Zoning Map Amendment

CASE NUMBER: R-12-02 Monrovia Town Center PUD
APPLICANT: 75-80 Properties, LLC; Payne Investments, LLC
REQUEST: REVISED Concept Plan - Rezone 394.5 acres from Agricultural (A) to Planned Unit Development (PUD) proposing 1,250 dwellings (including 625 age-restricted dwellings units)
LOCATION: North side of MD 80 spanning both sides of MD 75, east of Ed McClain Road, west of Lynn Burke Road

Tax Map 88, Parcels 21, 22, 27, 28, and 127
Tax Map 97, p/o Parcels 0000 and 2
I. Background

The Applicant for the Monrovia Town Center PUD is seeking approval of a revised Phase I Concept Plan based upon the conditions set forth by the Board of County Commissioners in their vote on January 16, 2014. As a result of the BoCC’s action this is being referred back to the Planning Commission for a recommendation and then will be reheard by the BoCC. The revised concept plan includes the following changes:

- Proposed area to be rezoned has been reduced in size to 394.5 acres eliminating all of the land located east of the power transmission corridor and eliminating the whole of Parcel 53 (Tax Map 88), the 3.9 acre land area that included the far western section of the dragway track;
- Proposed maximum number of dwelling units is reduced to 1,250 and includes the designation of 50% (625 units) of the dwellings as age-restricted to persons aged 55 and older;
- Proposed allocation of dwelling unit types in the PUD as follows: 70% single-family detached and 30% single-family attached (townhouse/duplex units);
- Proposed elimination of multi-family/two-over-two dwelling units; and,
- Proposal to prohibit direct access to the PUD from Weller Road.

The previous version of this application proposed 1,510 dwelling units on 457.32 acres including acreage located east of the power transmission corridor. All of the proposed dwellings were standard market homes including a mix of single-family units (52%-62%), townhouses (30%-40%), and two-over-two (multi-family) dwellings (1%-15%). In addition, the previous version of the Concept Plan identified direct access onto Weller Road from the residential portion of the PUD.

In 2006, a slightly larger tract of land (just over 400 acres) was approved for PUD zoning by the Board of County Commissioners. This prior incarnation of the Monrovia Town Center PUD was planned as a 1,608 unit age-restricted (55 and older) community with many of the same underlying design features proposed in this latest plan. In the April 2010 Countywide Comprehensive Rezoning effort, the PUD zoning was changed to Agricultural and the property was removed from the Monrovia Community Growth Area.

The site of the former dragway is currently being planned as the site for neighborhood shopping center. The site plan for this project, filed earlier in 2013 (SP 13-01), is conceived as an integral component of the Monrovia Town Center PUD and, if designed in concert with the residential components of the development, may serve as a focal point and activity center for the neighborhoods in the greater growth area.

This proposed revision of the Phase I Concept Plan is being reviewed concurrently with a DRRA and the Adequate Public Facilities Ordinance (APFO) review.
II. Planned Unit Development Zone Summary

The Planned Unit Development (PUD) zone was established in the early/mid 1960’s and was approved for the first project in 1967. The PUD is a floating zone, which can only be applied to properties designated Low/Medium/High Density Residential on the County Comprehensive Plan. The PUD may also be applied over land designated Natural Resource if it is a minor portion of the project. Amendments to the PUD zone, which are referenced below, were adopted in 2010.

The regulations for the PUD and MXD floating zone districts are now combined into a single section: 1-19-10.500 Planned Development Districts

General Requirements

There is no minimum tract size for the application of PUD zoning (except for Continuing Care Retirement Communities - CCRC’s). Lot sizes, setbacks, and building heights shall be established by the Planning Commission at the Phase II review.

Open Space/Green Area Requirements – A minimum of 30% of the gross land use area for PUD’s with a gross density of 3-6 dwellings/acre, 35% at 6-12 du/ac, and 40% at 12-20 du/ac. Public parks and recreation land may also be required at the discretion of the Board of County Commissioners (BOCC).

Water and Sewer - Property shall have PS – Planned Service classification or higher to apply for PUD Phase I. Phase II review requires a W-4/S-4 classification.

Public Facilities – May require sites for schools, libraries, fire stations as part of the Phase I review using established county standards of service. §1-19-10.500.8.B

Review Process – Phase I is rezoning and Phase II is execution, which follows subdivision or site plan reviews as applicable.

Permitted Land Uses §1-19-10.500.6

PUD’s may be all residential with the mix of dwelling types based on need, existing and proposed projects in the vicinity, and on recommendations from adopted community/corridor plans. Commercial and employment uses may be proposed based on several factors including need, existing/proposed uses in the vicinity, and on recommendations from the community/corridor plans. The mixture of land uses will be determined by the BOCC at the Phase I rezoning review.

Residential – Goal is to provide a mix of dwelling types. Permits all residential types including single-family, duplex, townhouses, multi-family, and CCRC’s. Gross density may not exceed the following:

- Low density – 3-6 dwellings/acre
- Medium density – 6-12 dwellings/acre
- High density – 12-20 dwellings/acre

Commercial – allows for any uses permitted within the Village Center (VC) zoning district. The 1 acre of commercial per 100 dwellings allowance has also been deleted.

Employment – allows for any uses permitted in the Office/Research/Industrial (ORI) zoning district.
Institutional - allows for recreational and community activities, public services/facilities, health care facilities, schools, and institutional uses referenced in §1-19-5.310 Use Table.

Continuing Care Retirement Community (CCRC) – This is a new use reference in the PUD. A CCRC may be approved for an entire PUD development (shall have a minimum 5 acre site) or as a portion of a PUD. CCRC’s may include a mix of independent living, assisting living and skilled nursing care facilities. see §1-19-10.500.6.A.6 and §1-19-10.500.10

General Development Standards  §1-19-10.500.9

Site and building design - addresses integration of land uses, orientation of buildings, parking design and access, pedestrian access, landscaping and open space design.

Natural Features – addresses protection of natural features such as forest areas and visual impacts of development on surrounding properties. Lands with PUD zoning, but with a land use plan designation of Natural Resource may not be developed with residential or commercial/employment structures.

Public Facilities and Utilities – location, design, and extent of proposed facilities shall be in accordance with County standards and the Comprehensive Plan.

Modifications - as part of the Phase II Execution review the Planning Commission may approve modifications to parking, street design, landscaping, buffering, and general development standards in §1-19-10.500.9.A.
III. Approval Criteria

§ 1-19-3.110.4 APPROVAL CRITERIA (Zoning Map Amendments)

(A) Approval or disapproval of a request for an individual zoning map amendment or floating zone reclassification shall be determined through review of several criteria. The Planning Commission and Board of County Commissioners review will include, but not be limited to:

   (1) Consistency with the comprehensive plan;
   (2) Availability of public facilities;
   (3) Adequacy of existing and future transportation systems;
   (4) Compatibility with existing and proposed development;
   (5) Population change; and
   (6) The timing of development and facilities.

§ 1-19-10.500.3 APPROVAL CRITERIA (Planned Development Districts)

The Board of County Commissioners may approve or disapprove a request for rezoning of property to a Planned Development District if persuaded that granting the request is appropriate and serves the public interest. The approval or disapproval of a request for the application will be determined through evaluation of several criteria to establish whether the proposed project meets the purpose and intent of the zoning district. In addition to the requirements in § 1-19-3.110.4, the Planning Commission and Board of County Commissioners must find that the project adequately addresses the following criteria:

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

(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;

(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;

(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;

(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.
IV. Applicant’s Proposal

Proposed Revision

The applicant proposes to develop a planned community that will include 1,250 dwelling units, multiple public use sites, and a street/pedestrian network fully integrated into the existing state and county networks. Of the 1,250 dwellings proposed in the land use plan, 875 units would be developed as single-family detached homes with the remainder (375 units) developed as single-family attached (townhouse.duplex) homes. The Applicant has proposed additional changes to the Phase I Concept Plan in response to the conditions of approval for this application adopted by the Board of County Commissioners.

The area to be rezoned has been reduced in size from 457.32 to 394.54 acres eliminating from the rezoning request all of the land located east of the power transmission corridor’s western boundary and eliminating the whole of Parcel 53 (Tax Map 88), the 3.9 acre land area that included the far western section of the dragway track. The area located on the eastern side of the power transmission corridor, though not proposed for rezoning, is nonetheless included in the application as a proffered public use site for the location of a future public high school and park area as previously described in the initial rezoning application.

The proposed maximum number of dwelling units is reduced in this revised plan from 1,510 to 1,250 and includes the designation of 50% (625 units) of the dwellings as age-restricted to persons aged 55 and older. The resultant gross density of the project would remain above three dwelling units per acre (3.2 DU/ac) while the net density would be 3.9 dwelling units per acre (excluding floodplain, wetlands, open space, primary roadways, and public use sites).
The proposed allocation of dwelling unit types in the PUD provides an estimated 72% single-family detached and 28% single-family attached (townhouse/duplex units). While this is submitted by the Applicant as an estimate, it should be noted that the BoCC condition was more narrowly constructed allowing only for a 70%-30% split between single-family detached homes and single-family attached homes. The proposed revision of the Phase I Concept Plan allocates specific dwelling unit types to either the age-restricted or standard development portions of the PUD as follows (also see “Age Restricted Lot Distribution” exhibit below):

**Neighborhood 1 (Age-Restricted) – Total 375 DUs**
*Area A and part of Area C on Concept Plan*
- Single-Family Detached: 275 DUs
- Townhouse/Duplex: 100 DUs

**Neighborhood 2 (All Age, Standard Market) – Total 625 DUs**
*Areas B, D, G, H, 1, 2, and part of C on Concept Plan*
- Single-Family Detached: 525 DUs
- Townhouse: 100 DUs

**Neighborhood 3 (Age-Restricted) – Total 250 DUs**
*Areas E, F, and 3a on Concept Plan*
- Single-Family Detached: 100 DUs
- Townhouse/Duplex: 150 DUs

This revised application proposes to eliminate all multi-family/two-over-two homes in order to comply with the BoCC conditions of approval. Additionally, a condition to prohibit direct vehicular access into the PUD from Weller Road has been carried out in this revised Concept Plan through the termination of the local road connection in proposed area ‘F’.

![Map of Monrovia Town Center PUD with area allocations](image-url)
Land Use Proposal

While the gross residential density of the revised project is 3.1 dwelling units per acre, the distribution of residential density is accomplished based upon the overall layout of neighborhoods, proximity to amenities and services, and the local roadway network. Higher density development would be located in the land areas closest to the intersection of MD 75 and MD 80 identified as land areas “C”, “D” and “E” on the revised Concept Plan. In those two land areas – approximately 141 acres combined – the density would range from 4.7 to 7.3 du/acre, taking advantage of the proximity to community recreation areas, neighborhood amenities, the existing Green Valley Elementary School, a planned elementary school site, a potential high school site (51+ acres), and several acres of land zoned General Commercial (GC). Lower density residential development – from 2.9 – 4.7 du/acre - is identified in land areas along the northern, eastern, and western edges of the PUD. Approximately 122 acres of the PUD are set aside for open space and green areas.

Of the 394.54 acres of gross land area available for the proposed community, approximately 320 acres are buildable after accounting for floodplain, roadway construction, and public use dedications.

At a minimum, the project demonstrates that it will meet the Open Space requirement of 30% (118.4 acres) and provides approximately 122 acres.

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>ACRES</th>
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<tbody>
<tr>
<td>Residential Uses</td>
<td>188.0</td>
</tr>
<tr>
<td>Open Space/Green Area</td>
<td>122.0</td>
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<tr>
<td>Commercial</td>
<td>1.5</td>
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<tr>
<td>Commercial/Residential Mix</td>
<td>2.0</td>
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<tr>
<td>Fire Station Site &amp; Water Tank Site (Public Use)</td>
<td>6.0</td>
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<tr>
<td>Roads, Streets, and Alleys</td>
<td>75.0</td>
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<tr>
<td>TOTAL (Gross PUD Area)</td>
<td>394.5</td>
</tr>
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</table>
The residential land use mix proposed in the PUD application is as follows:

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family</td>
<td>72%</td>
</tr>
<tr>
<td>Townhouses/Duplexes</td>
<td>28%</td>
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</tbody>
</table>

Total: 1,250 dwelling units (50% age-restricted or 625 DUs)

Commercial Uses: Maximum of 3.5 acres at Areas G & H

In addition to a potential site for a future high school (beyond the boundaries of the proposed PUD rezoning), the applicant offers three other public use sites:

- Fire station site - up to 4.0 acres located along MD 80 approximately 1,000 feet west of MD 75
- Water tank site - located on the southwest corner of the PUD site
- Park site - approximately 29 acres clustered along the eastern border of, but included in, the PUD, south of Weller Road.

The transportation network envisioned for the PUD illustrates connections to existing county and state roadways including MD 75, MD 80, and Ed McClain Road. An east-west collector roadway, identified in the County’s Comprehensive Plan, is illustrated as connecting Ed McClain Road and MD 75. This collector road would intersect with the entrance to the Landsdale PUD on the western edge of the Monrovia Town Center community. The project area located on the eastern side of MD 75 is bounded by a 200 ft. wide 500kV power transmission line that is owned, in fee-simple, by the Maryland Title Company. This right-of-way is not included as part of this application and would remain zoned, Agricultural, as would all lands included in the proffered public use sites planned for the future park and high school.

Concept Plan

The revised Concept Plan (Sheet 7) depicts the general location, character, and configuration of the development planned for this PUD. The overall site is broken down into several sub-areas (A-H and 1-6) as follows:

**West of MD 75 (Green Valley Road)**

- **Area A**: 39 acres, lower density residential, single-family detached homes
- **Area B**: 61 acres, lower density residential, single-family detached homes and townhouses
- **Area C**: 55 acres, mid-density residential, single-family detached homes and townhouses
- **Area D**: 46 acres, highest density in project, single-family detached, and townhouses; also includes a major recreational amenity and primary connections into shopping center area
- **Area G**: 2.0 acres, commercial and residential mix, adjacent to shopping area and fire/rescue site
- **Area H**: 1.5 acres, commercial uses with MD 80 frontage
- **Area 1**: 2.0 acre potential site of water tank
- **Area 2**: 4.0 acre potential fire/rescue station site
**East Side of MD 75**

**Area E:** 40 acres, higher-density residential, single-family detached homes and townhouses; adjacent to future high school site

**Area F:** 17 acres, lower density residential, single-family detached homes; adjacent to future park (public use) site on eastern edge of PUD

**Area 3a:** 3.3 acres, portion of public use site to be zoned PUD with potential for park use

**Area 3b:** 26 acres, portion of public use site outside of PUD with potential for park use

**Area 4:** Highlights potential for vehicular/pedestrian crossing points along power transmission corridor

**Areas 5 & 6:** 50 acres, outside of PUD, future high school (public use) site with direct access to MD 80 and indirect access to MD 75; Area 6 (approx. 17 acres) currently zoned GC

Each side of the proposed PUD — east and west — is configured to place the highest residential densities adjacent to centers of activity. On the western side of the project — within which most of the homes would be constructed — many of the townhouse or duplex units are situated on the land surrounding the commercial and retail center. On the eastern side of the project, the more densely developed land areas are positioned within a 5-10 minute walking distance of the future high school and playing fields.

The Concept Plan identifies recreational amenity sites which, at least in Areas A, B, C, D, & E, may serve as neighborhood centers providing physical points of orientation within the larger development scheme.

Two major roadways provide a framework for organizing the neighborhoods within the PUD as well as providing critical transportation links between the two arterial highways and Ed McClain Road. Most importantly, the proposed East-West Collector Road will serve to link the two major PUD projects in the growth area and provide direct and convenient access for Landsdale residents to both the commercial center and the high school and park sites. For Monrovia Town Center residents, as well as others in the vicinity, this same roadway will serve as a connector to the site of the new elementary school to be constructed near its intersection with Ed McClain Road. The North-South road linking MD 80 and the East-West Collector will provide alternative access to and from Fingerboard Road connecting commercial, higher density residential, and public facility land uses while quite possibly relieving some of the traffic otherwise destined to utilize MD 75.

The Applicant is indicating that these two internal roadways will be suitable for alley-loaded homes, preventing the perforation of the curbs — and the parallel sidewalks — with numerous driveway cuts. It is the opinion of staff that Areas D and E would benefit greatly from this same approach, avoiding ‘front-loaded’ homes wherever possible in the name of more functional, safer, and attractive streets in the community.

**Phasing Plan**

The timing or sequencing of future development will be determined by the applicant or subsequent developers, and will respond to future demands for residential (and commercial) development. The Applicant states that the anticipated build out will occur over a fourteen year period beginning in late 2015.
V. Evaluation - Relationship to County Plans and Regulations

Arrangement of Proposed Land Uses

As demonstrated in the Concept Plan for this PUD, the Monrovia Town Center project is conceptualized as a major component of the greater Monrovia Community Growth Area. While the residential density generally diminishes as the distance from the proposed retail center/community center increases, the project’s land uses are also arranged on the site in response to three primary factors: the existing roadways, the surrounding proposed development, and natural features.

Existing Roadways – Two intersecting minor arterial roadways, MD 75 (Green Valley Road) and MD 80 (Fingerboard Road), provide the regional transportation backbone of the proposed PUD and heavily influence the alignment of the two major internal collector roads around which the development bays are organized. The east-west and north-south collector roads are planned to accommodate alley-loaded single-family detached and townhouse dwellings thus eliminating the need for curb cuts and driveways along these thoroughfares. While the east-west collector serves as a bridge between the eastern and western sides of this development it also serves as a dividing line between the more intensive residential, commercial, and civic uses on the southern portions of the site and the less dense, predominantly single-family residential neighborhoods to the north. The north-south collector serves as a conduit for the most intensive and public uses in, and adjacent to, the PUD, providing access to commercial areas, the proposed fire station, and the highest density housing in the development.

Surrounding Proposed Development – The intersection of MD 75 and MD 80 is enveloped by land zoned General Commercial sitting beyond the boundaries of the Monrovia Town Center PUD. However, the largest GC-zoned parcel, on the northwest corner of the intersection, is planned as a regional retail center and provides a point around which the highest density housing in the PUD is planned. A major public open space corridor emerges from this GC retail center heading north into an area planned as the primary community center and recreation amenity serving the PUD. As this open space corridor continues north, it crosses the east-west collector road and merges into an area of passive open space that stretches northward to the northern boundary of the PUD. The main entrance to the Landsdale PUD, located adjacent to the Monrovia PUD on its western edge, is met by the east-west collector road establishing what will become a seamless intersection of the two largest projects in the growth area and permitting a direct access point for students attending the future Landsdale PUD elementary school. A secondary area of higher density housing is located on the eastern side of the proposed PUD establishing a neighborhood in close proximity to the future high school and park sites.

Natural Features – While the majority of the proposed PUD site has been in agricultural use for well over a century, the forested stream valleys penetrating the residential land bays in the northern and eastern portions of the development influence the conceptual street network and provide areas well-suited for less intensive and less dense residential uses. The plan for open spaces and neighborhood centers is heavily influenced both by these stream valleys as well as the series of topographically prominent points in the landscape that include terraces, high points, and existing farmsteads.
Consistency with Comprehensive Plan

As a further realization of the proposed Monrovia Community Growth Area as identified in the Countywide Comprehensive Plan (2012), this proposal remains compatible with planned development activity in the area. The proposed gross land use density proposed for the site is 3.2 d.u./acre making this wholly consistent with the Comprehensive Plan designation of ‘Low Density Residential’. Further, the proposed net density of 3.9 d.u./acre exceeds the minimum density established under Maryland’s Smart Growth policies (3.5 d.u./acre). The development of this community as a pedestrian- and transit-friendly mixed-use growth center demonstrates a respect for Frederick County’s historic settlement pattern of dense village and town centers surrounded by open space and farmland.

Compatibility with Adjoining Zoning and Land Uses

While the conversion of existing agricultural land to residential and commercial development represents a significant change from farm uses, the proposal builds on the concept of a moderately dense, well-defined and contained, community growth area served by public infrastructure that does now, and will continue to, keep development from encroaching upon other significant agricultural areas in the County. The applicant has the opportunity in this project to incorporate some of the existing historic farmstead or building groups located on the site of the proposed PUD and in this way could ease the transition from largely vacant acreage to vital neighborhoods.

Natural Features

The site of the proposed Monrovia Town Center PUD is located in an area previously utilized for agriculture. Because of this primary use, the area remains primarily open with limited areas of woodland or woody vegetation. Occasional stands of trees dot the gently rolling landscape characterized by modest slopes (less than 15%). Most of the forested areas are located on the western portion of the site primarily along the stream valley. Some smaller areas of the site contain slopes between 15% and 25%. MD 80 constitutes the general drainage divide in the area with most of the land draining to the north into tributaries of Bush Creek.

The dominant soil types on the site are generally suitable for development with the exception of Glenville (GuB) and Roherville (RoB), wet soils which are found in the lowest elevations and along the tributaries.

There are no documented FEMA floodplains within the project site.

Generally, the land use pattern proposed by the applicant uses the topography of the site to its best advantage by locating open spaces, prominent neighborhood centers, and other features in a way that preserves and benefits from the natural lay of the land. Wet soils and tributary buffers are left undeveloped and will undoubtedly provide for excellent open spaces as well as corridors for natural and recreational activity. In terms of raw acreage, the proposed PUD should be able to accommodate Forest Resource Ordinance requirements on the site itself by concentrating mitigation efforts in these natural corridors and other open spaces. As illustrated conceptually, the proposed Ed McCoain Rd-MD 75 collector road appears to avoid sensitive soils and extreme topography on the site.
Historic Features

The Applicant does not identify or provide supporting information regarding existing potentially historic structures or sites that may exist on properties that are part of this PUD proposal. Specifically, there are four (4) farmstead or building groups in the 1993 New Market and Urbana Regions Historic Sites Survey field notes:

1) 4402A Green Valley Rd (demolished Sept. 2013)
2) 4303A Green Valley Rd.
3) 4303B Green Valley Rd.
4) 4529 Ed McClain Rd.

Information regarding the historic status of these sites, or any others in the proposed PUD, should be submitted to the Planning Commission for review. State permits for access onto MD 75 and MD 80 will be necessary thus triggering the ‘Section 106’ review by the Maryland Historical Trust. This review should be anticipated and initiated by the applicant.

The applicant should consider opportunities within the development to incorporate buildings of local historical significance into the overall scheme for the PUD. Adaptive re-use of extant structures on the site would provide an important link to Frederick County’s agrarian history and allow older structures to continue in practical service to residents. This re-use of older structures also serves an important function for those residents in the surrounding area who have grown up with the rural landscape of greater Monrovia.

Population Change


Potential Additional Population: 1,250 proposed dwellings
625 standard units @2.70 persons per household
= 1,688 persons
625 age-restricted units @1.67 persons per household
= 1,044 persons
Total = 2,732 persons from proposed PUD

Potential Total Neighborhood Population: 4,082 persons
R-12-02 Monrovia Town Center PUD – Revised Concept Plan
VI. Evaluation – Availability of Public Facilities and Services

Schools

Students living in the proposed project area are primarily part of the Linganore High School district though a small portion of the student population, at build out, would attend Urbana High School, if the districts remain as currently configured. With the proposal to have 50% of the dwellings be age-restricted the pupil yield is calculated for the 625 all age dwellings.

*Total Proposed Dwellings* - *1,250 with 625 age-restricted*

625 all age dwellings - 525 Single Family Detached and 100 Townhouses

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<th>School</th>
<th>2013 Total Enrollment/State Rated Capacity</th>
<th>% of State Rated Capacity</th>
<th>Total Projected Pupils</th>
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<td></td>
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<td>Single Family Detached</td>
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<tr>
<td>Green Valley Elementary</td>
<td>392/504</td>
<td>78%</td>
<td>126</td>
</tr>
<tr>
<td>Windsor Knolls Middle</td>
<td>820/924</td>
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<td>90</td>
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<tr>
<td>Linganore High</td>
<td>1,477/1,600</td>
<td>92%</td>
<td>116</td>
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<tr>
<td>Urbana High²</td>
<td>1,516/1,636</td>
<td>93%</td>
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2. A small portion of the student population would occur within the Urbana HS feeder area.

*Programmed Improvements (FY 2014-2019 CIP)*

**East County Area Elementary School** – New 725-seat school projected to open in 2021. This school is currently planned to be located either at the Landsdale PUD (Ed McClain Road) or in the Hampton section of the Linganore PUD.

**Kemptown Elementary Addition** – Proposed 200-seat addition projected to open in 2020. It should be noted that the Proposed FY 2015-2020 CIP currently under review removes this project from the CIP.

*Planned Improvements*

**Elementary School** – New 725-seat school to be located on the other site not selected under the East County Area Elementary CIP project would be available for longer term school needs.

**Middle School** – New 900-seat school. The Comprehensive Plan identifies a planned middle school site on the east side of Boyers Mill Rd. across from the Summerfield development. The construction of this school and the subsequent redistricting may likely affect the Oakdale, New Market, and Windsor Knolls middle school districts.

**High School** – New 1,600-seat school. The Comprehensive Plan identifies a future high school site in the Monrovia community growth area that is proposed to be dedicated and conveyed to the BOE as part of the Monrovia Town Center PUD project.
Water and Sewer

The site is currently classified Planned Service (PS) for both water and sewer service. The PS classification generally indicates service being available within 11-20 years. The panhandle portion (approximately 2 acres) of Parcel 0 is still classified as No Planned Service (NPS). The PUD zoning cannot be applied to this portion.

Public water will be provided through the New Design water system, which withdraws water from the Potomac River. The New Design Water Treatment Plant has a permitted capacity of 25 million gallons/day (MGD) and has a current average daily use of approximately 16 MGD. Sewer service/treatment will be provided by the Ballenger-McKinney wastewater treatment plant (WWTP). The current Ballenger WWTP has a treatment capacity of 7 MGD and with the McKinney expansion, which is under construction, will be expanded to 15 MGD and is expected to be completed in the fall 2014. Current average daily treatment flows at the Ballenger WWTP is 5.7 MGD. The Applicant is responsible for extensions and connections to the public water and sewer lines to serve the project site.

Based on the proposed 1,250 dwellings, and assuming 250 gallons/day/dwelling, this project would need approximately 312,500 gallons/day of water and sewer capacity.

Programmed Improvements

Bush Creek Interceptor (Middle Phase) – This is a sewer line that will extend the existing interceptor line from the county landfill to the existing Monrovia WWTP. The Middle Phase is currently under construction and is expected to be completed in late 2014. This project is being funded and constructed by the Landsdale PUD developers. This interceptor (24 inch) is sized to accommodate planned development in the New Market and Monrovia growth areas.

Public Safety Facilities

The proposed PUD would be served by the Green Valley Substation of the New Market District Fire-Rescue facility located on the southeast corner of MD 80 and MD 75 (adjacent to Green Valley Elementary School). This station is situated less than 1/2 mile from the site. Second due fire/rescue service would be available from the New Market Volunteer station (2.75 miles from this site) as well as from the Urbana Volunteer Fire and Rescue station located in Urbana (approximately 5 miles from this site).

Police protection would be provided by the County Sheriff’s Office, which has a satellite office in the Urbana Regional Library.

Programmed Improvements (FY 2014-2019 CIP)

Green Valley Fire Station – Replacement of the existing station is proposed on a site in the Monrovia Town Center project. While the current FY 2014-2019 CIP projects this station to be constructed in 2015 the Proposed FY 2015-2020 CIP will shift the construction back to 2018. This new station will also have space devoted to the County Sheriff’s Office.

A four-acre site for this facility in the PUD is located along MD 80, approximately 1,500 feet west of MD 75, and would be dedicated and conveyed to the County by the applicant.
Libraries

The Urbana Regional Library and Senior Center is located five miles west of the site within the Villages of Urbana. The C. Burr Artz Public Library, in downtown Frederick, is located approximately 12 miles away.

Planned Improvements

Linganore Regional Library – the Comprehensive Plan identifies a planned library site that would be located in the Town Center area (adjacent to Oakdale High School) of the Linganore PUD. The site is expected to be dedicated and conveyed to the County by the Linganore PUD developers.

Parks and Recreation Facilities

Several existing County parks are located within close proximity to the site:

- Urbana District Park (5.5 miles)
- Urbana Community Park (5.5 miles)
- Kemptown Community Park (3.5 miles)
- Old National Pike Park (4.6 miles)

The Applicant is proposing to convey a 79-acre public use site along the east side of the electric transmission line, of which approximately 29 acres will be available for public park development. An internal system of HOA-owned and controlled parks, recreational amenities, and open spaces is identified on the Concept Plan.

Programmed Improvements (FY 2014-2019 CIP)

Old National Pike Park – Phase 2 construction of new athletic fields, picnic facilities projected to be completed in 2020.

Kemptown Community Park – Rehabilitation projected to be completed in 2017

Planned Improvements

Special Use Park - The Comprehensive Plan identifies a park site along Bush Creek that may be considered for dedication to the County as part of the Landsdale PUD. This 96-acre site would be a passive park with no significant athletic facilities.

Community Park - The Comprehensive Plan identifies a park site in the vicinity of the western portion of the Monrovia Town Center PUD. This park would be accommodated by the proposed 29-acre site identified in the Monrovia Town Center PUD on the north side of the proposed high school site. This site may be dedicated to the County as a public park or could be part of the high school site.
Transportation

Existing Site Access Characteristics

The site of the proposed Monrovia Town Center PUD (and the larger Monrovia District Community development that includes the GC-zoned properties) is situated at the intersection of two State arterial roadways - MD 75 (minor arterial) and MD 80 (minor arterial). MD 80 serves as an east-west connector between northern Montgomery County and the I-270/MD 355 corridor. MD 75 serves as a primary north-south route in the eastern portion of the county connecting the Linganore/New Market communities and points north with I-270 via MD 109 in Hyattstown.

Pedestrian facilities in this largely rural/suburban neighborhood are non-existent. A short link of sidewalk exists on the south side of Fingerboard Road in front of Green Valley Elementary School but the link remains unconnected to any other pedestrian pathway in the area.

Current Traffic Volumes on Adjoining Roads

Traffic counts in the vicinity of the site conducted by the Maryland State Highway Administration in 2012.

<table>
<thead>
<tr>
<th>Roadway (Traffic Count Location)</th>
<th>MD75 (0.2 miles north of MD80)</th>
<th>MD75 (0.1 miles south of MD80)</th>
<th>MD75 (0.3 miles north of MD144)</th>
<th>MD80 (0.1 miles east of MD75)</th>
<th>MD80 (0.1 miles west of MD75)</th>
<th>MD80 (0.2 miles west of MD75)</th>
<th>MD80 (0.3 miles east of MD355)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AADT 2012 (Annual Avg Daily Traffic)</td>
<td>6,292</td>
<td>7,972</td>
<td>10,762</td>
<td>8,842</td>
<td>11,932</td>
<td>7,432</td>
<td>16,852</td>
</tr>
<tr>
<td>AAWDT 2012 (Annual Avg Weekday Traffic)</td>
<td>6,802</td>
<td>8,612</td>
<td>11,622</td>
<td>9,552</td>
<td>12,892</td>
<td>7,882</td>
<td>17,862</td>
</tr>
</tbody>
</table>

Highway Plan Classifications for Adjoining Roads

- MD 75 (Green Valley Road) – Minor Arterial (80 ft right of way)
- MD 80 (Fingerboard Road) – Minor Arterial (80 ft right of way)
- Ed McClain Road – Collector (60 ft right of way)
- Weller Road – Local (50 ft right of way)

Programmed Improvements (FY 2014-2019 CIP)

MD 75 Corridor Improvements - The project would focus on County funding of right-of-way acquisition to facilitate the necessary planning, design/engineering, right-of-way acquisition and construction of improvements by developers or the State Highway Administration. The corridor stretches from I-70 in New Market to MD 355 and would include the planned relocation of MD 75 directly to I-270 in the vicinity of Dr. Perry Rd. with a new interchange.
Planned Improvements

The planned improvements to the MD 75 corridor are reflected in both the County Comprehensive Plan and in the State Highway Administration’s Highway Needs Inventory. The corridor may be divided into the following segments:

- **North Segment** - relocation from the park and ride lot at Baldwin Rd. to existing MD 75, south of Bush Creek in the vicinity of the Bush Creek Brethren Church, with a new bridge over Bush Creek and CSX railroad.
- **MD 80 Intersection** – realignment to create a four-legged intersection with MD 80 and would include a ½ mile relocation of southern leg of MD 75.
- **Middle Segment** – upgrade and/or widening of section from ½ mile south of MD 80 to Lewisdale Rd.
- **South Segment** – relocation of MD 75 from Lewisdale Rd. to the north crossing MD 355 just south of Lewisdale Rd./MD 355 intersection and continuing to a planned interchange with I-270 in the vicinity of Dr. Perry Rd.

The adjoining Landsdale PUD is responsible for the following road improvements and funding contributions:

**Ed McClain Road Relocation** – Construct relocated alignment with a safer intersection at MD 80. No occupancy permits will be issued for the development before the road between the project entrance drive and MD80 is constructed or funded.

**MD 80 Improvements** – Construct additional through- and turn lanes along MD 80 in addition to the signalization of the MD80/Ed McClain Road intersection (if warranted).

**East-West Collector Road** - Developers of the Landsdale PUD may be issued building permits for no more than 500 (of their proposed 1,100) dwelling units “…before the collector road between Ed McClain Road and MD 75 is constructed.”.

**MD 75 Corridor improvements** – Required to contribute over $3 million towards regional improvements to the MD 75 corridor.

**Applicant/Developer Required Road Improvements**

- **MD 75** – Construct new intersection at MD 80 with ½ mile of relocated 2-lane road from MD 80 to a point ½ mile south of MD 80
- **MD 75** – upgrade and widen from MD 80 to the northern property boundary as a 4-lane divided highway
- **MD 75 Corridor Improvements** – Required to contribute
- **MD 80** – Construct additional through and/or turn lanes along MD 80 at Ed McClain Road and at Ijamsville Rd/Big Woods Rd.
- **East-West Collector Road** - Provide right-of-way for, and construct if required in order to develop adjacent land bays, the collector road linking Ed McClain Road and MD 75 (in partnership with the Landsdale PUD);
- Install traffic signals, if warranted, at the following locations:
  1) MD 75 and the East-West collector road to Ed McClain Rd.
  2) MD 80 and western site access
  3) MD 75 and shopping center access road
  4) MD 75 and MD 355 (including construction of northbound right turn lane)
In addition to these requirements detailed in the DRRA, the Applicant will also contribute money to several escrow accounts established to provide for the improvement of various transportation network components impacted by this proposed PUD.

**Pedestrian Facilities**

The applicant presents the proposed PUD as a planned community with fully integrated pedestrian facilities including both trails and sidewalks that will interconnect neighborhoods, open spaces, community facilities, and the town center/shopping center portion of the development. Care should be taken to continue these connections to adjoining properties where development is imminent or planned in future years.

Provisions for bicycle transportation should be included in road and street designs to provide on-road opportunities for cyclists as well as any off-road provisions made through the development of a trail network. The applicant should strive to provide for the transportation use of bicycles as well as for their recreational use.

Planning staff encourages the applicant to work closely with TransIT Services to ensure that safe and adequate provisions are made for transit facilities in the PUD. Coordination with the adjoining Landsdale PUD developers will also be necessary.
VII. Summary of Findings

A. Staff finds that the project adequately addresses the approval criteria described in the Zoning Ordinance.

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

(1) Consistency with the comprehensive plan;
The Monrovia Town Center PUD project is located in an area with an appropriate land use plan designation of Low Density Residential and is located within a Community Growth Area. The Frederick County Zoning Ordinance allows for the application of the Planned Unit Development floating zone on properties with a residential Comprehensive Plan land use designation. The PUD zone is designed to enhance the opportunities for integrated uses and densities in the County by allowing a greater variety of mutually reinforcing dwelling types and land uses to occur within a single development. Both the PUD floating zone and the Low Density Residential land use plan designation emphasize residential uses, and are therefore essentially compatible in application and intent.

(2) Availability of public facilities;
Water supply through the New Design Water System and wastewater treatment capacity through the Ballenger/McKinney WWTP are currently adequate to serve the approximately 312,500 gallons/day needed for this project. All three schools currently serving the site are under capacity and are projected to remain under capacity through 2022 (Approved EFMP, September 2013). A planned elementary school on the Landsdale PUD site will provide additional elementary school capacity. The Green Valley Fire Station is located within ½ mile of the site and is adequate to serve this project.

Conditions of approval outlining the necessary public facility requirements of this application, in addition to existing and planned facilities and utilities to serve the area, demonstrate that infrastructure to serve this project will be adequate.

(3) Adequacy of existing and future transportation systems;
The developer-required improvements to MD 75 and MD 80 in the immediate vicinity of the project will adequately serve projected traffic generated by the development. The impact that the Project will have on road infrastructure will be mitigated under the requirements of the Adequate Public Facilities Ordinance, as outlined in a Letter of Understanding being developed concurrently with this application.

(4) Compatibility with existing and proposed development;
The proposed project will be compatible with the proposed Landsdale PUD adjoining to the west. They will share both a similar gross density as well as a similar mix of dwelling types with the single-family detached dwelling being the predominant type in both projects. While existing residential uses are on well/septic, with densities of about 2 acres/dwelling, the proposed project will have the ability to buffer these existing residences with open space and larger single-family lots to provide an appropriate transition.

(5) Population change; and
The potential additional population change as a result of the proposed 1,250 dwellings – including
625 age-restricted homes - equates to 2,731 persons, based on 2.7 persons per household in standard market units and 1.67 persons per household in the age-restricted units.

(6) The timing of development and facilities.
Water and sewer infrastructure including the Bush Creek sewer interceptor and the McKinney WWTP expansion are expected to be completed by late 2014 or early 2015 well in advance of when this project would start building homes. A programmed elementary school in Landsdale may be open as early as 2021. Road improvements will be required at various development milestones (lot recordation, building permit issuance) as determined in the Adequate Public Facilities Ordinance Letter of Understanding (LOU).

§ 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;
The 1,250 dwellings planned for development on a net building area of 320 acres result in a gross density of 3.9 dwellings per acre which is consistent with the County’s Low Density land use designation as articulated in the County Comprehensive Plan. The project site is adjoined by developing land (Landsdale PUD) and is located in the Monrovia Community Growth Area. Therefore, the project does not increase or encourage the proliferation of low density land uses into rural areas, and employs a relatively high density development pattern.

(B) The proposed development design and building siting are in accordance with the County Comprehensive Plan, and any applicable community and corridor plans;
See item (1) above. There is no Community and 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 project will be compatible with the proposed Landsdale PUD adjoining to the west. They will share both a similar gross density as well as a similar mix of dwelling types with the single-family detached dwelling being the predominant type in both projects. While existing residential uses are on well/septic, with densities of about 2 acres/dwelling, the proposed project will have the ability to buffer these existing residences with open space and larger single-family lots to provide an appropriate transition. Open space and forested buffers, including intervening public park and school sites, will provide adequate land use buffers between existing and proposed development along the eastern and northern boundaries of the proposed PUD. Along its proposed western edge, the Monrovia Town Center will adjoin the Landsdale PUD while providing both a 50-75 foot wide open space buffer as well as functional street connections linking the two projects in the growth area.

(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 plan indicates safe, convenient, and well-integrated vehicular and pedestrian connections to the adjacent Landsdale PUD, the proposed Monrovia Town Center retail development, the future site of the East County elementary school (Landsdale PUD), and the site of the future public high school and park sites. This functional street network builds upon the existing and planned roadways in the Monrovia Community Growth Area. Open space corridors between developed areas and protected open space areas are integrated into the proposed PUD. Higher density neighborhoods are proposed in closer proximity to areas planned for more intensive and community use including commercial retail centers, schools and public safety facilities, and recreational amenities.

(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;

The conditions of approval outlining the necessary public facility requirements of this application in addition to existing and already planned facilities and utilities to serve the area demonstrate that infrastructure to serve future development is reasonably probable of fruition in the foreseeable future. Improvements to the MD 75 corridor as well as planned upgrades to MD 80 will serve the proposed expanded and integrated local street network. Access to planned neighborhoods and amenities in the PUD will be adequate to ensure pedestrian safety and reasonable local roadway capacity in the vicinity.

(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 proposed PUD provides a logical framework for pedestrian and bicycle interconnectivity providing a clear pattern of streets, sidewalks and trails for internal, as well as external, use. Pedestrian links logically connect residential areas to proposed school and park sites, neighborhood recreational amenities, and planned commercial retail areas. The proposed collector roadways provide opportunities for future transit routing and an optimized pattern of local streets and alleys will serve to feed these routes as well.

(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 existing Green Valley Fire Station is adequate to serve this project. The proposed Green Valley Fire Station – a replacement for the current Green Valley Substation planned for construction on land within this PUD - will provide efficient and timely emergency response to the proposed neighborhoods in the PUD and surrounding community. A law enforcement presence is planned for this facility as well.

(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 physical design of the proposed community is sensitive to the natural resources present on the
site including streams and riparian forested areas. The gently rolling terrain of this site is reasonably
accommodated in the conceptual layout of the PUD. Forested stream corridors are set aside as
protected open spaces and are to remain undeveloped.

(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 residential uses which include a mix of single-family detached homes as well as and
townhouses and duplex units are consistent with the Low Density Residential land use plan
designation. The Monrovia Town Center PUD is within the Monrovia Community Growth Area as
designated on the County Comprehensive Plan and has a land use plan designation of Low Density
Residential. With its Low Density Residential designation and its location within a Growth Area, it is
identified as an area most appropriate for growth and development and is therefore consistent with
the general policy in the Comprehensive Plan that supports the location of growth within designated
areas. The PUD floating zone can only be applied to land with a residential land use plan designation.
Therefore, establishment of this PUD zone is consistent with the current County Comprehensive
Plan.

(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.
The public water/sewer infrastructure and system capacities are currently, or will be made, adequate
to serve this proposed development. Schools serving the site are either under capacity or will have
capacity deficits generated by this development mitigated by CIP and EFMP projects. The condition
mandating that 50% of the proposed dwelling units be age-restricted to persons 55 years of age and
older will greatly reduce the capacity demand of the planned Monrovia Town Center community.
Compliance with the APFO prior to or simultaneously with a Phase II application will further assure
the provision of public facilities, services, and infrastructure to meet the increased demand generated
by the project.

§ 1-19-10.500.10. (Specific Development Standards Within the Planned Development Districts)

(B) If any development or portion thereof requests designation as an age-restricted community for
the purpose of being exempt from the Adequate Public Facilities Ordinance (APFO) schools test
under Section 1-20-7(E), this request must be made as part of the applicant’s Phase I
application, indicating the number and location of the proposed age-restricted dwelling units;
Of the 1,250 dwellings planned for development in the Monrovia Town Center PUD, 50%, or 625
dwellings are proposed as age-restricted homes. The revised Concept Plan and supporting application
materials indicate that the Applicant plans to develop age-restricted dwellings in two of the three
planned Neighborhood Areas within the project. Neighborhood 1 is planned for 375 age-restricted
units (275 SFDs and 100 TH/Duplex). Neighborhood 3 is planned for 250 age-restricted dwellings (100
SFDs and 150 TH/Duplex). Neighborhood 2 is planned for standard all-age development (625 DUs
total).
(C) The Planning commission and the BOCC, in their respective reviews of the proposed development, shall consider the following criteria 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 arrangement of these Neighborhoods, as illustrated on the exhibit entitled, *Age Restricted Lot Distribution* indicates that the age-restricted homes will be located in the easternmost and westernmost Neighborhoods and will each be served by a community center/recreational amenity. Neighborhood 3 is located entirely east of the MD 75 corridor and adjacent to the future high school and park sites that are planned along the eastern boundary of the PUD. The center of Neighborhood 3 – to include a 5,000 sf clubhouse on a 1 acre campus - is located approximately 1/5th of a mile from the planned commercial retail center planned on the site of the former dragway. Neighborhood 1 is bounded by Ed McClain Road on its western edge and an open space forested stream corridor on its eastern edge. The community center of Neighborhood 1 – to include a 7,500 sf clubhouse sited on a 6 acre campus - is located approximately 1/4th of a mile from the planned commercial retail center and approximately 1/4th of a mile from the planned elementary school to be located within the Landsdale community. An interconnected trail and bikeway system is also planned to connect Neighborhoods and provide recreational and non-vehicular transportation opportunities for residents in the all of the planned Neighborhoods. Active amenities may include swimming facilities as well as other outdoor active recreation improvements for residents.

(2) **Availability, suitability and proximity of the development to planned support services,**

Emergency services such as ambulance/medical support would be available from the Green Valley Fire Station located within 1/2 mile of the development. Other support services such as medical offices are available in Urbana and may also be provided in the adjoining, proposed commercial development. Additional services such as medical offices and a County senior center and library are located in nearby Urbana. Convenient access (vehicular and pedestrian) to the planned and future school and park facilities would allow residents of the PUD convenient access to these sites.

(3) **The amount of existing and approved age-restricted development in the county and in proximity to the proposed development;**

The Applicant indicates that there are approximately 1,400 age-restricted dwellings planned or existing in Frederick County. This number includes independent living dwellings that are part of larger nursing care facilities. Of the County’s 2025 projected 100,000 households, this project along with the others planned and built, would constitute approximately 2% of the total number of households in Frederick County.
VIII. Staff Recommendation

Staff recommends that the Planning Commission recommend APPROVAL of the request to rezone the subject parcels from Agricultural (A) to Planned Unit Development (PUD) based upon:

- A review of the Approval Criteria as set forth in § 1-19-3.110.4; and
- A finding that the project adequately addresses the Planned Development District Approval Criteria as set forth in § 1-19-10.500.3; and

Subject to the following conditions of approval:

1. A maximum of 1,250 dwelling units may be constructed.
2. A minimum of 50%, or 625 dwellings, shall be age-restricted to residents aged 55 and older. Covenants shall restrict these dwelling units to be age-restricted per the Federal Fair Housing Act of 1988 and Housing for Older Persons Act of 1995.
3. The percentage mix of dwelling types shall be a minimum of 70% single-family detached and a maximum of 30% townhouses or duplex dwellings.
4. Multi-family dwellings including 2 over 2’s shall be prohibited.
5. Prior to the recording of the first residential lot, the Applicant shall dedicate and convey to the County a public use site no less than 79 acres in size and located in Areas 3a, 3b, 5, and 6 as shown on the Concept Plan of the PUD PHASE I Plan (the “Public Use Site”). Within the Public Use Site, a +/- 28.0-acre portion, generally located as shown on the Concept Plan of the PUD Phase I Plan (the “Park Site”) shall be designated for future discretionary use by the County as a park site. Also within the Public Use Site, a +/- 51.0-acre site, generally located as shown on the Concept Plan of the PUD Phase I Plan shall be designated for future discretionary use by the County as a school site (the “School Site”). Provided the Board of Education (BOE) approves the School Site, the Applicant and BOE shall enter into a Memorandum of Understanding (MOU) prior to conditional approval of any Phase II/Preliminary Plans or Site Development Plans for the Project. In the event the BOE refuses or fails to accept the School Site, the Applicant shall then offer it to the County as a public use site, for public uses purposes at the discretion of the County, however, saving and excepting the 16+/- acre portion of the School Site that is zoned General Commercial, which portion shall be retained by the owner in fee simple, and the owner/Applicant may use such portion in any manner then permitted by the Zoning Ordinance.

6. The Applicant shall dedicate and convey to the County, prior to November 30, 2014, or the recording of the first residential lot, whichever comes first, a public use site which is no less than four (4) acres in size, generally located as shown on the Concept Plan of the PUD Phase I Plan (the “Fire Station Site”). The Applicant will provide access via the public road as provided for in the PUD Phase I Plan, and not via MD 80 (Fingerboard Road). If the County requires the Fire Station Site prior to the Project being developed to the point when public roads are available to serve the Fire Station Site, the Applicant shall provide temporary private access to the Fire Station Site in a location to be approved by the Applicant and the County.

7. The Applicant shall ensure that the design and layout of the PUD is functionally and aesthetically integrated into the adjoining commercial retail development planned for the
75-80 Dragway property and shall provide for adequate and direct vehicular and pedestrian connections between the two projects, integrated public and open spaces, and consistency between the architectural treatment of the structures in the commercial retail development and those adjacent structures in the PUD.

8. Prior to the recordation of any plats, the Applicant shall dedicate the necessary right-of-way for the east-west collector road connecting Ed McClain Road and MD 75. This improvement is a joint requirement of the Landsdale PUD and the Applicant. This road shall be constructed, in whole or in part by the Applicant as needed for access to adjacent residential lot sections, if not already constructed by developers of the Landsdale PUD, and in such a manner so as to prohibit access to Ed McClain Road until the entire east-west collector road has been completed.

9. The provision of vehicular and pedestrian connections (public or private) to the high school site/public use site from Areas E or F shall be considered as part of the Phase II/Preliminary Plan review of those sections. Such connections shall be planned to occur in the general vicinity of the locations identified on the Concept Plan so as to provide either private drive access and/or pedestrian access to the school facility.

10. All dwelling units situated within the “Areas of high visibility” corridors – as indicated on the Concept Plan – shall consist of alley-loaded structures. Beyond these “areas of high visibility” and within Area D, a majority of the dwelling units constructed shall consist of alley-loaded structures.

11. The Applicant shall dedicate and convey to the County a public use site no less than two (2) acres in size and located in Area 1 as shown on the Concept Plan (the “Water Tank Site”). This site shall be designated for the explicit use as the site for a public water tank. If it is subsequently determined by the Applicant through a detailed site study, and agreed to by the County, that an alternate site will be utilized for this water tank, this Area 1 will be designated as Open Space in the PUD. If the County acquires and begins construction on the Water Tank Site prior to the Project being developed to the point when public roads are available to serve the Water Tank Site, the Developer shall provide temporary private access to the Water Tank Site in a location to be approved by the Developer and the County. In the event the Project is not developed to the point at which adequate public road access serves the Water Tank Site, the Developer shall not be responsible for bonding related to improvements to serve the Water Tank Site, until such time as the Developer intends to develop such portion of the Project.

12. Access to Weller Road from the residential area shall be prohibited. Access from Weller Road to the park site and high school only may be considered as part of development plans for those uses/sites.