TITLE: Landon House Complex

FILE NUMBER: SP-98-29, AP# 14365, FRO# 13839, APFO# 14366, SWM# 13838

REQUEST: Site Development Plan Approval
The Applicant is requesting Site Development Plan approval for a mixed use project consisting of medical office, general office, retail, restaurant, and residential uses in 5 primary buildings (4 new structures and 1 existing structure) located on a 5.7-acre site in Urbana.

PROJECT INFORMATION:
ADDRESS/LOCATION: Located on the north side of Urbana Pike at its junction with MD 80, across from the site of the former Cracked Claw/Peter Pan Inn, south and west of Worthington Boulevard in Urbana
TAX MAP/PARCEL: TM 96; Parcel 38
COMP. PLAN: Village Center
ZONING: Village Center
PLANNING REGION: Urbana
WATER/SEWER: W-3; S-3

APPLICANT/REPRESENTATIVES:
APPLICANT: PCR Ventures, LLC
OWNER: - same -
ENGINEER: Terra Solutions Engineering, LLC
ARCHITECT: Architectural Concepts Group, Inc
ATTORNEY: N/A

STAFF: Denis Superczynski

RECOMMENDATION: Conditional Approval

ATTACHMENTS:
EXHIBIT 1- Site Plan
EXHIBIT 2- Site Renderings
EXHIBIT 3 – Parking Modification Request
EXHIBIT 4 – Photometric Plan
EXHIBIT 5 – Draft APFO LOU
STAFF REPORT

Development Request

The Applicant is requesting Site Development Plan approval for a mixed use project consisting of over 43,882 s.f. of retail, restaurant, medical office, general office, and residential uses on a 5.7 acre Site including:

- The main house which is being adaptively reused as a restaurant (cellar and first level), offices (second level), and two apartment units (third “attic” level). Applicant proposes a 5,161 s.f. addition for use as a banquet hall in association with the restaurant (total footprint: 9,982 s.f.);
- Two, 2-story buildings for medical/office (7,300 s.f. each).
- One 2-story building for retail/general office (7,300 s.f.)
- One single-story building for retail (3,000 s.f.)

The primary proposed uses are being reviewed as: medical clinic, office business, office professional, and restaurant land uses under the heading of Commercial Business and Personal Services; general retail land uses under the heading of Commercial Uses – Retail (specific users have not been identified for the retail portion of the project, therefore several headings in the Use Table may apply); and, two-family dwellings under the heading of Residential Uses per §1-19-5.310 Use Table in the Zoning Ordinance. All proposed uses are principal permitted uses in the VC Zoning District subject to Site Development Plan approval. Further details regarding the retail uses may be provided as part of the Site Development Plan application.

Additionally, this Site Development Plan proposal is being reviewed under the Mixed Uses provision of per §1-19-7.500(B)(4) of the Zoning Ordinance which permits multiple principal structures on a single lot with a finding from the Planning Commission that the listed criteria of that section have been met.

As required by Zoning Ordinance §1-19-7.500(D), Site Development Plan proposals in the VC Zoning District are required to submit plans to the Planning Commission (or its representative) for Concept Site Development Plan Approval prior to Site Development Plan approval. The Concept Plan for this project was approved by the Planning Commission at its meeting held in February of 2014.

BACKGROUND

Recent Development History

A Type 2 Site Development Plan (AP 13806), memorializing and expanding the permitted office uses in a modestly expanded Landon House, was approved by Staff in February 2014.

A second Type 2 Site Plan clarifying the extent of the addition to the main house was approved by Staff in April 2014.

The Planning Commission approved the Concept Site Development Plan for this project in February 2014 with the following conditions:

1) Applicant will work with Staff to amend the design of Building E to more closely adopt the form and profile of a traditional carriage house utilizing a standard traditional roof (no flat roof on this structure).

2) The Applicant shall provide additional architectural articulation of the three office/retail buildings (A, B, and C) to reduce the impact of extended, undifferentiated building facades.
3) The reconstructed stone chapel shall be sited as far to the west as possible to diminish the visual impact of this newly added structure along the front of the property.

4) The Applicant must demonstrate compliance with the County’s Forest Resource Ordinance as follows:
   - Approval of the Concept Plan by the Planning Commission does not provide support for or guarantee a favorable determination regarding a future FRO Modification application.
   - A FRO Modification application for removal of the two specimen trees will be required prior to or concurrent with Site Plan submission for this project.
   - Approval of this Concept Plan by the Planning Commission does not provide final approval of the development layout shown on this plan, and design changes as outlined in this Staff report are required in order to preserve the three specimen trees discussed in detail above.

5) The Applicant shall demonstrate that all possible safeguards are in place to protect the three specimen trees planned for retention on the site both during and after construction of the project. At a minimum at least two parking spaces identified within the CRZ of the specimen Basswood tree shall be removed from the plan or relocated elsewhere on the site.

6) No Site Development Plan for the Landon House Complex may be approved by the Planning Commission until such time as there is an approved Subdivision Plan or Addition Plat to resolve the shared internal private drive configuration.

7) At the time of Site Development Plan application, the Applicant must address outstanding landscape requirements for screening parking areas, providing tree canopy shading of paved surfaces, and providing street trees appropriate to the Site given its historic significance.

<table>
<thead>
<tr>
<th>Site Plan Application</th>
<th>Total Building Gross Floor Area</th>
<th>Number of primary buildings</th>
<th>General Site Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>SP-98-29 (pre-2012)</td>
<td>10,587 sf (5,994 sf approved for office use)</td>
<td>1</td>
<td>Access via Urbana Pike; 18 approved parking spaces</td>
</tr>
<tr>
<td>SP-98-29 (Type 2 –Feb. 2014, AP 13806)</td>
<td>13,897 sf</td>
<td>1</td>
<td>Access via Urbana Pike; 61 approved parking spaces and modest building access improvements</td>
</tr>
<tr>
<td>SP-98-29 (Type 2 –Apr. 2014, AP 14362)</td>
<td>14,331 sf</td>
<td>1</td>
<td>Access via Urbana Pike; 61 approved parking spaces and modest building access improvements; clarified footprint of addition to rear of structure</td>
</tr>
<tr>
<td>SP-98-29 (Current Site Plan Application, AP 14365)</td>
<td>43,882 sf</td>
<td>5</td>
<td>Access via Urbana Pike, Worthington Blvd, and MD 80; integral vehicular circulation drive connecting to shared drive along eastern edge of property; 220 parking spaces; landscaping plan</td>
</tr>
</tbody>
</table>
**Existing Site Characteristics**

The Site is currently occupied by a single structure known as the Landon House. The entirety of the Site is listed on the National Register of Historic Places (NR) (#F-7-3, Stancioff Property) for both its architectural character and for its association with events during the Civil War. All previously existing outbuildings have been demolished or disassembled during the past nine months in preparation for renovation of the main structure which dates from the early 19th Century. Based on the best evidence available, the Landon House is thought to have been constructed or re-constructed utilizing materials or components from an earlier structure, possibly an industrial building. Extensive reconstruction of the main building by the current owner has been underway for several months. Clearing of dead and damaged vegetation, as well as significant site work in the vicinity of the planned rear addition permitted under the Type 2 Site Development Plan (AP 14362), constitutes the most significant alteration of the NR Site since its listing in April 1975. The recent site work has increased the visibility of, and from, the Site and has reinforced the visual prominence of the property within the context of both older and newer Urbana.

The Applicant’s Site sits atop an elevated rise which causes the house, and the proposed new buildings on the Site, to assume a dominant position in the Urbana landscape, particularly when viewed from the north and east.

Current vehicular access to the Site is confined to the existing driveway entrance onto Urbana Pike. The original driveway entrance to Urbana Pike has been closed off.
The Site is surrounded by a variety of existing and planned land uses. Along its western boundary, townhouses are being constructed as part of the continuing development of the Villages of Urbana (Section M-1F). A renovated historic structure situated west of the service entrance to the Landon property is currently used as offices. The southern tip of the Site faces the junction of MD 80 and Urbana Pike. A McDonald’s restaurant is located directly across from the service drive on the south side of Urbana Pike. Along the eastern boundary of the Landon Site - across MD 80 – is the former Cracked Claw/Peter Pan Inn which is currently undergoing extensive redevelopment as a small retail commercial center. On its northeastern and northern boundaries, the Landon House Site adjoins a planned commercial/office center (Urbana Commons) with which the Landon Site will share vehicular access via a service drive connecting Worthington Boulevard and MD 80. Frederick Memorial Hospital currently operates medical offices in a facility immediately north of the Landon Site. A site development plan (SP 98-08, AP 14159) was approved by the Planning Commission in April 2014 for a Royal Farms convenience store on the adjacent site and will likely precipitate the construction of the shared access road straddling the boundary between the Landon property and the Royal Farms parcel.
Form and Layout

The proposed Landon House Complex is comprised of five (5) primary structures – (four proposed buildings and one existing building) proposed to contain 43,882 sq ft of retail, medical office, general office, restaurant, and residential land uses. The proposed development consists of the following: 1) the main house which is being adaptively reused as a restaurant (cellar and first level), offices (second level), and two apartment units (third attic level). The main building would also see a significant expansion to the rear adding 5,161 sf of enclosed space for use as a banquet hall in association with the restaurant; 2) three, 2-story buildings for retail and medical/office (7,300 sq ft each building) situated along the western edge of the Site, and, 3) a single-story retail building (3,000 sq ft) located southeast of the main house at the intersection of the proposed shared drive and MD 80.

A proposed service drive – shaped roughly like an upside down fish hook – would provide the internal site circulation and provide access to most of the parking planned for the property. This internal circulation drive would connect with the shared drive at the northeast corner of the Site and would allow traffic to enter the Site from Worthington Boulevard (MD 355) and from MD 80, across from the Cracked Claw/Peter Pan Inn property.

The original loop drive would remain – providing service to the front of the Landon House as well as an
additional 35 parking spaces and a loading space. This historic drive would remain unpaved and allow the front yard of the historic home to remain relatively free of new construction and modern visual intrusions. The primary loading space is located behind the main building and is situated to provide the most convenient and least disruptive (operationally) point for deliveries and service calls to the restaurant and banquet hall facility.

New structures planned for the Site – as well as the banquet hall addition to the historic home - have been scaled to minimize the visual competition with the main house. Application materials illustrating the architectural treatment of all new construction and reconstruction on the property were submitted to Staff for review of compliance with the design standards of the Village Center zoning district.

Mixed use development is encouraged in the VC district through the allowance of a mixture of land uses within a structure or within a site. Multiple principal structures and uses on a single lot, as proposed by the Applicant, are permitted in the VC district when approved by the Planning Commission via the Type I Site Plan Review process (Sect. 1-19-3.300 through 1-19-3.300.4). The Applicant received Concept Site Plan approval for the Subject Site indicating Planning Commission approval of the mixed use/multiple structures nature of the project.

**Development Density**

The Site Development Plan proposed project density is as follows:

- Residential Density Proposed in Concept Plan - 2 DUs or 0.35 DUs/acre
- Maximum Residential Density (in growth area) - 5 DUs/acre

Non-residential density in the VC district is not limited explicitly other than by practical site, circulation, design, dimensional regulations, and infrastructure constraints.

**Parking and Access**

In accordance with requirements for multiple principal uses/structures on a single lot within the VC district, the proposed development utilizes a shared parking concept to serve the mix of uses envisioned for the Site. Parking has been located to the side or rear of buildings where possible – and diminished in scale and depth - in an attempt to maintain a more pleasant pedestrian environment along the internal drive.

Most of the surface parking spaces are physically located in areas that allow for easy and convenient sharing between uses. Furthermore, the likely staggering of peak times and days between the medical offices, restaurant, banquet hall (predominantly utilized on weekends), retail, and residential uses will likely result in a parking plan more than adequate to meet the needs of the Site as planned, even with the proposed deficit of 7 spaces for which the Applicant has submitted a parking modification request.

The Site would be accessed with either a signalized full movement entrance from Worthington Blvd. (MD 355) or a turn restriction that would prohibit no left or through movements out of the site with no signal, whichever is deemed appropriate by SHA, plus a right-in/right-out access to MD 80, both via the adjoining Urbana Commons property to the east, as well as a direct right-in/right-out access on Urbana Pike. For safe and efficient travel on the adjacent roads, no trips may be generated from these proposed uses until the access at MD 355 and MD 80 is attained. This limitation is included as a condition of any approval of this Application.

As part of the Site Development Plan approval for Section M-1F of the Villages of Urbana, the Planning Commission required the Applicant to maintain a clear area for a potential future connection between Cockey House Lane and any future development on the Landon House Site through the Cockey House property. As part of this Site Development Plan, the Applicant has identified an alignment for this connection.
Parks and Green Space
In addition to the large open space areas along, and within, the loop drive which occupy approximately 25% of the Site, a few smaller green areas are distributed around the Site and are illustrated on the Site Development Plan. The Zoning Ordinance in Sect. 1-19-7.500 (B)(4)(c) requires 726 s.f. of common plaza/green area per 2,000 s.f. of gross floor area. The project will have a total of approximately 43,882 s.f. of floor area, which would require 15,929 s.f. of open space. The concept plan proposes over 2.5 acres (approximately 109,000 s.f.) of open space and common plaza area.

In addition to the gross acreage open space requirement, the Zoning Ordinance also requires that mixed use projects with a residential component provide a common plaza/green area. The Site Development Plan maintains the loop drive and in so doing, provides an elliptical common area shared by four of the five structures which serves as a central meeting place, circulation point, and visual amenity for the development.

Public Facilities
Public water and sewer service is intended to be utilized to serve this development. The Site is currently classified S-3/W-3 in the County’s Water and Sewer Plan. The Type 2 Site Development Plan approved by Staff in April 2014 provides for the physical connection of the Landon House structure – and ultimately the four new structures – to the public water and sewer facilities available in this Community Growth Area.

Detailed Analysis of Development Standards

Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County Zoning Ordinance.

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.

Findings/Conclusions

1. Dimensional Requirements/Bulk Standards §1-19-5.100: Per §1-19-7.500(B)(3), the VC district provides for the establishment of dimensional standards on a site-by-site basis, using adjoining and facing buildings as a guide. Given the unusual nature and layout of this project, the setbacks as illustrated are in keeping with the intent of the VC district and furthermore will permit the Landon House historic structure to retain its prominence on the Site.

2. Signage §1-19-6.300: Signage will comply with Zoning Ordinance Sections 1-19-6.300 through 1-19-6.320. Within the VC zoning district the maximum signage for the proposed uses is calculated at $10\sqrt{F}$, where $F$ is the length of the side of the building facing a public street (measured in linear feet). The Landon House complex has building faces on multiple public streets and private drives; therefore $F$ shall equal the total of measurement of sides of buildings on which are located the primary public access points. The total amount of building façade for the purpose of calculating the allowable signage is 606 linear feet. This would result in an allowance of 246 s.f. for the entire site.

The Applicant is proposing a sign package consisting of building mounted signs that will not exceed 223 square feet with a maximum height of 25 feet, which complies with Zoning Ordinance requirements.

3. Landscaping §1-19-6.400: The Applicant has proposed a landscape plan in accordance with
Zoning Ordinance Section 1-19-6.400. The proposed plan includes new street trees along MD 80, street trees along the internal drive, the retention of 5 specimen trees (per the FRO regulations), the retention of significant existing on-site landscaping material, and landscape screening of parking areas where appropriate. Staff encouraged the Applicant to minimize planting that would obscure views of the historic Landon House from Urbana Pike and MD 80 and thus some overflow (special event) parking areas which line the original driveway will be screened utilizing existing vegetation and scattered new plantings which preserve the unobstructed sightlines to the façade of the main building. Movement of the required street trees into the interior of the site as well as along the edges of the gravel lane and parking area serves to maintain the primacy of the original approach to the main house while providing for some existing vegetation to remain in place along MD 80. With 635 linear feet of public street frontage, the overall number of street trees required is 18. The Applicant is providing 20 street trees in this Site Development Plan in addition to the maintenance of some two dozen existing small trees along this same street frontage.

Vegetative screening of parking areas is provided on all sides of the Site and meets the standards of Section 1-19-6.400 (C). The standards set forth in Section 1-19-6.400 (D) are satisfied through a combination of parking area planting bays, maintenance and planting of adjacent vegetated open spaces, the preservation of five significant specimen trees providing shade to drive aisles and parking spaces, and the planting of pin oak, red maple, and flowering dogwood trees at key locations situated along the proposed internal circulation drive aisle and parking bays.

4. Lighting §1-19-6.500: The Applicant is proposing to install (33) 12 ft. tall, traditional pole lamps utilizing two type/styles of fixture. The photometric plan demonstrates that illumination levels at the property boundaries will not exceed 0.5 foot candles. The use of modestly scaled lighting poles requires a greater number of lights to accomplish the same illumination as taller and brighter fixtures. The Applicant’s approach to site lighting is appropriate to this Site and respectful of the historic significance of the property.

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.

Findings/Conclusions

1. Access/Circulation: The Applicant proposes to provide two access points to the Site including the existing Urbana Pike entrance as well as the proposed connecting drive providing access to the shared driveway to the east of the site. The shared drive will permit visitors to access the Landon House complex from two minor arterial roadways (MD 355 and MD 80). An Addition plat (S1133, AP 14260) was approved and recorded on May 9, 2014 which accomplished a land swap between the Landon House Site and the adjacent Fingerboard Properties (Urbana Common) land in order to establish the shared access driveway along the new shared boundary. The proposed entrances meet sight distance requirements and have been approved by Development Review Engineering and SHA Staff.

2. Connectivity §1-19-6.220 (F): In addition to the multiple road interconnections proposed in this Site Development Plan, a future local alleyway or other low speed vehicular connection is reserved at a point south of Building A providing a link to the adjacent site west of the Subject Site. Vehicular interconnectivity is maximized on the proposed Site Development Plan without sacrificing the older loop driveway associated with the historic house.
3. **Public Transit:** This site is not served directly by local or regional transit services, however the right-of-way for the planned I-270 transitway is secured along the Worthington Boulevard corridor and would provide proximate service to the Site.

4. **Vehicle Parking and Loading §1-19-6.200-through 1-19-6.220:** Pursuant to §1-19-6.220 of the Zoning Ordinance, parking space requirements for this project are detailed on the Site Development Plan in tabular form.

This mixed use project utilizes the following parking space requirements based on the defined areas of use:

- Retail/Office  1 space per 300 s.f.
- Medical Office  1 space per 200 s.f.
- Assembly  1 space per 5 seats (at 15 s.f. per occupant)
- Restaurant   1 space per 50 s.f.
- Residential   1 space per unit plus 0.5 spaces per bedroom

The parking plan for the project is detailed on the Site Development Plan but can be summarized, by location on the Site, as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bldgs A, B, and C</td>
<td>107</td>
</tr>
<tr>
<td>Landon House (rear)</td>
<td>30</td>
</tr>
<tr>
<td>Original Loop Drive</td>
<td>35</td>
</tr>
<tr>
<td>Bldg E</td>
<td>41</td>
</tr>
<tr>
<td><strong>TOTAL PROPOSED</strong></td>
<td>213</td>
</tr>
<tr>
<td><strong>TOTAL REQUIRED</strong></td>
<td>220</td>
</tr>
</tbody>
</table>

The proposed parking space allotment falls 7 spaces short of the required number for this particular mix of uses. In accordance with Zoning Ordinance Section 1-19-6.220.A.1, the Applicant is requesting a parking space modification for the parking deficiency. The Zoning Ordinance §1-19-6.240 allows for shared parking and it is the opinion of Staff that the number of spaces provided – and the distribution of those parking areas - is more than sufficient for the existing and proposed uses. The Applicant worked with Staff to achieve protection of the Critical Root Zone of the specimen trees and to reduce the overall amount of impervious surface on the site by eliminating as many parking spaces as was feasible in this project. The proposed mix of uses on the Site (medical, office, restaurant, retail, special events) will not likely result in peak parking demand overwhelming the parking area supply as the uses do not share extensively overlapping hours of operation. Staff has no objection to the requested parking space modification.

**Loading §1-19-6.210:** In accordance with Z.O. Section 1-19-6.210 the Applicant is required to provide 4 small loading spaces and 1 large (12' x 50') loading space. The Applicant is proposing 4 large loading spaces, and 2 small loading spaces. The Landon House and attached banquet hall – measuring 43,882 s.f. in size – would require 3 loading spaces by itself. Staff believes that the proximity of two loading spaces serving Buildings B and C are more than adequate to supplement the two spaces proposed for this structure and its uses. Staff would support a modification request if the Planning Commission feels a modification is required.

5. **Bicycle Parking §1-19-6.220 (H):** The Zoning Ordinance requires 1 bicycle rack for each 20 auto parking spaces for commercial uses. Therefore, the Applicant is required to provide 11 bicycle racks (2 bicycles per rack). The Applicant is proposing 5 bicycle rack locations (165 s.f. each) which may comply with the code requirement if each location is noted to accommodate the proper number of racks. Each location should consist of two (2) racks, with the rack location near
Building E consisting of three (3) racks. The rack areas shown are generally sufficient to contain the required number of racks and a note to this affect on the Site Development Plan should suffice.

6. Pedestrian Circulation and Safety §1-19-6.220 (G): The Applicant has proposed sidewalks or provided for safe pedestrian access throughout the Site. The Applicant has also proposed pedestrian connections to the adjacent Royal Farms site in the vicinity of Building E.

**Conditions:**

- Indicate intent to provide a total of (11) bicycle racks in compliance with §1-19-6.220 (H).
- Planning Commission approval of the requested parking space modification in accordance with Z.O. Section 1-19-6.220.A for (7) parking spaces below the target number.

**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. The entire site will be served with water coming from New Design WTP and sewer flowing into the Ballenger McKinney WWTP. While the public sewer and water facilities are currently adequate to serve the project, the Applicant acknowledges that capacity is not guaranteed until purchased. The Type 2 Site Development Plan approved in April 2014 addressed the physical connections of this infrastructure to the Landon House/Banquet Hall structure including the mandatory abandonment of the existing well upon connection to the public system.

**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 portion of the Landon House site slated for the construction of new structures is relatively flat. The Site does slope down toward the Urbana Common site (Royal Farms/FMH Clinic) and the proposed plan proposes a grading of this eastern edge of the property to accommodate the new shared driveway. Generally, the proposed Site Development Plan will not significantly alter the existing topography of the property other than what is to be expected during construction. Where site grading activities will result in potential impact to specimen trees, the Applicant will be required to undertake proactive action to prevent damage to these trees.

2. **Vegetation:** The Applicant is proposing a landscape plan in accordance with Zoning Ordinance Section 1-19-6.400. A combination of existing trees and shrubs will be combined with extensive new plantings to provide for compliance with landscaping requirements. Five (50) specimen trees are being retained on the Site and significant care has been taken in the design and layout of the project to minimize the impact on these trees.

3. **Natural Hazards:** Based on available mapping, no wetlands or FEMA floodplain are located on
the site.

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.

Findings/Conclusions

1. Proposed Common Area: The Zoning Ordinance in Sect. 1-19-7.500 (B)(4)(c) requires 726 s.f. of common plaza/green area per 2,000 s.f. of gross floor area. The project will have a total of approximately 43,882 s.f. of floor area, which would require 15,929 s.f. of open space. The concept plan proposes over 2.5 acres (approximately 109,000 s.f.) of open space and common plaza area.

Concept Plan Approval for VC projects is required as provided in §1-19-7.500(D) Procedures – concept of the Frederick County Zoning Ordinance.

Site Development §1-19-7.500: All new development within the Village Center Zoning district shall incorporate the following design standards in addition to all other applicable requirements of the Zoning Ordinance; The Planning Commission shall consider these standards in its review of all development within the Village Center Zoning District.

Site Development and Layout §1-19-7.500(C)(3)

- C.3.(a)/C.3.(b) - Building Orientation/Multiple Uses: New structures proposed for the site are designed to be visually subservient to the main building and do not generally face the public street. However, the three buildings located along the property’s western edge do face the internal drive. Every effort has been made by the Applicant to ensure that buildings face the public ways and primary internal streets (roads, pedestrian network). The exception to this condition is in the location of Building E, which is situated to align with the orientation of the Landon House and its new proposed structures. All but one of the structures are multi-story buildings with the main house proposed to contain a mix of commercial and residential uses.

- C.3.(i) - Storage and Operations/Refuse and Recycling: Commercial activity proposed for the Site must demonstrate detailed compliance with this item. The three proposed buildings along the western property boundary will be located adjacent to residential development in the Villages of Urbana. An indication of the proposed screening of these dumpster areas – as well as the dumpster site at Building E - must be provided as part of any approved Site Plan for the Subject Property.

- C.3.(c) - Service and Utility Facades: The visibility of rear building facades is minimized through careful arrangement of the mixed use structures along existing lines of vegetation. The visual screening of undesired views of service facilities and activities has been resolved by the Applicant through a carefully thought out arrangement of the structures.

- C.3.(g)/C.3.(h) - Sidewalks/Street Interconnectivity: Pedestrian facilities in this Plan are illustrated as primary elements and organizing features in the laying out of the Site while maintaining practical access for vehicles on the property. Furthermore, the Plan illustrates several interconnection points to adjoining properties both for pedestrian and vehicular access. The proposed development has been designed around an internal driveway network that is interconnected and facilitates efficient movement through and within the Site. The Applicant, in cooperation with the neighboring Urbana Commons property developer, has proposed one full movement and two partial access points to and from the Site that support efficient traffic.
movement while not disrupting vehicle flow on public roadways. The primary access connection to the shared drive along the eastern boundary of the property accomplishes a high level of interconnectivity by providing links onto two state highways serving the community.

- **C.3.(f) – Shared Parking**: The design and layout of the structures and uses on the Site demands the use of a shared parking regime. In order to maintain the primacy of the historic Landon House, its front landscape, and the traditional gravel drive, the Applicant has skillfully arranged new development in such a way as to maximize the shared parking and circulation infrastructure planned for the property.

**Building Massing and Bulk §1-19-7.500(C)(4)**

- **C.4.(a)/C.4.(b) – Form/Height**: With no community or corridor plan in effect for the Urbana community, building massing and bulk is limited only by the underlying zoning regulations. In plan view, the new structures may appear to compete with the Landon House. However, a study of the massing and site placement of the three new structures located along the property’s western edge reveals that their visual impact on the main house will be minimal. The primary goal of Staff throughout the review process has been to protect the character of the Landon House by ensuring that any design or engineering approach to this project respects this building’s preeminence on this Site.

- **C.4.(d) – Non-residential Building Footprint**: The Landon House structure, with its proposed Banquet Hall expansion, would result in a structure with a 9,998 s.f. footprint which measures approximately 2 s.f. below the maximum permitted building footprint in the Village Center district. The Planning Commission may approve buildings with a footprint above 8,000 s.f., in growth areas only, where the increased footprint does not exceed 10,000 s.f. The Applicant has demonstrated how their proposed structure meets the criteria for such an increase in the building footprint as listed in §1-19-7.500(C)(4)(d) of the Zoning Ordinance and the Planning Commission approved the Concept Site Development Plan for the Subject Site inclusive of the 10,000 s.f. structure. The site is unique within the Village Center in that it is surrounded by existing new development and vacant land. The Applicant has proposed a design that maintains the historic entry leading to the Landon House and attempts to retain the visual prominence of the historic structure. It should be noted that the design strategy for the Landon House addition (the banquet hall) is consistent with Secretary of the Interior standards for additions to historic buildings in that the addition is visually distinct from the original structure, does not compete visually with the original structure, and avoids simplistic adoption of key architectural features of the older building. Ultimately, there will be no confusion as to where the historic structure ends and the new construction begins. In addition, the shared service and access bay avoids the need to duplicate the modern practical building elements into both the new and old structures thus reducing the overall building footprint on the site. Generally, the proposed addition and resulting structure meet the criteria.

- **C.4.(f) – Building Design**: The visualization material submitted for the Site Development Plan generally provides adequate information related to building shape, height, massing and window and door placement. The Applicant has submitted renderings of the Landon House structure itself, its proposed addition, the proposed 2-story office/retail buildings along the western edge of the site, and the stand-alone commercial building located southeast of the main building. Staff has been working with the Applicant to ensure building design and finishes that are internally cohesive and respectful of the historic structure existing on the Site. The least successful design response to the site remains the design of Building E. The Applicant has proposed a structure that utilizes a roof configuration that is intended to minimize the placement of mechanical equipment on the ground adjacent to the commercial structure and it is successful in that regard. Design changes to this structure since it was last reviewed by the Planning Commission include a revised roof form – which now more closely resembles a low-
pitched hipped roof – and some additional articulation of the entrance and windows to strengthen the allusion to a traditional carriage house. (See rendering on page 24) While a more conventional roof profile might have resulted in a more successful architectural response to Landon House, particularly at this high visibility location on the Site, it is understandable as to why the Applicant has chosen the design for Building E that is included in this plan submittal and Staff would support approval of this iteration of the building design on the basis that the low pitch of the roof and the inclusion of the eyelid dormer windows minimize the visual impact of roofline and instead bring visual focus to the body of the structure. It should be noted that the Applicant has eliminated some of the paved area to the east of Building E by removing the planned circulation drive that would have encircled the structure with pavement. This change improves site design, improves the relationship between Building E and the overall site, and reduces hardscape. Ideally, no parking or drive aisle would intercede visually between MD 80 and the two road-facing facades of Building E, however the Applicant is providing adequate vegetative screening to lessen the impact of the pavement and vehicle visibility from on and off of the Site.

As requested in the conditions for the approval of the concept Site Development Plan, the design of the facades of Buildings A, B, and C have been altered slightly to provide a three-dimensional projection of the entry bays thus breaking up the flatness of these building faces. The use of a traditional blue stone gravel on the old driveway, grass pavers along the Urbana Pike entrance parking bays, and porous pavement material throughout the hard-surfaced drive aisles and parking bays on the remainder of the Site provide textural interest and lessen the visual and environmental impacts of the otherwise extensive areas of impervious surface.

**Multiple Structures and Mixed Uses §1-19-7.500(B)(4)**

- The proposed uses include a mixture of commercial and residential uses integrated within the Site and, in one instance, within a single structure. Two attic level (3rd floor) residential apartments are provided in the historic Landon House structure. In addition to providing a type of living unit that is generally not available in this neighborhood, the integration of residences in this project will provide an added measure of security for the offices and retail uses by allowing for 24-hour presence on the Site. The Applicant should consider the potential for residential uses in the upper floors of the medical office buildings in the future. The Planning commission must specifically find that the proposal for multiple principal structures on the Site will provide improved design over multiple lot configurations. Staff finds that the use of multiple structures:

  a) provides for an improved circulation pattern for pedestrians and vehicles;
  b) allows for concentrated utility and service areas while permitting users to maximize their usable built-environments;
  c) provides open spaces and common areas in excess of that required by the Zoning Ordinance;
  d) results in the ability to utilize joint- and shared parking and loading spaces thus reducing the need for redundant paved areas;
  e) provides a well-integrated mix of uses valuable to the community and neighborhood;
  f) provides the means by which the Applicant may proceed with economic redevelopment of the site and the historic Landon House itself.

**Findings/Conclusions**

Based upon the review and analysis as provided above, Staff finds that the proposed application generally 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 within the Staff Report. Staff anticipates that the application will, with certain conditions, meet the site plan review criteria as set forth in §1-19-3.300.4 including items related to site development, transportation, parking, public utilities, natural features, and common areas as well.
as the specific Village Center design standards set forth in §1-19-7.500. Specifically:

1) The Applicant shall ensure that the landscaping mix of Burning Bush and Inkberry shrubs planted to establish a four-season visual screen along parking areas is sufficient to establish a minimum 30 inch tall continuous vegetative screen at the time of planting. The current planting schedule indicates plantings will be installed at a height of 18 inches – 24 inches which is insufficient for vegetative screening of the parking areas.

2) The Applicant shall amend the Site Plan to ensure that the illustrated banquet hall is consistent with the listed building footprint of 5,161 square feet. The structure shown on the Site Plan, as measured, exceeds the size listed for Building D.

3) The Applicant shall amend the Site Plan to ensure that the illustrated widths of all drive aisles are consistent with those listed on the Site Development Plan. The measured widths on the Site Plan do not consistently match the listed measurements.

4) The Applicant shall indicate the percentage of tree canopy cover on all paved parking areas identified on the Site Development Plan and demonstrate compliance with the 20% coverage standard, or otherwise seek approval of an alternate landscaping plan to be approved by the Planning Commission per §1-19-6.400(I).

5) Indicate the type and character of screening used at the four (4) proposed dumpster pads situated along the western and eastern boundaries of the Site. Vegetative and/or structural materials shall be capable of providing a four-season visual screen. The Site Development Plan does not include any information regarding treatment of these dumpster pads, other than the proposed 18 inches - 24 inches high burning bush plantings proposed on the north and east sides of the dumpster serving Building E.

Other Applicable Regulations

Forest Resource – Chapter 1-21:
Through the Forest Resource review process, areas for reforestation, afforestation and priority areas for conservation are identified, including retention of specimen trees (trees over 30 inches in diameter at breast height (dbh)).

This development is subject to FRO. A Combined Preliminary/Final FRO plan has been submitted and is currently under review. No forest removal is proposed. The site contains five specimen tree (trees 30” or greater in diameter), including a significant 58” Northern Red Oak located directly behind the historic house. Although some of the critical root zones will be impacted by the development, all five will be retained. Staff will require as a condition of FRO approval that a licensed arborist conduct root pruning prior to any earth disturbance around the trees. The required 0.86 acre afforestation requirement will be provided by using 0.21 acres of miscellaneous credits for on-site landscaping and by purchasing forest banking credits or via payment of fee-in-lieu.

Historic Preservation – Chapter 1-23:
Although this Site is listed on the National Register of Historic Places, no state or federal funding, permitting, or relevant licensure is required that would trigger Section 106 procedures of the Historic Preservation Act. It is possible that recent and planned activities on the Site including removal of outbuildings, grading, building renovations, and construction of new structures on the Site, could jeopardize the National Register listing. The Applicant has discussed the project informally with the Historic Preservation Commission (October 9, 2013) and the HPC has issued a similar warning to the Applicant regarding the NR status as well as the potential for listing on the County Register. Since the Applicant is not seeking federal or state tax credits, and is not in need of any special zoning

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consideration available through historic designations, the sole remaining historic preservation issue is the need for the Applicant to address the Village Center design standards as they relate to existing and planned buildings within that zoning district. In addition to the required note indicating the NR status of the Site (including a reference to the MIHP listing), the Applicant shall also provide a copy of any report or survey (or relevant portion thereof) conducted by an historic preservation professional in association with this project that indicates the current or anticipated National Register status of the structures and site as a result of the development proposed or undertaken under this Site Development Plan or any previous activity since April 22, 2013.

**Moderately Priced Dwelling Units – Chapter 1-6A:** The proposed use consists of less than 25 dwelling units on public water and sewer; therefore, MPDU’s are not required.

**Stormwater Management – Chapter 1-15.2:** Stormwater Management (SWM) for this project will be provided by on-site facilities designed and approved in accordance with the 2000 Maryland SWM Design Manual and the SWM Act of 2007. A stormwater concept plan (AP 13838) has been reviewed and approved for this development proposal.

**APFO – Chapter 1-20:**

1. **Schools.** The site does not contain more than 5 dwelling units and is therefore exempt from APFO school testing.

2. **Water/Sewer.** The Property has water and sewer classification of W-3/S-3 in the County’s *Master Water and Sewer Plan*. Connection to public water and sewer facilities is required prior to the issuance of building permits on the Site.

3. **Roads.** As proposed in the traffic impact analysis (TIA) performed by Street Traffic Studies, Ltd dated March 4, 2014 and revised on May 30, 2014, the Project will generate 82 am and 141 pm weekday peak hour external trips and is required to mitigate all road improvements that do not satisfy level of service standards per §1-20-31. In addition, the Developer is required to provide fair share contributions to existing escrow accounts per §1-20-12(H).

The study area for this project includes MD 80 intersections with: I-270 northbound ramps, Sugarloaf Parkway, Urbana Pike, MD 355 (Worthington Blvd), Campus Drive and Singleton Drive, the intersection of Urbana Pike and Sugarloaf Parkway, and the indirect site access with MD 355 opposite Tabard Lane. All intersections and links in the study area meet current adequacy standards except the indirect site access at MD 355, where the egress approach fails due to excessive delay from the existing stop condition. SHA has yet to determine its preferred improvement at this location, which would likely be either a traffic signal, when warranted and justified, or a median channelization that would limit access to right-in/right-out. The mitigation would also impact existing residents on Tabard Lane who would benefit from the safety and operational improvement. The timing of the mitigation would be worked out with SHA but not be required up front.

The attached draft LOU outlines the required mitigation requirements, which could not be completed and executed in time to meet the delivery requirements for this staff report.

### Summary of Agency Comments

<table>
<thead>
<tr>
<th>Other Agency or Ordinance Requirements</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Development Review Engineering (DRE):</strong></td>
<td>Conditional Approval</td>
</tr>
<tr>
<td><strong>State Highway</strong></td>
<td>Conditionally Approved</td>
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</tbody>
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Other Agency or Ordinance Requirements | Comment
--- | ---
Administration (SHA): | 
FRO: | Conditionally Approved
Office of Life Safety: | Approved
Div. of Utilities and Solid Waste Mngt. (DUSWM): | Approved
Health Dept.: | Approved
APFO: | Conditionally Approved (APFO LOU is in DRAFT form)
DPDR Traffic Engineering: | Conditionally Approved
Historic Preservation: | Conditional Approval

Findings/Conclusions
The Applicant is required to resolve remaining staff/agency issues prior to the release of any final approved Site Development Plan.

RECOMMENDATION
Staff recommends that the Planning Commission approve the Landon House Complex Site Development Plan application with the following modifications and conditions:

1) Address all agency comments as the plan proceeds through to completion.

2) Planning Commission approval of Parking Space Modification to allow a total of 213 parking spaces which is 7 fewer than required number of 220.

3) The shared access driveway connecting Worthington Boulevard and Fingerboard Road to be located on the eastern boundary of this Site, as well as the short connecting driveway linking the Subject Site to this shared driveway must be constructed prior to, or concurrently with, the Subject Site improvements and be open to traffic prior to the issuance of a Certificate of Occupancy (temporary or permanent) of any new buildings on this Site.

4) The Applicant shall demonstrate that all possible safeguards are in place to protect the three specimen trees planned for retention on the site before, during, and after construction of the project. The Applicant shall insure that a licensed arborist conduct root pruning prior to any earth disturbance around the specimen trees identified in the FRO plan (AP 13839) including the 58” Northern Red Oak located directly behind the historic Landon House.

5) The Applicant shall ensure that the landscaping mix of Burning Bush and Inkberry shrubs planted to establish a four-season visual screen along parking areas is sufficient to establish a minimum 30 inch tall continuous vegetative screen at the time of planting.

6) The Applicant shall amend the Site Plan to ensure that the illustrated banquet hall is consistent with the listed building footprint of 5,161 square feet.

7) The Applicant shall amend the Site Plan to ensure that the illustrated widths of all drive aisles are consistent with those listed on the Site Development Plan.

8) The Applicant shall indicate the percentage of tree canopy cover on all paved parking areas identified on the Site Development Plan and demonstrate compliance with the 20% coverage standard.

9) Indicate the type and character of screening used at the four (4) proposed dumpster pads.

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situated along the western boundary of the Site. Vegetative and/or structural materials shall be capable of providing a four-season visual screen.

10) The Applicant shall add a note to the Site Development Plan indicating the Maryland Inventory of Historic Places (MIHP) reference number for the Subject Site as well as an acknowledgement of the National Register of Historic Places listing of the main house and site. The Applicant shall also provide a copy of any report or survey (or relevant portion thereof) conducted by an historic preservation professional in association with this project that indicates the current or anticipated National Register status of the structures and site as a result of the development proposed or undertaken under this Site Development Plan or any previous activity since April 22, 2013.

11) Complete execution of the attached APFO mitigation as set forth in the DRAFT Letter of Understanding (LOU).

PLANNING COMMISSION ACTION

MOTION TO APPROVE
I move that the Planning Commission APPROVE Site Development Plan #SP-98-29 (AP 14365, FRO 13839, SWM 13838, APFO 14366) for the proposed Landon House Complex development, with conditions and modifications as specified in the Staff Report.
May 8, 2014

Mr. Denis Superczynski  
Frederick County Division of Permitting  
and Development Review (DPDR)  
30 North Market Street  
Frederick, MD 21701  

Re: Landon House Complex  
Request for Parking Reduction  
Tax Map 96, Parcel 38  
Situated at 3401 Urbana Pike  
File #: SP-9829, Project No.: 14365

Dear Mr. Superczynski:

Pursuant to the requirements of Frederick County Zoning Ordinance (§ 1-19-6.220 (A) (1)):

"an increase or reduction in the number of required parking spaces may be granted by the Planning Commission where the applicant or Planning Commission authorized representative can demonstrate need based on characteristics of the proposed use, hourly parking demand studies published by ITE or other documentation as approved by the Planning Commission."

This modification request letter is being submitted for approval of a reduction of four (4) parking spaces to serve the new Landon House Complex.

Based on a total parking count requirement of 220 spaces, the proposed Landon House Complex will provide a total of 216 spaces as designed. The provided parking count is less than required based on the total building square footages and types of proposed uses, but due to the off-hour uses anticipated by a restaurant and mainly the event banquet hall, we do not anticipate needing the maximum parking that is required by the Frederick County Zoning Ordinance. In order to reduce the overall impervious surface, but provide the anticipated parking, we are asking for approval to reduce the final parking count to 216 spaces. This reduction has been discussed and is supported by Frederick County Planning Department Staff.

Sincerely,

Terra Solutions Engineering, LLC

[Signature]

Gerald Lee Miller, Jr., PE

Cc: Dr. Praveen Bolarum, MD

PCR Ventures, LLC
In General: The following Letter of Understanding ("Letter") between the Frederick County Planning Commission ("Commission") and PCR Ventures, LLC (the "Developer"), together with its/their successors and assigns, sets forth the conditions and terms which the Commission deems to be the minimum necessary improvements dealing with school, water, sewer, and road improvements that must be in place for the property identified below to be developed, as proposed under the Landon House Complex Site Plan (the “Project”), in compliance with the Frederick County Adequate Public Facilities Ordinance ("APFO").

The Developer, its successors and assigns, hereby agrees and understands that unless the required improvements (or contributions to road escrow accounts, as specified below) are provided in accordance with this Letter, APFO requirements will not be satisfied and development will not be permitted to proceed.

This Letter concerns itself with the Developer’s 5.71 +/- acre parcel of land, which is zoned Village Center (VC), and located on the east side of Urbana Pike and north of MD 80, with direct access on Urbana Pike and indirect access with MD 355. This APFO approval will be for the development of a mixed use development, which is shown on the site plan for the above-referenced Project, which was conditionally approved by the Commission on July 9, 2014.

Schools: Schools are not impacted because the development of the property is a non-residential use.

Water and Sewer: The Property has a water and sewer classification of W-3/S-3. While the public sewer and water facilities are currently adequate to serve the project, the Developer recognizes that capacity is not guaranteed until purchased. APFO approval for sewer and water does not guarantee that plats will be recorded and building permits will be issued. Plat recordation and building permit issuance are subject to compliance with the Annotated Code of Maryland, Environment Article Section 9-512, et. seq and all applicable county regulations, including but not limited to Sec. 1-16-106 of the Frederick County Subdivision Regulations.

Road Improvements: As proposed in the traffic impact analysis (TIA) performed by Street Traffic Studies, Ltd dated March 4 2014 and revised on May 30, 2014, the Project will generate 82 am and 141 pm weekday peak hour external trips and is required to mitigate all road improvements.
improvements that do not satisfy level of service standards per §1-20-31. In addition, the Developer is required to provide fair share contributions to existing escrow accounts per §1-20-12(H).

In full satisfaction of APFO requirements to mitigate site-generated trips per §1-20-31, the Developer shall reconstruct or add signalization to the intersection of MD 355 and Tabard Lane, when deemed necessary by the State Highway Administration.

In satisfaction of APFO requirements to provide fair share contributions to existing escrow accounts per §1-20-12(H), the Developer shall pay into County-held escrow accounts the following pro rata contributions:

1. Worthington Boulevard (MD 355) Relocated - south of MD 80. Contribute the appropriate pro-rata share (3.57% of $3,024,791) to Existing Escrow Account No. 3232 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $107,985.

2. MD 80/I-270 Northbound Ramps: Restripe/reconstruct to provide an additional westbound through lane. Contribute the appropriate pro-rata share (0.70% of $100,000) to Existing Escrow Account No. 3921 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $700.

3. I-270/MD 80 Interchange: Add northbound to eastbound directional ramp. Contribute the appropriate pro-rata share (0.70% of $2,000,000) to Existing Escrow Account No. 3579 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $14,000.

4. MD 80/Sugarloaf Parkway Roundabout: Add additional eastbound and westbound approach lanes. Contribute the appropriate pro-rata share (2.14% of $200,000) to Existing Escrow Account No. 3922 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $4,280.

5. MD 355/Urbana Pike: Signal or Roundabout. Contribute the appropriate pro-rata share (2.33% of $500,000) to existing Escrow Account No. 4050 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $11,650.

6. MD 80/Urbana Pike Intersection: Contribute the appropriate pro-rata share (1.69% of $37,500) to existing Escrow Account No. 4049 for improvement of this intersection by others.
7. MD 80/Pontius Court: Provide a second eastbound receiving lane and a replacement eastbound right turn lane. Contribute the appropriate pro-rata share (1.34% of $300,000) to Existing Escrow Account No. 3923 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $4,020.

8. MD 80/Campus Drive: Restripe the eastbound right turn lane to provide an eastbound through lane and right turn lane and construct the receiving lane as an auxiliary lane turning into the right turn lane into Pontius Court. Contribute the appropriate pro-rata share (1.57% of $402,900) to Existing Escrow Account No. 3249 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $6,326.

9. MD 355/MD 75: Signal. Contribute the appropriate pro-rata share (5.02% of $175,000) to Existing Escrow Account No. 3847 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $8,785.

10. MD 355/Fire Tower Road: Intersection improvements. Contribute the appropriate pro-rata share (3.51% of $401,969) to Existing Escrow Account No. 3288 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $14,109.

11. MD 80/Carriage Hill Drive: Add additional westbound through lane, providing a replacement westbound right turn lane. Contribute the appropriate pro-rata share (0.67% of $398,000) to Existing Escrow Account No. 3892 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $2,667.

12. MD 80/Carriage Hill Drive: Add additional eastbound through lane, providing a replacement westbound right turn lane. Contribute the appropriate pro-rata share (0.67% of $300,000) to Existing Escrow Account No. 3924 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $2,010.

13. MD 80/Carriage Hill Drive: Signal. Contribute the appropriate pro-rata share (2.32% of $200,000) to Existing Escrow Account No. 3925 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $4,640.

14. MD 80/Royal Crest Drive: Restripe the westbound right turn lane at the intersection to provide a through/right turn lane, extending the receiving lane as required by SHA. Contribute the appropriate pro-rata share (0.69% of $200,000) to Existing Escrow Account No. 3926 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $1,380.

15. MD 80/Royal Crest Drive: Signal. Contribute the appropriate pro-rata share (0.99% of $175,000) to Existing Escrow Account No. 3927 for
improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $1,832.

16. MD 355/Campus Drive: Signal. Contribute the appropriate pro-rata share (1.33% of $250,000) to Existing Escrow Account No. 3801 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $3,325.

17. MD 355/Campus Drive: Second northbound through lane. Contribute the appropriate pro-rata share (1.40% of $362,322) to Existing Escrow Account No. 3801 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $5,073.

18. MD 80/I-270 Southbound Ramps: Additional northbound right turn approach lane at the terminus of the southbound off-ramp and modify the southbound on-ramp to provide two (2) lanes, narrowing to one lane at its merge with the I-270 mainline, extending the I-270 acceleration lane. Contribute the appropriate pro-rata share (3.16% of $200,000) to Existing Escrow Account No. 3920 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $6,320.

19. MD 355/Dr. Perry Road/Big Woods Road: Signal. Contribute the appropriate pro-rata share (6.03% of $250,000) to Existing Escrow Account No. 3931 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $15,075.

Therefore, prior to building permit issuance, the Developer hereby agrees to pay $214,811 to the escrow accounts described above for these Road Improvements. Should these payments not be made within one year of the execution of this Letter, the County reserves the right to adjust this amount, based on an engineering cost index.

Period of Validity: The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval expires on July 9, 2017.

Disclaimer: This Letter pertains to APFO approval only, and shall not be construed to provide any express or implied rights to continue the development process. The Project remains subject to all applicable rules and regulations, including but not limited to those related to zoning, water and sewer, and subdivision. The Planning Commission’s jurisdiction and authority is limited by State and County law, and approvals may be required from other local or state governmental agencies before the proposed development can proceed.
PCR Ventures, LLC:

By: _______________________________ Date:

Dr. Praveen Bolarum, Agent

FREDERICK COUNTY PLANNING COMMISSION:

By: _______________________________ Date:

Dwaine E. Robbins, Chair or William G. Hall, Secretary

ATTEST:

By: _______________________________ Date:

Gary Hessong, Director, Permits & Inspections

Planner’s Initials / Date ____________________________

County Attorney’s Office Initials / Date ________________

(Approved as to legal form)