16-217. Land Requirements:**
     - The designated land use in the Comprehensive Plan for the Site is Village Center
The proposed subdivision is within a Community Growth Area (CGA), and its design and configuration are consistent with the general pattern of development expected within a CGA as described in the Comprehensive Plan.

- The proposed subdivision provides for infill development within a rapidly evolving neighborhood and provides an appropriate land use ‘bridge’ between the commercial/mixed use developments south and east of the Site and the residential areas to the north and west.
- The existing topography does not place any significant constraint on the design and development of this Site

§ 1-16-218. Block Shape and Size:
- Block shape is not a significant issue in the development of this small Site. The proposed development forms a cap on the end of a block defined by two State roadways and a major County Collector roadway.

§ 1-16-219. Lot Size and Shape:
- Side lot lines are perpendicular to street lines (frontage lines).
- The higher densities permitted within the Village Center District require that individual lots be developed in an efficient and compact manner. Staff finds the modest range of lot sizes and building setbacks to be entirely appropriate within a Growth Area for the housing types proposed by the Applicant, given the location, orientation, and shape of the Site.
  - Townhouse Lot Size Range: 2,012 sf to 3,006 sf
  - SFD Lot Size Range: 6,727 sf to 6,975 sf
- The placement of the open space parcel on the southwest corner of the Site prevents any lot from being defined as a corner lot. While the lots abut two streets (Urbana Pike and Cockey House Lane), the result is a design which allows functional integration of this Site with the adjacent Section M-1F.

§ 1-16-235. Right-Of-Way and Paved Surface Widths:
- The private Cockey House Lane (at 20’ paved width) is sufficient to serve the limited numbers of users in this development while emergency access remains available along the frontage (Urbana Pike/Sugarloaf Pkwy).

4. Driveway Entrance Spacing Policy
   Adopted by the FCPC in 2002 (amended 2004), this policy provides a system of evaluating driveway locations for public safety, to preserve rural character of roads located in rural parts of the County, and allowing tighter spacing in areas of the County designated for denser development. Proposed driveways are oriented to provide access to the private Cockey House Lane and have no spacing restrictions other than those established for the purpose of allowing adequate space for emergency vehicles and safe maneuvering of vehicles during the process of entering or exiting the private drives. The proposed Plan meets the standards established for these purposes.

**APFO – Chapter 1-20:**
A DRRA that incorporates multiple projects in the greater Urbana community was approved by the Board of County Commissioners, effective June 13, 2013. This document incorporates all applicable APFO requirements for roads, schools and water/sewer for this project, and permits swapping of units from one section to the next, subject to an administrative amended LOU. As a result, a Draft Amended APFO Letter of Understanding (LOU) between the Applicant and the County is attached as Exhibit 3, which
accounts for the increase of one dwelling unit, from 6 to 7, on this site and the accounting for a loss of one dwelling unit in the original PUD, as explained in the proposed amended LOU.

**Forest Resource – Chapter 1-21:**
FRO for this project was mitigated as part of the Section M1F Forest Conservation Plan in 2007 (AP 6342).

**Historic Preservation – Chapter 1-23:**
No historic resources located on this Site as identified in the Maryland Inventory of Historic Places, Frederick County Historic Preservation field notes, and other local files.

**Agency Comments**

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<th>Other Agency or Ordinance Requirements</th>
<th>Comment</th>
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<tr>
<td>Development Review Engineering (DRE):</td>
<td>Conditional Approval</td>
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<tr>
<td>Development Review Planning:</td>
<td>Address all agency comments as the plan proceeds through to completion</td>
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<tr>
<td>Div. of Utilities and Solid Waste Mgmt. (DUSWM):</td>
<td>Approved</td>
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<td>Health Dept.</td>
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<tr>
<td>Office of Life Safety</td>
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<tr>
<td>Forest Resource (FRO)</td>
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<tr>
<td>DPDR Traffic Engineering</td>
<td>Conditional Approval</td>
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<tr>
<td>Street Naming</td>
<td>Approved</td>
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</table>
RECOMMENDATION

Staff recommends conditional approval of this Combined Preliminary Subdivision/Site Development Plan. If the Planning Commission conditionally approves the Preliminary plan, the Preliminary plan is valid for a period of five (5) years from the date of Planning Commission approval. The Site Development Plan is valid for a period of three (3) years from the date of Planning Commission approval.

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

1. Address all agency comments as the plan proceeds through to completion.
2. Approval by the Planning Commission of the modification request to allow placement of 2 of the required 4 parking spaces, required by Section 1-19-6.200 of the Zoning Ordinance for the two single-family dwellings, in the parking lot immediately adjacent to the affected home sites (Lots 1815 and 1816).
3. Approval by the Planning Commission of the modification request to permit a maximum building height of 40 feet (no more than 3 stories).
4. Planning Commission approval of dimensional standards as discussed in the staff report and depicted on the Combined Preliminary/Site Development Plan.
5. The Applicant shall adhere to the requirements as set forth in the Combined APFO LOU for the Urbana Projects as amended.
6. Prior to the issuance of any building permits, the applicant shall guarantee the adjustments to the Urbana Pike/Sugarloaf Parkway traffic signal to add signal phases and crosswalks, which shall be completed within one year of original permit issuance.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission APPROVE the Combined Preliminary Subdivision/Site Development Plan SP-01-36, AP 15072, including the amended Combined APFO LOU for the Urbana Projects with conditions and modifications as listed in the staff report, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.
February 16, 2015

Mr. Denis Supczynski
Frederick County, Development Review
30 North Market Street
Frederick, MD 21701

Re: Villages of Urbana, VC East Lots
Combined Preliminary/Site Plan
Planning Commission Submittal
SP01-36, A/P 15072

Dear Denis,

On behalf of Monocacy Land Company, developer of the Villages of Urbana project, we herein submit this Combined Preliminary/Site Plan for the Villages of Urbana, Section M-1F, 7 VC East lots for Planning Commission review. The purpose of this plan is to create 2 single family detached lots and 5 townhome lots on the east side of Sugarloaf Parkway. A SWM waiver was approved on 8/30/10, A/P 11057:

- This plan request a modification for the SFD parking scheme, requesting placement of two of the 4 required SFD parking spaces in the adjacent parking lot.

The following comment was addressed for this submittal:

4.1.2 General Plan Requirements
The sidewalk terminus on the east side does not meet PROWAG/ADA requirements; sidewalks dead ends are not permitted. Suggest curving it 90 degrees toward the ally and indicating on the plan that the county or others has the right to access the property to place a sidewalk connection; alternatively, and less desirable in my opinion, would be to turn it into Urbana Pike. RTB

Response: The sidewalk stub has been removed and sidewalk easement extended to the property line, note added to sheet SP-1.

Please find attached 11 of each full and 11”x17” Preliminary/Site Plans, 11 Planning Commission applications. Please note the rendering PDF was emailed on 2/19/15.

As always your assistance in the processing of this application is greatly appreciated. Should you have questions regarding this plan, or any other part of the Villages of Urbana development, please feel free to contact us at 301-948-4700.

Sincerely,

Rodgers Consulting

Milke Peterson, PLA
301-948-4700 Office
Second Amendment to the
Combined Adequate Public Facilities Letter of Understanding
for the
“Urbana Projects”
SECOND AMENDMENT TO
COMBINED ADEQUATE PUBLIC FACILITIES LETTER OF UNDERSTANDING

VILLAGES OF URBANA PLANNED UNIT DEVELOPMENT
URBANA OFFICE RESEARCH CENTER
VC LOTS
URBANA TOWN CENTER EMPLOYMENT DISTRICT MXD (NORTHERN MXD)

WORTHINGTON SQUARE

This Second Amendment ("Second Amendment") to Combined Adequate Public Facilities Letter of Understanding for Villages of Urbana Planned Unit Development, Urbana Office Research Center, VC Lots, Urbana Town Center Employment District MXD (Northern MXD), and Worthington Square, dated June 13, 2013, as amended by a First Amendment to Combined Adequate Public Facilities Letter of Understanding dated February 19, 2014, (collectively referred to as "Combined LOU") is made this ___ day of ___________, 2015, by and between Monocacy Land Company, LLC, Urbana Corporate Center LLC, Urbana Investment Properties II, LLC, Natelli Holdings II, LLC, and Natelli Holdings Three, LLC (collectively referred to as "Owners"), and the Frederick County Planning Commission ("Commission").

Owners and the Commission enter into this Second Amendment to the Combined LOU for the purposes of: 1) revising Tables 1, 2 and 3 in Section II.A. of the Combined LOU to add the 12 VC Lots, which were erroneously omitted from the tables although they are included in the APFO tests for all facilities; and 2) memorializing the transfer of one (1) townhouse lot in Section M-1C of the Villages of Urbana to the Eastern VC Lots. The VC Lots, together with the Western VC Lots, are included within the PUD for purposes of APFO testing; therefore the shift of one unit from the PUD to the Eastern VC Lots will not result in any additional APFO testing or require additional schools, roads or water and sewer improvements or fees.

1. Explanatory Notes 5 and 9 of the Combined LOU are hereby deleted and replaced with the following:

5. Monocacy is the owner and developer of seven (7) lots zoned VC at the eastern intersection of Urbana Pike and Sugarloaf Parkway that have received Concept Plan approval from the Commission and that will be developed as part of Section M-1F of the PUD (“Eastern VC Lots”).

9. Recordation of subdivision plats for the PUD has caused the APFO schools approval to be satisfied in full for 2,769 non-age restricted residential units in the PUD; the remaining 164 non-age restricted units (including the Western VC Lots and the Eastern VC Lots) and 92 age-restricted units will have a valid APFO approval as described in the tables which follow and in Section V below.
2. Tables 1, 2 and 3 in Section II.A. of the Combined LOU are replaced with the following:

<table>
<thead>
<tr>
<th></th>
<th>URBANA PROJECTS</th>
<th>Passed AFPO for School’s Recorded Lots</th>
<th>May be Recorded After Meeting Mitigation Requirements</th>
<th>Age Restricted Units Subject to AFPO Test If Converted to Non-Age Restricted Total Residential Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUD B.VC Lots[^1]</td>
<td>2,769</td>
<td>164</td>
<td>92</td>
<td>3,055</td>
</tr>
<tr>
<td>Worthington Square[^2]</td>
<td>0</td>
<td>72</td>
<td>0</td>
<td>72</td>
</tr>
<tr>
<td>Northern MD</td>
<td>0</td>
<td>610</td>
<td>0</td>
<td>610</td>
</tr>
<tr>
<td>Total</td>
<td>2,769</td>
<td>845</td>
<td>92</td>
<td>3,767</td>
</tr>
</tbody>
</table>

NOTES TO TABLE:

[^1]: Mitigation to satisfy the AFPO for Schools is required in connection with the reconditioning of the 164 dwelling units remaining to be recorded/re-recorded in the PUD as specified in Section V of this Combined AFPO Letter of Understanding. Mitigation accomplished through the payment of School Construction Fees is paid concurrent with plat recondition.

[^2]: The Concept Plan that has been approved by the Commission for Worthington Square comprises 72 Townhouse Lots; it is likely that the ultimate combined preliminary plan/site plan will contain fewer lots – regardless of the final count of Townhouse Lots in Worthington Square, all of the Lots require mitigation to satisfy the AFPO for Schools concurrent with plat recondition.
<table>
<thead>
<tr>
<th>Portion of the URBANA PROJECTS</th>
<th>May be Recorded After Extending Existing Service Lines - Approval of Improvement Plans/Lots/SF</th>
<th>Require Final Approval for Infrastructure Water &amp; Sewer Lines &amp; Facilities</th>
<th>Total Residential Dwelling Units and Non-Residential SF</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUD &amp; VC Lots - Residential Units [1]</td>
<td>2,769 164 93</td>
<td></td>
<td>3,025</td>
</tr>
<tr>
<td>PUD - Non-Residential SF</td>
<td>194,948 181,502 0</td>
<td></td>
<td>396,650</td>
</tr>
<tr>
<td>Worthington Square - Residential Units</td>
<td>0 72 0</td>
<td></td>
<td>72</td>
</tr>
<tr>
<td>Worthington Square - Non-Residential SF</td>
<td>0 5,000 0</td>
<td></td>
<td>5,000</td>
</tr>
<tr>
<td>ORC - Non-Residential SF [2]</td>
<td>374,950 1,265,452</td>
<td></td>
<td>1,640,402</td>
</tr>
<tr>
<td>ORC - Hotel Rooms (approx 93,000 SF) [3]</td>
<td>0 150</td>
<td></td>
<td>150</td>
</tr>
<tr>
<td>Northern MUD - Residential Units [4][5]</td>
<td>0 610</td>
<td></td>
<td>610</td>
</tr>
<tr>
<td>Northern MUD - Non-Residential SF [2][5]</td>
<td>0 2,000,000</td>
<td></td>
<td>2,000,000</td>
</tr>
<tr>
<td>TOTAL RESIDENTIAL DWELLING UNITS</td>
<td>2,769 938</td>
<td></td>
<td>3,707</td>
</tr>
<tr>
<td>TOTAL NON-RESIDENTIAL SF</td>
<td>569,888 3,431,054</td>
<td></td>
<td>4,001,942</td>
</tr>
<tr>
<td>TOTAL HOTEL ROOMS</td>
<td>0 150</td>
<td></td>
<td>150</td>
</tr>
</tbody>
</table>

NOTES TO TABLE:

[1] - The 97 Age-Restricted Units in the PUD and a portion of the Northern MUD require an outfall station for wastewater; either by construction of a wastewater pumping station or by construction of a gravity outfall from Urbana to the Bush Creek Main Sewer Outfall. The final configuration is subject to the review and approval of the Frederick County Division of Utilities and Solid Waste Management.

[2] - Frederick County Division of Utilities & Solid Waste Management is evaluating the timing and required capacity for a second elevated water storage facility to serve the Urbana Projects and other development in the Urbana Vicinity and will make a final determination during the process of site plan reviews and lot recordings in the noted sections of the Urbana Projects.
### TABLE 3 - Status of Satisfying Requirements of APFO-Roads Ordinance - URBANA PROJECTS

<table>
<thead>
<tr>
<th>Position of the URBANA PROJECTS</th>
<th>Passed APFO for Roads</th>
<th>May be Recorded/Occupied Within the Trip Parameters Established in Exhibit B</th>
<th>Will Require Additional APFO Roads Testing in order to be Recorded/Occupied</th>
<th>Total Residential Dwelling Units and Non-Residential SF</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUD &amp; VC Lots Residential Units</td>
<td>2,769</td>
<td>255</td>
<td></td>
<td>3,025</td>
</tr>
<tr>
<td>PUD - Non-Residential SF</td>
<td>194,948</td>
<td>161,920</td>
<td></td>
<td>356,450</td>
</tr>
<tr>
<td>Worthington Square-Residential Units</td>
<td>0</td>
<td>72</td>
<td></td>
<td>72</td>
</tr>
<tr>
<td>Worthington Square - Non-Residential SF</td>
<td>0</td>
<td>2,000</td>
<td></td>
<td>5,000</td>
</tr>
<tr>
<td>ORC - Non-Residential SF</td>
<td>374,650</td>
<td>1,265,852</td>
<td></td>
<td>1,640,402</td>
</tr>
<tr>
<td>ORC - Hotel Rooms (approx 9,000 SF)</td>
<td>0</td>
<td>150</td>
<td></td>
<td>150</td>
</tr>
<tr>
<td>Northern MID - Residential Units</td>
<td>0</td>
<td>620</td>
<td></td>
<td>620</td>
</tr>
<tr>
<td>Northern MID - Non-Residential SF</td>
<td>0</td>
<td>1,650,000</td>
<td></td>
<td>2,000,000</td>
</tr>
<tr>
<td>TOTAL RESIDENTIAL DWELLING UNITS</td>
<td>2,769</td>
<td>938</td>
<td></td>
<td>3,707</td>
</tr>
<tr>
<td>TOTAL NON-RESIDENTIAL SF</td>
<td>569,958</td>
<td>3,078,954</td>
<td></td>
<td>4,008,852</td>
</tr>
<tr>
<td>TOTAL HOTEL ROOMS</td>
<td>0</td>
<td>150</td>
<td></td>
<td>150</td>
</tr>
</tbody>
</table>

**NOTES TO TABLE:**

**GENERAL NOTE:** As provided herein, the VC Lots, Worthington Square and the Northern MID are required to make escrow payments for road improvements that will likely be built by others, but will benefit such developments. The PUD and the ORC are not subject to making any such escrow payments.

1. The TIA addressed all of the development units shown in this table.

2. The Concept Plan that has been conditionally approved by the Commission for Worthington Square comprises 72 Townhouse Lots and 5,000 SF of Non-Residential space; it is likely that the ultimate combined preliminary plan/site plan for the residential component of Worthington Square will contain fewer lots and that the final site plan for the non-residential component of Worthington Square will contain fewer than 5,000 building SF. Notwithstanding these probable outcomes, the TIA provided for 72 Townhouse Lots and 2,000 SF of Restaurant Uses in Worthington Square.

3. The TIA does not provide mitigation to accommodate the remaining 3,000 SF of Non-Residential shown on the Worthington Square Concept Plan or the remaining 350,000 SF of employment uses allowed to be developed in the Northern MID under that development's Phase 1 Zoning Approval. Accordingly, once the maximum trip capacities specified on EXHIBIT B have been exhausted, further testing for compliance with APFO Roads Ordinance will be required.

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3. Pursuant to Section II.B. of the Combined LOU, one (1) lot is hereby transferred from the PUD to the Eastern VC Lots. All references in the Combined LOU to the Eastern VC Lots shall mean seven (7) lots, and all references in the Combined LOU to the VC Lots shall mean thirteen (13) lots. Specifically, Section V.B.1. of the Combined LOU is deleted and replaced with the following:

1. Non-Age Restricted Units. 2,769 of the residential units in the PUD have been recorded and no further re-subdivision of the applicable areas is contemplated, therefore, APFO school approval is vested for these units. There are 164 non-age restricted dwelling units remaining to be recorded, including thirteen (13) lots proposed in the VC Zoned area that are immediately adjacent to and are incorporated into the 3,012 dwelling units approved for development in the PUD. The 13 VC Lots will be fully integrated into Villages of Urbana PUD, having all of the attendant benefits and burdens provided by the Homeowners Association governing the PUD. The Commission has previously granted conditional approval of a combined preliminary plan/site plan for six of those VC Lots - the Western VC Lots. The Commission has also approved a Site Plan for the remaining 7 VC Lots - the Eastern VC Lots.
On September 21, 2011, the Commission approved a revised Phase II Plan and APFO LOU (an amendment to the PUD LOU) for Section M-1 of the PUD to alter the previously approved mix of residential unit types. This change resulted in an intensity of use that incrementally increased the projected student generation for the non-age-restricted units. The increases in pupils caused the PUD to fail the school adequacy test for the revised dwelling unit mix at all three school levels. Monocacy chose the option to mitigate the school inadequacy by paying the School Construction Fee in accordance with the criteria set forth in Section 1-20-62 of the APFO. That 2011 APFO LOU specified that Monocacy would pay a total of $1,552,190 in School Construction Fees concurrent with the recordation or re-recordation of the remaining lots in the PUD.

Since the time that the 2011 APFO LOU was fully executed, and concurrent with the recordation of plats re-subdividing a portion of Section M-1 (i.e. subsections M-1D and M-1E yielding 155 Townhouse Lots), Monocacy has already paid School Construction Fees in the total amount of $1,118,475 leaving $433,715 of School Construction Fees to be paid concurrent with recordation of future lots. The actual dwelling unit mix that will ultimately be recorded will vary slightly from the mix contemplated in the 2011 PUD Phase II Plan, but within any approved pupil generation limits. Accordingly, the remaining amount of the School Construction Fees to be paid ($433,715) concurrent with recordation of the final 158 Lots shall be paid as follows:

* Concurrent with the recordation of the 6 Western VC Lots - $60,276 ($10,046 per Lot)
* Concurrent with the recordation of the remaining 152 Lots - $2,457.00 per Lot (which will yield a total $373,439 upon recordation of the final plat)

Monocacy shall pay the School Construction Fee, based upon the fee schedule in effect at the time of subdivision or re-subdivision plat recordation, as set forth in Section 1-20-62(E) of the APFO. Accordingly, if the fee schedule is changed from that which is in effect as of the date of this Combined APFO Letter of Understanding, any portion of the remaining $433,715 in School Construction Fees would be subject to recalculation to reflect any revisions to the fee schedule.

Except as modified in this Second Amendment, the terms and provisions of the Combined LOU shall remain in full force and effect.

Signatures on next pages
FREDERICK COUNTY PLANNING COMMISSION:

By: ________________________________ Date: __________________
Dwaine E. Robbins, Chair or Anthony Bruscia, Secretary

ATTEST:

By: ________________________________ Date: __________________
Gary Hessong, Director, Permits & Inspections

Planner's Initials / Date ________________________________

County Attorney's Office Initials / Date ________________________________
(Approved as to legal form)
WITNESS: MONOCACY LAND COMPANY, LLC, a Maryland limited liability company

By: Urbana Communities, LLC – General Manager
By: Natelli Communities Limited Partnership – Managing Member
By: Natelli Communities, Inc. – General Partner

By: ____________________________ (SEAL)
Thomas A. Natelli, President & CEO

WITNESS: URBANA CORPORATE CENTER, LLC, a Maryland limited liability company

By: ____________________________ (SEAL)
Thomas A. Natelli, Managing Member

WITNESS: URBANA INVESTMENT PROPERTIES II, LLC, a Maryland limited liability company

By: ____________________________ (SEAL)
Thomas A. Natelli, Managing Member

WITNESS: NATELLI HOLDINGS THREE, LLC, a Maryland limited liability company

By: ____________________________ (SEAL)
Thomas A. Natelli, Managing Member

WITNESS: NATELLI HOLDINGS II, LLC, a Maryland limited liability company

By: ____________________________ (SEAL)
Thomas A. Natelli, Managing Member