Frederick County Community Development Division

Zoning Map Amendment

July 7, 2014

CASE NUMBER: R-12-01(A)

APPLICANT: Oakdale Investments LLC & Dryden Investments LLC

REQUEST: To rezone a total of 51.68 acres from Agricultural (A) and R-1 to Planned Unit Development (PUD)

Tax Map 68, Parcels 11, 174, 175, 176 – 31.46 acres --- A to PUD
Tax Map 79, Parcel 34 – 19.55 acres – A to PUD
Tax Map 79, Parcel 175 – 0.67 acres – R-1 to PUD

LOCATION No. 1: Parcels 11, 174, 175, 176 (31.46 acres) located on southwest corner of Gas House Pike and Linganore Road.
LOCATION No. 2: Parcels 34 & 175 (20.22 acres) along Old National Pike at Eaglehead Drive
I. **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 - CCRCs). 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 PUDs 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** – The 500 and 1,000 dwelling thresholds that were used to determine amount of land for schools, libraries, or fire stations has been deleted. The 1 acre per 100 dwellings ratio for school sites has also been deleted. 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** – Has been changed to a two step process consistent with the MXD zone. 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**

PUDs 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 CCRCs. 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. There is no longer a threshold of 500 dwellings to allow for commercial uses. 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. There is no longer a threshold of a 1,000 dwellings to allow employment uses. The 5 acres of employment per 100 dwellings has also been deleted.

**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. CCRCs 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.
II. 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.
III. Applicant’s Proposal

Land Use Proposal

The Applicant’s submission is a request for PUD zoning on a total of 51.68 acres, comprised of three (3) distinct areas:

<table>
<thead>
<tr>
<th>Land Bay</th>
<th>Gross Area (acres)</th>
<th>Proposed Land Uses</th>
<th>Proposed Open Space (acres)</th>
<th>Net Development Area (acres)</th>
<th>Gross Residential Density</th>
<th>Net Residential Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westridge North—north side</td>
<td>31.46</td>
<td>Residential (22.76 ac) Open Space (8.70 ac)</td>
<td>8.7</td>
<td>22.76</td>
<td>3.5 dwellings per acre</td>
<td>3.7 dwellings per acre</td>
</tr>
<tr>
<td>Old National Pike—north side</td>
<td>0.67</td>
<td>Commercial</td>
<td>0</td>
<td>0.67</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Old National Pike—south side</td>
<td>19.55</td>
<td>Commercial (10.34 ac) Institutional (3.60 ac) Open Space (3.18) Road ROW (2.43 ac)</td>
<td>3.18</td>
<td>16.37</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>51.68 acres</td>
<td></td>
<td></td>
<td>11.88 acres</td>
<td></td>
<td>39.80 acres</td>
</tr>
</tbody>
</table>

1 31.46 acres x 3.5 du/acre = 110 dwelling units/31.46 acres = 3.50 DU/ac.

2 22.76 acres x 3.5 du/acre = 79 dwelling units/21.44 acres = 3.71 DU/ac.

The application is a request to amend the July 11, 2013 Oakdale Phase I PUD approval, which applied PUD zoning (Ordinance 13-14-642) to 950 acres in the Lake Linganore community. Although the current request for Phase I PUD zoning includes parcels that are both contiguous and non-contiguous to those rezoned to PUD through Ordinance No. 13-14-642, section 1-19-10.500.11 of the County Zoning Ordinance defines ‘amend’ to be any change in the shape, boundary or area of a zone; or any repeal or abolition of any map, part thereof, or addition thereto. Nonetheless, all provisions contained in §1-19-10.500, Planned Development Districts, shall apply to the Phase I review of this project.
Concept Plan

The Concept Plans delineate generalized areas for: 1) Single-family detached and single-family attached residential development in Westridge North; 2) Commercial land uses on the north side of Old National Pike, plus Commercial and Institutional uses on the south side of Old National Pike. Open Space is also included these areas, except for the small acreage on the Old National Pike north parcel.

Westridge North

The Concept Plan for Westridge North (31.4 acres) proposes to accommodate some of the 400 dwellings currently approved in the prior rezoning application (R-12-01) for the Westridge village. The additional parcels will allow for access from both Linganore Road and Gas House Pike into the land bay, plus a roadway connection into the adjacent Westridge land bay to the south. A 100-foot, linear Open Space area is shown around the stream systems. Actual stream buffer widths may be wider depending on the degree and extent of topographic gradient, and will be determined at the future Phase II Preliminary Plan/Site Plan phase of development. Staff has applied a low density residential assumption of 3.5 dwellings/acre (gross density) to Westridge North and estimates that this additional area could accommodate approximately 79 dwellings with a balance of 321 dwellings in the main Westridge village. The 400 units approved in Westridge include a mixture of 300 single-family detached (SFD) and 100 single-family attached (SFD-townhomes) units for a mixture of 75% SFD/25% SFA.

Old National Pike – North Side

This small parcel (0.67 acres) is proposed for commercial uses and is proposed to be incorporated into the commercial component of the adjacent Linganore Town Center to provide additional area for parking and access.

Old National Pike – South Side

Old National Pike South (19.5 acres) contains three (3) areas designated for commercial uses. The specific types of uses allowed in a commercially-designated portion of a PUD include all land uses permitted in the Village Center zoning district, as specified in §1-19-5.310, the “Use Table.” Approximately 3 acres of institutional uses are proposed on the eastern edge of this land bay that may accommodate a variety of land uses. The land uses permitted in the Institutional areas within a PUD include the following and are approved conceptually as part of Phase I, with site plan approval from the Planning Commission for specific uses at Phase II:

- Recreational activities
- Public Services and Facilities
- Health care facilities, including nursing homes, physical rehabilitation centers, and assisted living facilities
- Group homes
- Schools and child care centers
- Places of worship

Three major access points into the land bay are depicted on the Concept Plan: at the current Eaglehead Drive roundabout, opposite Yeagertown Road, plus a point approximately 1,000 feet east of Yeagertown Road. A conceptual roadway is shown along the majority of the southern boundary.
of the Old National Pike South land bay.

**Phasing Plan**

The applicant states, “phasing of the project’s development will be coordinated with the completion of infrastructure required to serve development of the various sections of the Linangnore PUD as set forth in the Adequate Public Facilities Ordinance Letter of Understanding (APFO LOU).” The adjacent and surrounding Linganore PUD zoning and APFO LOU approvals from 2013 include a wide variety of infrastructure improvements required for development of the surrounding lands that will aid in determining specific infrastructure capacity enhancements needed for the subject properties. However, the subject properties are subject to, and must comply with, all APFO requirements, as part of future Phase II Preliminary Subdivision and Site Development Plan approval.
IV. Evaluation - Relationship to County Plans and Regulations

Proposed Land Use, Design, and Density

Westridge North

The proposed land uses within the Westridge North portion, as depicted on the Concept Plan, are single-family detached and single-family attached dwellings. Open Space within this land bay comprises 8.7 acres or 27.6% of the total land area (31.46 acres) of Westridge North. The application states that portions of the existing density—400 units—approved through the 2013 Oakdale (Lake Linganore) rezoning of the adjacent Westridge Village, will be spread throughout both land bays—Westridge North and Westridge. The 400 units approved in Westridge include a mixture of 300 single-family detached (SFD) and 100 single-family attached (SFA-townhomes), for a mixture of 75% SFD/25% SFA.

The Applicant estimated a range of total dwelling units for this land bay, utilizing the Low Density Residential parameters of 3—6 units per acre contained in the County Comprehensive Plan; however, Staff estimates that approximately 79 dwellings based on a gross density of 3.5 dwellings/acre could be accommodated in Westridge North. Site development efficiency—density—will increase with the incorporation of single-family attached dwellings into the land bay. Applying the identical mixture of SFD/SFA from the previously approved PUD Phase I for the adjacent Westridge Village, staff estimates 59 single-family units and 20 townhome units in Westridge North. No conceptual design of the mixture, location or integration of the proposed residential lots is provided.

Residential Density—Westridge and Westridge North

<table>
<thead>
<tr>
<th>Land Bay</th>
<th>Gross Acreage</th>
<th>Dwelling Units</th>
<th>Gross Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westridge (original)</td>
<td>216</td>
<td>400</td>
<td>1.85 du/ac.</td>
</tr>
<tr>
<td>Westridge North</td>
<td>31.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>247.4</td>
<td>400</td>
<td>0.62 du/ac.</td>
</tr>
</tbody>
</table>

Old National Pike, North and South

The Concept Plan shows 0.67 acres of commercial land uses on the north side of Old National Pike, which the Applicant indicates will be incorporated into the adjacent Linganore Town Center. This small parcel is also planned for additional access to the future Town Center.

Three (3) acres within the southern Old National Pike land bay is proposed for Institutional uses. The land uses permitted within this designation are varied, as described in Section IV of this report. Phase II Site Development Plan approval for any planned uses within the Institutional area is required and will address customary site design issues such as access, circulation, parking, landscaping, building height and setbacks. Commercial uses comprise approximately 10 acres in
the central and western portions of this land bay. Conceptual design or site lay-out in these areas is premature for this land bay at Phase I, due to the multiple uses permitted in the commercial and institutional areas within a PUD, plus their specific site needs or demands. All future commercial and institutional proposals within this area shall comply with all provisions contained in §1-19-3.300 and §1-19-10.500.9, as well obtain APFO approval.

Consistency with Comprehensive Plan

The subject properties are located within the Linganore Community Growth Area, a public water and sewer service area, and designated Low Density Residential on the Comprehensive Plan. These elements clearly identify the subject properties for future growth and development on the County’s comprehensive plan and thus are consistent with the Comprehensive Plan. The PUD floating zone can only be applied to land with a residential land use plan designation and §1-19-10.500.6 states that the gross density of a proposed PUD project shall comply with the following table:

<table>
<thead>
<tr>
<th>County Comprehensive Plan Land Use Designation</th>
<th>Dwelling Units Per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Density Residential</td>
<td>3—6 DU/acre</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>6—12 DU/acre</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>12-20 DU/acre</td>
</tr>
</tbody>
</table>

Consistency with Community and/or Corridor Plans

There has not been a specific Community or Corridor Plan developed for the vicinity of the Project Site. However, the County Comprehensive Plan outlines overall community development principles such as encouraging higher density development, a mix of land uses, providing distinctive design that contributes to a distinctive community character, efficiency of layout relative to public infrastructure, and general accessibility through multiple modes of transport as well as interconnectedness of the transportation network.

Compatibility with Adjoining Zoning and Land Uses

The parcels that comprise the proposed Westridge North Village form the northwest corner of the Linganore Community Growth Area and is proposed as an extension of the approved Westridge village of the Linganore PUD. Surrounding this area to the north and west are large farming operations, zoned Agricultural, with the Walkersville Priority Preservation Area also adjoining the subject properties to the north across Gas House Pike. Existing low density residential, well and septic development abuts the property to the east along Gas House Pike and Linganore Road.

The Old National Pike North parcel is surrounded by the future Linganore Town Center, zoned PUD and planned for 1,500 residential units and a commercial center. Immediately to the west of the Old National Pike North parcel is a non-conforming trucking operation on a residentially-zoned parcel. Single-family residences continue to the west along both sides of Old National Pike. Preliminary concepts for the Linganore Town Center propose incorporation of the 0.56-acre North parcel into the Town Center overall design plan.

The Old National Pike South parcel is bounded by both I-70 (to the south) and Old National Pike (on the north). Existing land uses to the east and west are residential, with accompanying R-1 Residential zoning.
Cultural Resources

Both the Old National Pike North and South properties are also situated on the historic National Road, a federal and state-designated Scenic Byway in Maryland from Baltimore to Cumberland, and a significant element of the country’s 19th century transportation system. Several abandoned structures, including outbuildings and foundations, exist on the Westridge North parcel. These structures are required to be documented prior to demolition.

Natural Features

The Westridge North parcels are forested and are connected to and part of the large forest complex around Lake Linganore, identified by the Maryland Department of Natural Resources as a Green Infrastructure ‘Hub’ in Frederick County. The significant size and concentration of these woodlands are notable, not just for their existence in a landscape dominated primarily by agricultural uses and residential development, but for their ecological value. Green Infrastructure provides ecosystem ‘services’ such as filtering and cooling water, storing and cycling nutrients, cleaning the air and protecting areas against storm and flood damage.

The Westridge North parcels also contain two (2) first-order streams, with associated wetlands, that are tributaries to the Monocacy River. Moderate topographical gradients (15% to 25%) are present on the south side of the subject property, roughly parallel to the stream systems. Three (3) specimen trees, which are trees with a diameter of 30 inches or greater, are present on the Westridge North parcels. Specimen trees have significant aesthetic and ecological value in a community and are priorities for preservation through the Forest Resource Ordinance (FRO). Proposals to remove specimen trees shall follow the requirements of the FRO and be approved by the Planning Commission during future stages of the development review process. No FEMA 100-year floodplain is present on the subject property.

The Old National Pike South parcel is cleared, except for a hedge-row of trees that straddle the I-70 right-of-way. Flooding soils (RoB, Rohrsville-Lantz) exist on the property in two linear drainage swales that bisect the property. An existing stormwater management pond is also present within this area, adjacent to the Eaglehead Drive roundabout.

The Old National Pike North parcel (0.67 acres) is developed with a residential dwelling, with no significant environmental features present.

Population Change

A portion of the 400 dwellings approved in the 2013 Oakdale Phase I PUD will be dispersed within the Westridge North parcel, so no additional population change will occur with this particular application. The proposed 400 dwellings in Westridge would add a population of approximately 1,080 people based on 2.7 persons/household. The proposed commercial uses in the Old National Pike North and South land bays would not generate additional population. However, additional population could be generated by this proposal, depending on the specific uses established in the Institutional areas within the PUD.

The current population in the Linganore PUD is approximately 5,991, estimated using 2.7 persons per household from the 2010 US Census multiplied by all developed lots within the Linganore PUD.
V. Evaluation - Availability of Public Facilities and Services

Schools

The Westridge North land bay would be the only portion of this application that will have an impact on school enrollments. The pupil yield described below is based on the proposed 400 dwellings for the entire Westridge village, which has received Adequate Public Facilities approval through the prior 2013 rezoning and DRRA review.

2014 Oakdale (Lake Linganore) Phase I PUD Amendment:

Total Dwellings approved in Westridge (2013 Rezoning Case 13-14-642): 300 Single Family Detached Units and 100 Single-Family Attached Units (Townhomes)

<table>
<thead>
<tr>
<th>School</th>
<th>2014 Total Enrollment/State Rated Capacity¹</th>
<th>% of State Rated Capacity</th>
<th>Total Projected Pupils — Westridge portion of PUD²</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Single-Family Detached</td>
</tr>
<tr>
<td>Spring Ridge Elementary</td>
<td>484/577</td>
<td>83%</td>
<td>57</td>
</tr>
<tr>
<td>Thomas Johnson Middle</td>
<td>516/900</td>
<td>57%</td>
<td>33</td>
</tr>
<tr>
<td>Oakdale High</td>
<td>1203/1603</td>
<td>75%</td>
<td>55</td>
</tr>
</tbody>
</table>

1. Source: Frederick County Public Schools Quarterly Enrollment Report – June 30, 2014
2. Projected Pupil Yield per Household from BOE Approved Educational Facilities Master Plan – September 2013 Annual Update

Programmed Improvements FY 2015 – 2020 CIP

There are no programmed school system capacity improvements for the specific schools serving the Westridge village.

East County Elementary – new 725 seat school to be constructed either in Linganore PUD (Hamptons West) or the Landsdale PUD depending on need. Funding for design in FY 2019.

Water and Sewer

Current Water and Sewer Plan Classification

The Westridge North and Old National Pike South parcels are classified Planned Service (PS) on the County’s Water and Sewerage Plan, corresponding to a 11-20 year planning time frame for public water and sewer service. However, the timing of zoning approval and specific development
proposals will dictate future water and sewer category changes and subsequent connections to public water and sewer infrastructure.

The Old National Pike North parcel currently has a W-4 water classification and an S-5 sewer classification and will proceed with future water and sewer reclassification and utility provision in tandem with the development of the adjacent Linganore Town Center.

Public water to the subject properties will be provided through the County’s New Design Water System, which uses the Potomac River as the source. Water treatment and initial conveyance northward to the County’s growth areas begin at the New Design Road Water Treatment Plant, permitted for 25 MGD through Appropriation and Use Permit FR68S005(06), issued by the Maryland Department of the Environment. Current average daily use for the County’s New Design System is approximately 16 MGD.

Estimations of water usage for commercial and institutional uses vary widely, from 750 gallons/day/acre up to 7,500 gallons/day/acre, per the County’s Water and Sewer Design Manual. The specific land uses plus scale and density of the future development on the Old National Pike parcels will be used to determine more detailed water and wastewater needs during future subdivision and site development plan phases.

Based on 250 gallons/day/unit, the proposed 400 dwellings for both Westridge and Westridge North would equate to 100,000 gallons per day of needed water and wastewater treatment capacity.

The subject properties will have wastewater treated at the Ballenger-McKinney Wastewater Treatment Plant, whose upgrade to 15 MGD of treatment capacity is scheduled for completion in the fall 2014. Water and sewer supply is evaluated at multiple points in the overall development review process, and lot recordation or building permit issuance cannot proceed unless capacity is determined to be adequate for the specific use.

Programmed Improvements

Linganore Sewer Interceptor – Two phases, the Upper Reach and Lower Reach, are identified for upgrades in order to accommodate peak sewer flows from development build-out in the Linganore Community Growth Area, and are contained in the County’s FY 2015-2020 CIP. Funding is not yet programmed for a specific year within the timeframe of the CIP.

The APFO Letter of Understanding (LOU) executed in 2013 as part of the Oakdale Phase I PUD approval includes many water and sewer improvements to the County system to serve the 3,235 units that comprise the entire Lake Linganore PUD. Although the subject properties were not included nor specifically addressed in the 2013 APFO LOU for the Linganore PUD, the water and sewer improvements in the 2013 LOU may aid the development of the subject properties. However, the subject properties will be evaluated individually and must be receive APFO approval in conjunction with their future development.

Public Safety Facilities

The Spring Ridge Fire Station is located approximately 1.7 miles from the Westridge North parcel and the New Market District Volunteer Fire Company is located 1.8 miles from the Old National Pike North and South parcels.
Programmed Improvements

New Market Fire Station – Replacement of the existing station is included in the FY2015-2020 CIP and is proposed to be located on a different site. Due to the recent renovations made to the Fire Station financed by the New Market Volunteer Fire Department, County funding is programmed beyond 2020.

Planned Improvements

Linganore Area Fire Station – a new station to be located on the south side of Gas House Pike in the future Hamptons West Village, will be dedicated and transferred to the County in conjunction with the Preliminary Plan approval for Woodridge V, the first development plan submitted after the 2013 Linganore rezoning.

Libraries

The Frederick County C. Burr Artz Public Library, in downtown Frederick, serves this area. The Comprehensive Plan identifies the location of a new library in the Town Center area of the Linganore PUD. Discussions between the Applicant and staff from Frederick County Public Libraries are ongoing regarding a future library site within the Linganore Town Center, on the north side of Old National Pike.

Parks and Recreation Facilities

Existing Park Facilities

Pinecliff Park - 95-acre Regional Park on Reichs Ford Road, is approximately 3 miles from the subject properties.

Overlook Park - an undeveloped 55-acre parcel adjacent to the Monocacy on the west side of Linganore Road, is a forested parcel intended for long-term ecological conservation with no plans for recreational amenities.

Private recreational facilities and amenities, both active and passive, including Lake Linganore and an extensive trail network are present within the Lake Linganore PUD community.

Transportation Network

Existing Site Access Characteristics

The Westridge North parcel has frontage on both Gas House Pike (approximately 1,000 feet) and Linganore Road (approximately 850 feet), with access planned from both roadways to the project site. Another internal road is depicted on the concept plan that proposes a connection between the subject property and the adjacent Westridge Village.

The Old National Pike North and South parcels front directly on Old National Pike. The northern parcel is planned for incorporation into the commercial section of the Linganore Town Center, to be utilized for parking or another limited access point.

Both Gas House Pike and Old National Pike contain deficiencies in roadway geometry, including
horizontal alignment, vertical profiles, and cross-sectional elements. These safety issues are currently being studied by the Division of Public Works’ Transportation Engineering Office and are planned for improvement in the current CIP.

Three (3) entrances on Old National Pike South parcel are shown on the Concept Plan: at the roundabout; across from Yeagertown Road; and one approximately 350 feet east of Yeagertown Road. Internal roadway circulation will be determined at Phase II Preliminary Plan or Site Plan. The close proximity of the proposed commercial areas to the large residential component (approx. 1,500 units) within the nearby Linganore Town Center will require future site planning that ensures safe pedestrian connectivity is made along and across Old National Pike.

### Current Traffic Volumes on Adjoining Roads

<table>
<thead>
<tr>
<th>Location</th>
<th>AADT: 2009 Annual Average Daily Traffic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gas House Pike – 0.30 miles west of Boyers Mill Road</td>
<td>5,100</td>
</tr>
<tr>
<td>Gas House Pike – 0.40 miles west of Linganore Road</td>
<td>7,100</td>
</tr>
<tr>
<td>Linganore Road – 0.90 miles north of MD 144</td>
<td>2,000</td>
</tr>
<tr>
<td>Old National Pike – west of Boyers Mill Road</td>
<td>8,000</td>
</tr>
</tbody>
</table>

A measure of additional capacity on a roadway can be generally determined through the calculation of the Volume/Capacity (V/C) ratio, which can be obtained by dividing the capacity of the roadway as designed (supply) by the average daily use, AADT (demand). A V/C ratio below 1.0 indicates that capacity is available.

Gas House Pike at the location above is a two-lane road, which has a theoretical design capacity (Level of Service E) of 15,600 daily trips (source: Guidelines for Preparation of Traffic Impact Analyses for Development Applications—Frederick County). Therefore:

**Gas House Pike – 0.30 miles west of Boyers Mill Rd.** 5,100 daily volume / 15,600 daily capacity = 0.33

**Gas House Pike – 0.40 miles west of Linganore Rd.** 7,100 daily volume / 15,600 daily capacity = 0.46

Linganore Road at the location above is a two-lane road, which has a theoretical design capacity (Level of Service E) of 12,600 daily trips (source: Guidelines for Preparation of Traffic Impact Analyses for Development Applications—Frederick County). Therefore:

**Linganore Road – 2,000 daily volume/ 12,600 daily capacity = 0.16**

Old National Pike at the location above is a two-lane road, which has a theoretical design capacity (Level of Service E) of 15,600 daily trips (source: Guidelines for Preparation of Traffic Impact Analyses for Development Applications—Frederick County). Therefore:

**Old National Pike – west of Boyers Mill Road.** 8,000 daily volume/ 15,600 daily capacity = 0.51

### Highway Plan Classifications for Adjoining Roads

- **Gas House Pike** - Minor Arterial
- **Linganore Road** - Collector
Old National Pike - Minor Arterial, and is part of the historic National Road, a federal and state-designated Byway in Maryland from Baltimore to Cumberland.

Programmed Improvements

Old National Pike – Spot capacity and safety upgrades from MD 144, at the Meadow Road Interchange to the western town limit of the Town of New Market to serve future traffic Growth in the New Market Region. Old National Pike will be designed and constructed to its Minor Arterial standard for 2.2 miles, beginning in 2020.

Gas House Pike – Spot safety upgrades from the eastern boundary of the City of Frederick to Boyers Mill Road will be designed and constructed to Minor Arterial standards for 2.7 miles, including intersection improvements, shoulder construction and alignment improvements. Project planning will commence in 2014 with construction funding in 2019.

Planned Improvements

Several new road improvements are planned to be constructed by the Applicant and other area developers, concurrent with their development frontage. These include, but are not limited to:

- I-70/Meadow Road Interchange missing ramps
- Eaglehead Drive Extended from its current terminus just west of Lake Linganore to Old National Pike, including a new bridge over Linganore Creek
- Property frontage improvements to Gas House Pike at Woodridge, Westridge, and the Hamptons
- Linganore Road Relocated at MD 144 and south of Gas House Pike
- Town Center Connector between the I-70/Meadow Road interchange and Eaglehead Drive (west leg) and between Eaglehead Drive and Yeagertown Road (east leg)
VI. Summary of Findings

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

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

1. Consistency with the Comprehensive Plan

The areas subject to R-12-01A are designated Low Density Residential on the County Comprehensive Plan. The areas being considered for Phase I Planned Unit Development (PUD) approval are located within the Linganore Community Growth Area, an area identified for public water and sewer service and for residential, commercial, and employment growth and development and articulated in the County Comprehensive Plan. The Frederick County Zoning Ordinance allows for application of a PUD floating zone on properties with a land use designation of Low Density Residential. The PUD zone is designed to promote a variety of housing styles and densities, and to integrate multiple land uses within a single development.

2. Availability of Public Facilities

Public water is supplied by the County’s New Design Road Water System and effluent treated at the Ballenger-McKinney Wastewater Treatment Plan, both of which have adequate capacity to serve the subject properties. The three schools serving the Westridge Village North parcel—the location of future school student-generating residential development—are currently under 100% capacity.

3. Adequacy of existing and future transportation systems

The project sites abut both Minor Arterial and Collector roadways. Based on recent traffic volumes on Old National Pike and Linganore Road, there is some available capacity to accommodate additional development. Two County CIP projects are programmed to enhance the geometry and safety of Old National Pike and Gas House Pike, on which the subject properties have direct frontage and access. Multiple transportation infrastructure improvements contained in the 2013 Oakdale Phase I PUD, DRRA, and APFO LOU approvals will help to address the adequacy of the transportation systems in the project area and help mitigate the impact the project will have on roadways.

4. Compatibility with existing and proposed development

The Westridge North parcel is directly adjacent to Westridge Village, approved for 400 dwellings through Rezoning Ordinance 13-14-642. A portion of these 400 dwellings will be utilized for development in Westridge North, essentially combining the two areas into one cohesive, compatible development that will be linked via roadway and pedestrian connections.

The Old National Pike parcels border the Linganore Town Center, a planned mixed-use, dense development hub that contains existing Oakdale High School and planned for a variety of housing types, retail uses, and a public library.
5. Population change

A portion of the 400 residential units approved in the 2013 Oakdale Phase I PUD will be dispersed within the Westridge North parcel, so no additional population change will occur, beyond that approved through the 2013 Phase I PUD approval for Lake Linganore. Estimation of the population growth that may occur from the variety of residential land uses permitted under the Institutional category in the PUD zone is difficult and cannot be accurately estimated until the PUD Phase II phase of development occurs in this area.

6. Timing of development and facilities

The Applicant’s materials state that Phase II PUD review will occur in 2015. Mitigation of impacts that development will have on public facilities are required to be satisfied as development proceeds through the review process including the Zoning Ordinance and the Adequate Public Facilities Ordinance. Mitigation measures are required to be satisfied at development milestones, such as plat recordation or building permit issuance. The Frederick County Water and Sewerage Plan dictates an amendment process that requires studies of adequacy and an appropriate design of infrastructure at several points during the development review process. Preliminary Subdivision Plan approval is granted for a period of five years, so failing an approval for an extension, mitigation requirements tied to plat recordation such as the School Construction Fee, must be satisfied within that time period. Site Development Plan approval is granted for a period of 3 years. Therefore, mitigation requirements tied to issuance of a building permit, such as impact fee payment (schools, libraries) or payment into escrow accounts for transportation improvements, must be satisfied within that time period unless and extension is granted.

§ 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 subject properties are located with a Community Growth Area, an area identified for development, provision of public water and sewer service, and targeted infrastructure improvements. Previously approved residential units from Westridge Village will be spread throughout both Westridge North and Westridge. An estimation of site density within Westridge North is 3.71 DU/acre, based on the parcel’s acreage. The Old National Pike parcels are in very close proximity to the Linganore Town Center, an area planned for dense, mixed-use development. The Old National Pike parcels are configured and oriented to foster compact development and efficient land consumption, efficiently utilizing public infrastructure that surrounds the subject properties.

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

The Concept Plans include single-family attached units, single-family detached units, plus areas for commercial and institutional uses, with no distinction in the location of specific residential housing types in Westridge North or depiction of lots or conceptual building configuration in the Old National Pike parcels. However, all of the land uses in this Phase I PUD request are compatible with approved land use planned for the surrounding and adjacent parcels. Westridge North will accommodate dwelling units approved for the adjacent Westridge Village to the south. Design elements such as landscape screening, strategically-placed open space, and lot setbacks can be used to adequately buffer and mitigate the proposed residential uses in Westridge North from the adjacent agricultural lands. The Linganore Town Center, to the north of the Old National Pike parcels, will contain commercial and retail uses, a library and a variety of residential housing types.

D. The proposed development provides a safe and efficient arrangement of land uses, 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 development envisioned for the Westridge North parcel is connected to its adjacent, southern parcel—Westridge Village—through an internal roadway that will extend from Westridge into Westridge North and through the spread of approved residential density from Westridge to Westridge North. Proposed Open Space in Westridge North will connect the site’s aquatic systems to the open space network approved in the adjacent Westridge Village, retaining the forest corridor around the stream systems.

The parcel known as Old National Pike north is planned for incorporation into the adjacent Linganore Town Center for use as parking or as additional access into the Town Center. The Old National Pike south parcel will utilize the existing Eaglehead Drive roundabout (and its future expansion to 2-lanes) for one of three planned access points from Old National Pike. Generalized areas of commercial and institutional uses, with a conceptual internal roadway connection, are shown on the Concept Plan but no configuration, arrangement or layout of proposed buildings is included. A means for safe and efficient pedestrian mobility, connecting the Phase I project area to the Linganore Town Center on the opposite side of Old National Pike, will be required.

E. The transportation system is or will be 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 scheduling of planned improvements, pedestrian safety and travel demand modeling.

Targeted safety and capacity upgrades to portions of Old National Pike and Gas House Pike are currently programmed in the FY2015-2020 County CIP. These two roads have some available capacity to handle additional development. Several new road improvements in the immediate area, required through the 2013 Oakdale PUD Phase I approval, are described within Section VI of this
report, but none are guaranteed. The most critical improvement is the construction of the I-70/Meadow Road interchange ramps, which are necessary to support this project. The conditions of approval outline the necessary transportation system improvements required for the current Phase I request. The subject properties are subject to, and must comply with, all APFO requirements as part of future PUD Phase II Preliminary Subdivision or Site Development Plan approval.

F. The proposed development provides design and building placement that optimizes walking, biking, and the 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 location of the development proposed in the concept plans will utilize and extend the existing and planned street networks, including the road network approved for the Westridge Village, and use of the Eaglehead Drive roundabout. The land uses included in the Phase I PUD proposal are adjacent to or in immediate proximity to similar, compatible uses and development patterns. Pedestrian connections to surrounding development will be required as part of PUD Phase I and Phase II approvals.

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 these area. Factors to be evaluated include: response times, projected schedule of providing planned improvements, bridges, roads, and nature and type of available response apparatus. The nearest public safety facilities are the Spring Ridge Fire Station (1.7 miles from Westridge North) and the New Market District Volunteer Fire Company (1.8 miles from Old National Pike parcels), which is with a 4-minute travel time radius from the fire stations. A site for the replacement of the New Market Volunteer Fire Company is programmed in the FY2015-2020 CIP and a location for a new fire/rescue station in the northern Lake Linganore community will be transferred to the County in conjunction with the Preliminary Plan approval for Woodridge V, anticipated in 2014.

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 Westridge North parcels are fully wooded with two stream systems and associated wetlands. Proposed as open space and shown for preservation are two linear forested areas that follow the stream and wetland systems and connect to the open space in the adjacent Westridge Village. Three (3) specimen trees are located in the Westridge North parcels and are priorities for preservation through the Forest Resource Ordinance and Maryland Forest Conservation Act. Flooding soils are present on the Old National Pike South parcel in two drainage swales, which will require further evaluation during Phase II Preliminary Plan or Site Development Plan review. Virtually no forestland exists on either the Old National Pike north or south parcels.
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 plan.

The subject properties are designated Low Density Residential. The Low Density Residential land use plan designation contains a density range of 3—6 dwellings per acre and also serves as an underlying plan designation for consideration of PUD zoning. The subject properties are located within the Linganore Community Growth Area, an area that has been identified 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.

J. Planned Development Districts 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, emergency services, libraries and law enforcement) shall be evaluated as adequate or to be made adequate within established county standards.

Water supply and wastewater treatment capacity are currently adequate to accommodate the proposed development. Several upgrades and improvements to the delivery and conveyance system, required for the 2013 Oakdale PUD Phase I approval, may aid the subject properties. Public safety facilities and services are adequate. The three (3) schools that will serve the Westridge North parcel are currently under 100% capacity. The surrounding Lake Linganore community contains (private) recreational amenities, open space parkland, and trails for use by future residents of Westridge. The County’s Pinecliff Regional Park is located 3 miles from the subject properties.

VII. Staff Recommendation

Staff recommends APPROVAL of the request R-12-01(A), as part of the Linganore PUD, to rezone 0.67 acres from R-1 to PUD and 51.01 acres from Agricultural to PUD based upon:

1. A review of the Approval Criteria as set forth in § 1-19-3.110.4; and

2. A finding that the project adequately addresses the Planned Development District Approval Criteria as set forth in § 1-19-10.500.3;

The following conditions of approval shall apply:

1. Applicant shall identify trails that link the stream systems in Westridge North to the stream systems in the adjacent Westridge Village as part of Phase II Preliminary Plan or Site Plan.

2. Applicant shall construct or have constructed, concurrent with development, all necessary improvements to bring the south side of Gas House Pike to modified arterial status, consistent with Frederick County Division of Public Works’ (DPW) road specifications, for a distance of approximately 1,100 feet from Linganore Road to the western boundary of the subject properties.
3. Prior to the issuance of any building permits for the subject properties on the south side of Old National Pike, the existing single-lane Eaglehead Drive/Old National Pike Roundabout shall be modified to a double-lane roundabout.

4. Applicant shall coordinate the construction of necessary improvements to bring both sides of Old National Pike to modified minor arterial status for the length of the subject properties, utilizing Frederick County DPW’s road specifications, with the Applicant of the PUD Phase II Preliminary Plan or Site Plan for Linganore Town Center on the north side of Old National Pike. No building permits shall be issued for the subject property on the south side of Old National Pike until such improvements to Old National Pike are completed and open to traffic.

5. No building permits for development on the south side of Old National Pike shall be issued until the Meadow Road/I-70 Interchange is guaranteed for construction or January 1, 2020, whichever comes first.