Zoning Map Amendment

CASE NUMBER: R-14-03 (Blentlinger PUD)
PLANNING REGION: New Market
APPLICANT: Lillian Blentlinger, LLC & William Blentlinger, LLC
REQUEST: Rezone 279 acres from Agricultural (A) to Planned Unit Development (PUD). Proposing 720 dwellings.
LOCATION: East side of Boyers Mill Rd. across from the Summerfield and Pinehurst village in Linganore PUD
I. Background

The Site is currently zoned A-Agricultural and has been zoned Agricultural since 1959. The current Comprehensive Plan land use designation is Low Density Residential with the Natural Resources land use designation within the extent of the existing FEMA floodplain designation along Hazelnut Run. Hazelnut Run flows from north to south along the eastern boundary of the Site.

The Low Density Residential land use designation was originally applied to the Site during the 2006 New Market Region Plan, at which time the Site was also included in the Linganore Community Growth Area. During the 2008 update of the New Market Region Plan, the Linganore Community Growth Area was retracted and the Low Density Residential land use designation on the Site was replaced with the Agricultural/Rural designation. This land use designation was continued on the 2010 Comprehensive Plan update. However, the 2012 Comprehensive Plan update once again changed the land use plan designation to Low Density Residential and included the property in the Linganore Community Growth Area.
II. Planned Unit Development Zone Summary

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

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

General Requirements

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

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

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

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

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

Permitted Land Uses §1-19-10.500.6

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

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

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

Commercial – allows for any uses permitted within the Village Center (VC) zoning district.

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

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

General Development Standards  §1-19-10.500.9

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

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

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

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

§ 1-19-3.110.4. APPROVAL CRITERIA. (for Zoning 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. (for Planned Development Districts)

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

(A) The proposed development is compact, employing design principles that result in efficient consumption of land, efficient extension of public infrastructure, and efficient provision of public facilities;

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

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

(D) The proposed development provides a safe and efficient arrangement of land use, buildings, infrastructure, and transportation circulation systems. Factors to be evaluated include: connections between existing and proposed community development patterns, extension of the street network; pedestrian connections to, from, and between buildings, parking areas, recreation, and open space;

(E) The transportation system is or will be made adequate to serve the proposed development in addition to existing uses in the area. Factors to be evaluated include: roadway capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts, projected construction schedule of planned improvements, pedestrian safety, and travel demand modeling;
(F) The proposed development provides design and building placement that optimizes walking, biking, and use of public transit. Factors to be evaluated include: extension of the street network; existing and proposed community development patterns; and pedestrian connections to, from, and between buildings, parking areas, recreation, and open space;

(G) Existing fire and emergency medical service facilities are or will be made adequate to serve the increased demand from the proposed development in addition to existing uses in the area. Factors to be evaluated include: response time, projected schedule of providing planned improvements, bridges, roads, and nature and type of available response apparatus;

(H) Natural features of the site have been adequately considered and utilized in the design of the proposed development. Factors to be evaluated include: the relationship of existing natural features to man-made features both on-site and in the immediate vicinity, natural features connectivity, energy efficient site design, use of environmental site design or low impact development techniques in accordance with Chapter 1-15.2 of the Frederick County Code;

(I) The proposed mixture of land uses is consistent with the purpose and intent of the underlying County Comprehensive Plan land use designation(s), and any applicable community or corridor plans;

(J) Planned developments shall be served adequately by public facilities and services. Additionally, increased demand for public facilities, services, and utilities created by the proposed development (including without limitation water, sewer, transportation, parks and recreation, schools, fire and emergency services, libraries, and law enforcement) shall be evaluated as adequate or to be made adequate within established county standards.
IV. Applicant’s Proposal

Land Use Proposal

<table>
<thead>
<tr>
<th>Description</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Site Area</td>
<td>± 279</td>
</tr>
<tr>
<td>Total Proposed PUD Zone Area</td>
<td>± 279</td>
</tr>
<tr>
<td>Proposed Land Use</td>
<td></td>
</tr>
<tr>
<td>Residential Area</td>
<td>168.2</td>
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<tr>
<td>School Site Area (middle school)</td>
<td>24.5</td>
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<tr>
<td>Floodplain Area</td>
<td>13.8</td>
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<tr>
<td>Non Floodplain Open Space Area</td>
<td>75</td>
</tr>
<tr>
<td>TOTAL</td>
<td>279</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proposed Dwellings</th>
<th>720 dwellings*</th>
</tr>
</thead>
</table>

*mix of single family, townhouse, and 2 over 2’s

Gross Project Density

720/279 = 2.6 dwellings per acre

Net Project Density (Residential Land Only)

720/168.2 = 4.3 dwellings per acre

Concept Plan

The overall plan for the development delineates four distinct residential land bays, a school site, and an open space corridor. Areas planned for development are located on land with minimal environmental and physical obstructions. The lands outside of these areas include stream corridors, forested land, steep slopes, and floodplains. The concept for development of this property is to allow the existing environmental features of the property establish the basic layout.

A central stream valley corridor includes a trail network, and dwellings surrounding this corridor are situated with their fronts toward the open space. This configuration can create the perception that the open space is freely available for community use.

A proposed arterial road runs west/east continuously through the site, connecting the various land bays. Frontage along this central spine road alternates between development bays and natural open space areas, creating a system of access that intertwines the natural environment and the built environment.

The middle school site is centrally located on the Site, and is situated at the corner of Boyers Mill Rd. and the proposed main entrance road, making the school site highly accessible. The school site can serve a dual function as active recreational space for the community.

Pocket park features are located in areas of the Site that are surrounded by higher density dwelling types. This configuration creates public open space in areas where private yards are minimized, and serve to balance the availability of open space between single family detached dwellings and townhouse or two over two dwellings.

Phasing Plan

The Applicant anticipates the timeframe for build out is a period of ten to fifteen years incorporating up to ten (10) phases. The time frames for build out will be subject to the APFO reviews as well as to market demand.
Concept Plan
V. Evaluation - Relationship to the County Plans and Regulations

Proposed Land Use Mix and Density

The proposed land use within the project is residential, with a 24.5-acre middle school site. The concept plan proposes a total of 720 dwellings, composed of the following dwelling type mix:

- Single-Family – 313 dwellings (43%)
- Townhouses – 195 dwellings (27%)
- 2 over Z’s – 212 dwellings (29%)

§ 1-19-10.500.6 (B) of the Zoning Ordinance states: “Residential land use mixture within the PUD District. A goal of the PUD district is to provide an optimal mixture of housing types, including single family dwellings, townhouses, and multifamily dwellings.”

The development proposal provides a mix of single family, townhouses, and 2 over Z’s which is an appropriate mix given the size of the project.

“§ 1-19-10.500.6(H)(1)(a) Gross density of a proposed PUD development 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/ac</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>6-12 du/ac</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>12-20 du/ac</td>
</tr>
</tbody>
</table>

The gross density may not exceed the maximum density specified by the County Comprehensive Plan residential land use designation of the subject property.”

Land Use Designation: Low Density Residential (LDR) (3-6 du/ac)
Land Area Designated LDR: 266 acres (subtracts 13 ac. of Natural Resources designation)
Proposed Development Area with LDR: 218 acres
Total Number of Proposed Dwellings: 720 dwellings
Gross LDR Density: 720/266 = 2.7 dwellings/acre
Development Area Density: 720/218 = 3.3 dwellings/acre

Consistency with Comprehensive Plan

The site is within the Linganore Community Growth Area as designated on the County Comprehensive Plan and has a land use plan designation of Low Density Residential, with the stream valley designated Natural Resources.

With its Low Density Residential designation (3-6 dwellings/acre) and its location within a Growth Area, it is identified as an area that has been targeted for growth and development and is therefore consistent with the general policy in the Comprehensive Plan that supports the location of growth within growth areas.
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. The proposal is generally consistent with these guidelines.

Compatibility with Adjoining Zoning and Land Uses

Adjoining the Site on the northwest boundary is the Pinehurst village of the Linganore PUD which is developed with mostly single-family detached dwellings and some townhouses. To the west across Boyers Mill Rd. is the Summerfield village, also part of the Linganore PUD and is developed with single-family and townhouse dwellings. Immediately adjoining the site to the east is the Casey property, which has recently been approved for PUD zoning for 1,010 dwellings including single-family and townhouses.

The Audubon Society of Central Maryland maintains a wildlife sanctuary adjacent to the Site on the southern boundary. The sanctuary adjacent to the Site is 141 acres and contains fields, forest stands, and several streams. The PUD Concept Plan proposes open space/green area for the land adjoining the Audubon site.

To the southeast of the Site and adjacent to the Town of New Market is the Delaplain Property, a 135 acre parcel that has been annexed into the Town of New Market with an Economic Development Flex zoning district, which would permit a mix of employment, industrial, or residential uses.

Directly to the south of the Site are the Smith and Cline properties, which have been annexed into the Town of New Market and comprising 262 acres and proposing 925 dwellings.
**Natural Features**

The Site is largely composed of cleared agricultural land but is intermittently forested. The 100 year FEMA floodplain crosses the Site from the north to south along Hazelnut Run, which is a tributary to Linganore Creek.

The topography of the Site is hilly, but with slopes predominantly under 15%, with some slopes greater than 25% at the stream valley. There are some flooding soils and some restricted soils on the Site. Flooding soils are limited to areas within the stream corridors, with the majority of the Site evenly split between Restricted and Lower 1/3 Restricted soils, with a smaller portion of Non-Restricted soils. All areas of floodplain and steep slopes are included in the proposed open space for the development.

The Audubon property, which adjoins the site to the south, 141 acres and is encumbered by a perpetual conservation easement co-held by the Maryland Environmental Trust (MET) and the Catoctin Land Trust.
Population Change

Current Neighborhood Population:

<table>
<thead>
<tr>
<th>Census Tract 7518.01</th>
<th>4,201</th>
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</thead>
<tbody>
<tr>
<td>Census Tract 7519.01</td>
<td>4,272</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>8,473</strong></td>
</tr>
</tbody>
</table>

2010 U.S. Census

Potential Additional Population:
The potential additional population change as a result of the proposed 720 units equates to 1,944 persons, based on 2.7 persons per household.

Potential Total Neighborhood Population: 10,417 persons

Residential Density and Dwelling Types

§ 1-19-10.500.6 (B) of the Zoning Ordinance states: “Residential land use mixture within the PUD District. A goal of the PUD district is to provide an optimal mixture of housing types, including single family dwellings, townhouses, and multifamily dwellings.”

As stated in the Zoning Ordinance, a goal of the PUD district is to provide an optimal mixture of housing types, including single family dwellings, townhouses, and multifamily dwellings. The inclusion of multi-family dwellings in this goal is intended to serve several purposes. One of the primary considerations is housing affordability, as mentioned in item 2 below and described in detail in the 2005 Frederick County Affordable Housing Council Study of Workforce Housing Needs and the Housing Element of the Serving Our Citizens chapter of the Frederick County Comprehensive Plan. Despite the recent economic downturn, broadly speaking housing costs have continued to increase relative to median income in Frederick County. Multi-family housing helps provide more affordable housing options for County residents. It is also appropriate that affordable housing options be available throughout the county and not just where there is already a concentration of such housing.

Providing multi-family housing is a prudent approach to insuring the County has a diversified housing stock that can accommodate the changing social and economic drivers of demand. For example, multi-family housing is an important source of housing options for families in different demographic categories. Young families as well as the growing demographic of empty nesters are often seeking to downsize, and multi-family housing can provide this opportunity.

Additionally, the significant costs of public facilities can be more efficiently utilized through the simple provision of multi-family housing. For example, higher density multi-family housing that is located in close proximity to schools can potentially put more children within walking distance, reducing the load on the transportation system as well as the costs of busing. This is certainly a potential benefit in the Blentlinger PUD, which is proffering a middle school site.

While each development project is unique and will benefit from its own mixture of housing types, a development at the size of the Blentlinger PUD should be able to support a greater mix of housing types including multi-family.

Therefore, Staff supports the proposed 2 over 2’s on the PUD Concept Plan.
Per §1-19-10.500.6 (B) of the Zoning Ordinance, “the specific mixture of housing types for each development project shall be established by the BOCC at Phase I, based on an evaluation of the following:”

(1) *Existing County Comprehensive Plan land use designation and the intended dwelling type and density.*

The policy objective of the Low Density Residential land use designation on the County Comprehensive Plan is to establish a density range of 3 to 6 dwellings per acre. With a total of 266 acres of Low Density Residential designated land within the project, and a total of 720 dwellings, the resulting density is 2.7 dwellings per acre. While this falls slightly short of the density range stated in the policy objective, this measurement includes “non-buildable” land, such as steep land and land that is within stream corridors throughout the project. However, relative to land specifically delineated for residential development within the project, the resulting density is (720 dwellings / 218 acres) 3.3 dwellings per acre. The land identified as residential within the PUD establishes the substantive extent of residentially developed land, therefore the latter measurement of density is acceptable for establishing conformance with the policy objective of the Comprehensive Plan.

(2) *Need for a particular dwelling type based on existing and proposed residential dwelling types surrounding the tract of land receiving the PUD district.*

The 2005 Frederick County Affordable Housing Council Study of Workforce Housing Needs described the need for affordable housing if Frederick County. In general, the report showed that housing cost growth has vastly outpaced median income growth. Consequently, the inventory of housing in Frederick County that is affordable to households earning the median income was projected to fall from 42% in 2000 to 14% in 2009.

While the economic crisis of 2008 caused drop in house prices, ostensibly providing relief from the affordable housing deficit as depicted in the 2005 report, evidence that the need for affordable housing remains salient is depicted in the 2010 Multifamily Rental Market Assessment in Frederick County prepared for the Maryland Department of Housing and Community Development.

Additionally, the Frederick County Comprehensive Plan (Serving our Citizens and Managing our Growth chapters) includes the following goals and policies related to housing mix and affordability:

*HO-G-01 Achieve a balance of housing choices that meets the needs of Frederick County individuals and families at all income levels.*

*MG-G-09 Emphasize Mixed Use development within Community Growth Areas.*

*HO-P-01 Support construction of affordable housing in order to address projected shortfalls in availability.*

*HO-P-02 Continue to support efforts that promote and provide accessible, affordable housing options to residents.*

*HO-P-03 Reasonably accommodate the housing needs*

*HO-P-05 Encourage higher density, mixed-use and mixed-income development in*
designated growth areas where a balance of housing types and styles are offered to meet the diverse housing needs of residents.

MG-P-23 Include a variety of housing types in all communities.

The proposed school site creates a credible rationale for providing housing at higher densities in the form of multi-family dwellings. The concentration of population in close proximity to community resources such as the school creates an economy of scale that encourages the efficiency and convenience of pedestrian circulation.

(3) The County Comprehensive Plan community design policy of including a variety of dwelling types in all communities in Frederick County.

The concept plan provided in conjunction with this application indicates a community design at the schematic level that appears to support, or have the potential to support, the Community Design Principles described in the Comprehensive Plan. The application proposes a spectrum dwelling types that includes both rear-loaded (neo-traditional) and front-loaded (conventional) dwellings. The specific configuration shown in the concept plan adequately addresses community design policies described in the Comprehensive Plan, such as establishing community space, interconnected circulation networks, and prominent natural features.

The proposed mix of housing types is:

- Single-Family – 313 dwellings (43%)
- Townhouses – 195 dwellings (27%)
- 2 over 2’s – 212 dwellings (29%)

(4) The mixture of dwellings recommended within the County Comprehensive, Community, and Corridor Plans for the tract of land receiving the PUD district.

A Community and Corridor Plan has not been conducted for this area, and the Comprehensive Plan does not specify a particular unit mix for this site.

(5) The amount and type of moderately priced dwelling units provided.

The application proposes to reserve the right to utilize the fee-in-lieu of providing MPDU’s option.

**Parks and Recreation Facilities**

A total of 74.84 non-floodplain land is being proposed as open space. Per §1-19-10.500.8(A) of the Zoning Ordinance, parks and recreation facilities must be provided as a combination of active and passive facilities, and at a rate of 726 square feet per 2,000 square feet of gross floor area.

An estimated average of 2,200 square feet of gross floor area per dwelling is assumed. Based on this estimate, total park area required for 720 dwellings is 13.2 acres (2,200sf X 720 dwellings).

School sites can be counted as recreational land, however the entire acreage is not counted because only a portion of the site qualifies as operation recreational land that is open to the public. For measurement of available recreation land a standard multiplier of .5 is used when measuring acreage of middle school sites. Therefore, the proposed provision of the 24.5 acre
school site equates to 11 acres of active park land. In addition, proposed pocket parks throughout the Site equate to another 3 to 4 acres of park space. In total, parks space is provided in excess of the 13.2 acre requirement.

**Open Space/Green Area**

For calculation of open space requirements, the gross project acreage is based on the amount land within the project site with residential land use plan designations. A minimum amount of open space must be provided based on gross project density. Gross project density is calculated by dividing the total proposed number of dwellings by the gross project acreage. The requirements for this project are as follows:

- **Gross Project Area** = 266 acres (land designated Low Density Residential)
- **Gross Project Density** = 720 dwellings / 266 acres = 2.7 dwellings per acre

Required open space is 30% of Gross Project Area (exclusive of floodplain) = 249.46 acres X 30% = 74.8 acres

This requirement must be met exclusive of land within the 100 year FEMA floodplain. The project currently proposes a minimum of 74.84 acres of non-floodplain open space/green area within the PUD.
VI. Evaluation - Availability/Adequacy of Public Facilities and Services

Public Schools

*Proposed Dwellings: 313 Single Family Detached, 195 Townhouse, 212 Two Over Two*

<table>
<thead>
<tr>
<th>School Level</th>
<th>2013 Equated Enrollment¹/State Rated Capacity ¹</th>
<th>% of State Rated Capacity</th>
<th>Total Projected Pupils²</th>
<th>Single Family Detached</th>
<th>Townhouses</th>
<th>Multifamily (Two Over Two)</th>
<th>TOTAL</th>
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</thead>
<tbody>
<tr>
<td>Deer Crossing Elementary School</td>
<td>690/641</td>
<td>108%</td>
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<td>107</td>
<td>37</td>
<td>15</td>
<td>159</td>
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<tr>
<td>Oakdale Middle School</td>
<td>636/600</td>
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<td>47</td>
<td>22</td>
<td>7</td>
<td>76</td>
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<tr>
<td>Oakdale High School</td>
<td>1200/1603</td>
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<td>57</td>
<td>26</td>
<td>5</td>
<td>88</td>
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<tr>
<td><strong>Total</strong></td>
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<td></td>
<td>211</td>
<td>85</td>
<td>27</td>
<td>323</td>
</tr>
</tbody>
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2. 2007 Pupil Yield Rates (BOE Educational Facilities Master Plan – 9/2013)

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<tr>
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<th>MF</th>
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<tbody>
<tr>
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<td>.19</td>
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<td>Oakdale MS</td>
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<td>.11</td>
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<tr>
<td>Oakdale HS</td>
<td>.18</td>
<td>.13</td>
</tr>
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</table>

**Programmed Improvements (FY 2015-2020 CIP)**

*East County Area Elementary School* – New 725-seat school. Educational Facilities Master Plan (Sept. 2013) identifies projected opening in 2021. Funding for design in FY 2019. This school is currently planned to be located either at the Landsdale PUD (Ed McClain Road) or in the Hampton section of the Linganore PUD.

**Planned Improvements**

*Elementary School* – New 725-seat school is planned to be located on the Casey property.

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

*Middle School* – New 900-seat school. The Comprehensive Plan identifies a planned middle school site on the Blentlinger property.

*Oakdale Middle School* – 300-seat addition, which would take the school to its maximum size of 900 seats.

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

The Site is classified Planned Service (PS) for water and sewer in the County Water and Sewerage Plan, indicating property planned to be serviced within an 11 to 20 year timeframe.

Public water will be provided through the New Design water system, which withdraws water from the Potomac River. The New Design Water Treatment Plant has a permitted capacity of 25 million gallons/day (MGD) and has a current average daily use of approximately 16 MGD. Sewer service/treatment will be provided by the Ballenger-McKinney wastewater treatment plant (WWTP). The current Ballenger WWTP has a treatment capacity of 7 MGD. With the McKinney expansion, which is under construction, capacity will be expanded to 15 MGD. The expansion project is expected to be completed in the fall 2014. Current average daily treatment flows at the Ballenger WWTP is 5.7 MGD, so with the McKinney expansion there will be approximately 9.3 MGD of available capacity. The Applicant is responsible for extensions and connections to the public water and sewer lines to serve the project site.

Based on the proposed 720 dwellings, and assuming 250 gallons/day/dwelling, this project would need approximately 180,000 gallons/day of water and sewer capacity. Water and sewer supply is evaluated at multiple points in the development review process, and recordation of lots or issuance of building permits cannot proceed unless capacity is determined to be adequate.

Programmed Improvements (FY 2014-2019 CIP)

Linganore Interceptor (Lower and Upper Segments) – replacement to address design issues and expand to accommodate build out flows. Estimated completion beyond 2020.

Both water and sewer infrastructure improvements will be tied to the development of the Casey property. For both of these projects there will be the need for distribution and transmission lines to feed into the Linganore network. There will also be water tank and sewage pump station projects to serve the Blentlinger and Casey projects.

Public Safety

The nearest fire station is the New Market Fire Station, located approximately 2 miles from the site. Police protection for the Site is provided by the Frederick County Sheriff’s Office.

Programmed Improvements (FY 2015-2020 CIP)

New Market Fire Station – Replacement of the existing station is proposed on a different site. To be funded beyond 2020.

Planned Improvements

Linganore Fire Station – A new fire station planned on a site in the Hamptons West area of the Linganore PUD on Gas House Pike.

Libraries

The Frederick County C. Burr Artz Public Library is in downtown Frederick City serves this area. There are no libraries programmed in the FY2015-2020 CIP.

Planned Improvements

Linganore Regional Library – the Comprehensive Plan identifies a planned library site that would be located in the Town Center area (adjacent to Oakdale High School) of the Linganore PUD.
Parks

There are two existing parks in the vicinity of the site. The County’s Old National Pike Park is a 155 acre regional park located on Old National Pike approximately 3 miles to the east. The other is the Town of New Market’s Nature Park located at Royal Oak Drive along the northern boundary of the Town of New Market. This is a 107 acre community park, which has recently been developed with various types of playing fields.

Programmed Improvements (FY 2015-2020 CIP)

Old National Pike Park – Phase 2 construction of new athletic fields, picnic facilities projected to be completed in 2023.

Kemptown Community Park – Rehabilitation of existing park projected to be completed in 2017.

Planned Improvements

Community Park – The Comprehensive Plan identifies a community park (30-100 aces) symbol along Bens Branch that would be a potential stream valley park.

Regional Park – The Comprehensive Plan identifies two symbols, one on the Smith/Cline properties, which are currently seeking annexation into the Town of New Market and a second adjacent to Linganore High School on Old Annapolis Rd. Regional parks may be 100 + acres.

Transportation

Existing Site Access Characteristics

The site has approximately 3,100 feet of frontage along Boyers Mill Road and proposes its primary access point on this road. The site also has approximately 1,140 feet of frontage along Pinehurst Dr., which serves as the primary access for the Pinehurst village to Boyers Mill Rd. The Concept Plan proposes an arterial spine road from Boyers Mill Road through the Site which would continue through the Casey property and to MD 75, which then is planned to connect to MD75. An additional access point to Boyers Mill is also proposed.

Two local road connections to Pinehurst Drive are proposed at the north of the Site connecting to the Pinehurst subdivision of the Lake Linganore community.

Existing Traffic Volumes and Capacity on Adjoining Roads

<table>
<thead>
<tr>
<th>Location</th>
<th>AADT: 2012 Annual Average Daily Traffic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boyers Mill Road - .1 mile north MD144</td>
<td>7,000</td>
</tr>
<tr>
<td>MD75 - .3 mile north of MD144</td>
<td>10,800</td>
</tr>
<tr>
<td>MD144 – just west of MD75</td>
<td>8,700</td>
</tr>
</tbody>
</table>

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

Boyers Mill Road and MD 75 at the location identified above is a two lane road, which has a theoretical design capacity (Level of Service E) of 16,900 daily trips (source: Guidelines for Preparation of Traffic Impact Analyses for Development Applications – Frederick County). Therefore:
Boyers Mill Rd. - .1 miles north of MD 144  
7,000 daily volume / 16,900 daily capacity = .41

MD 75 - .3 mile north of MD 144  
10,800 daily volume / 16,900 daily capacity = .64

MD 144 – just west of MD 75  
8,700 daily volume / 14,800 daily capacity = .59

A V/C ratio below 1.0 indicates that capacity is available.

The main point of egress from the Blentlinger property to the regional transportation network is the MD75/I-70 interchange. In other words, the majority of trips originating from the Blentlinger PUD will be heading toward the MD75/I-70 interchange on the eastern end of New Market. Currently, the only route available to access this interchange is to head south along Boyers Mill Road, and east along MD 144/Main St. through the Town of New Market.

Traffic volumes along MD144 through the Town of New Market are currently in excess of generally perceived adequacy by the public. Any additional load along this route would exacerbate this problem. Therefore, concurrent with the initial development of the Blentlinger PUD, an alternative route to the MD 75/I-70 interchange must be provided.

This can be accomplished in one of two ways. The first is if the planned arterial through the Blentlinger PUD as well as the adjoining Casey PUD is completed, as well as the required improvements to MD 75 between the Casey property and the MD 75/I-70 interchange. Alternatively, a route to the interchange can be provided if the planned New Market Parkway is completed along with the improvements along MD 75 from Old New Market Rd. to the MD 75/I-70 interchange.

**Comprehensive Plan Designations for Adjoining Roads**

Boyers Mill Road – Minor Arterial (80 foot right-of-way)

A proposed Collector (60 foot right of way) is shown on the Comprehensive Plan identifying a connection from the Pinehurst section of the Linganore PUD to the planned arterial road. A proposed Minor Arterial is shown on the Comprehensive Plan connecting Boyers Mill Road and MD75.

**Programmed Improvements (FY 2015-2020 CIP)**

Old National Pike – Upgrade Old National Pike from MD 144 to New Market (2.2 miles) to serve projected traffic growth in the New Market Region. Old National Pike will be designed and constructed to minor arterial standards. Estimated completion in 2021.

Old National Pike Phase 2 – MD 75 to Mt. Airy (4.6 miles). This project will upgrade as a 2-lane roadway to serve future traffic growth in the New Market Region. Old National Pike will be designed and constructed to minor arterial standards. Estimated completion in 2024.

Boyers Mill Road – Upgrade existing two-lane road with shoulders from Gas House Pike to Old National Pike (4 miles). A separate project to construct a new 2-lane bridge over Lake Linganore is underway. The project is projected to be completed in 2018.

Yeagertown Road – Upgrade the existing tar and chip surface. A portion of this road may be incorporated into the planned Town Center Connector (minor arterial), which will connect Boyers Mill Rd. to the I-70/Meadow Rd. interchange. Remaining portion to be upgraded to a Local road standard. Estimated completion in 2024.

**Planned Improvements**

New Market Parkway – Identified on the Comprehensive Plan as a Collector/Arterial roadway to
connect Boyers Mill Rd. to Old New Market Rd. through the Town of New Market. The 2-lane road is expected to be constructed by the developers of the Smith/Cline property which has recently been annexed into the Town of New Market. A specific schedule for the construction of this road has not been determined.
VII. Summary of Findings

Staff finds that the project 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 proposed PUD is located in an area with an appropriate land use plan designation of Low Density Residential (3-6 dwellings/acre) and is within a Community Growth Area. The PUD zone is designed to enhance the opportunities for integrated uses and densities in the County by allowing a greater variety of mutually reinforcing dwelling types and land uses to occur within a single development. Both the PUD floating zone and the Low Density Residential land use plan designation emphasize residential uses, and are therefore essentially compatible in application and intent. The proposed net density of the Project is 3.3 dwellings per acre.

(2) Availability of public facilities;
Water is supplied by the New Design Water system and sewer is treated by the Ballenger McKinney WWTP, both of which have adequate capacity to serve this development. Two of the three schools serving the Site are currently over capacity; Deer Crossing Elementary School at 108%, and Oakdale Middle School at 106%. A new elementary school site is proposed on the adjacent Casey PUD, and a middle school site is being proffered with this application. There is adequate availability of park and fire/rescue facilities.

(3) Adequacy of existing and future transportation systems;
The Project Site abuts a minor arterial (Boyers Mill Road) to the west, and is approximately three (3) miles from the I-70/MD 75 interchange. Based on current traffic volumes on Boyers Mill Road there is some available capacity to accommodate additional development. The project also proposes to construct a portion of an arterial that will connect Boyers Mill Rd. and MD 75.

(4) Compatibility with existing and proposed development;
The surrounding residential development, including single-family and townhouse dwellings, in the Linganore PUD is similar to the proposed project with respect to density and dwelling types provided. The Pinehurst section of the Lake Linganore community to the north of the Site and the Summerfield section to the west also contain a combination of single family and townhomes arranged in a similar fashion and at comparable densities.

The Casey PUD is a proposed development to the east of the Site and is comparable to the Blentlinger PUD in density and mix of dwellings proposed. Additionally, the Town of New Market to the south of the Site has a mix of residential, commercial, and institutional uses.

(5) Population change; and
The potential additional population change as a result of the proposed 720 units equates to 1,944 persons, based on 2.7 persons per household. The potential total neighborhood population is 10,417 persons.
(6) **The timing of development and facilities.**
Mitigation of impacts that development will have on public facilities are required to be satisfied as development proceeds through the development review process including the Zoning Ordinance and the Adequate Public Facilities Ordinance. Mitigation measures are accordingly required to be satisfied at development milestones, such as the recordation of plats, or the issuance of building permits. The Water and Sewer 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 Plan approval is granted for a period of five years, so failing an application for an extension, mitigation requirements tied to plat recordation such as the School Construction Fee, must be satisfied within that time period. Site Plan approval is granted for a period of three years. Therefore mitigation requirements tied to issuance of a building permit, such as payment of impact fees for water, sewer, libraries, and schools, or payment into escrow accounts for road improvements, must be satisfied within that time period unless an 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 720 dwellings result in a net density of approximately 3.3 dwellings per acre. The project site is adjacent to developed land and is located in the Linganore Community Growth Area. Therefore, the project does not intensify the outward spread of urbanized land into rural areas, and employs an efficient development pattern.

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

There is no Community and Corridor Plan for this area.

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

The surrounding existing residential development in the adjoining Linganore PUD villages is similar to the proposed project with respect to density and dwelling types provided. The Pinehurst section of the Lake Linganore community to the north of the Site also contains a combination of single family and townhomes arranged in a similar fashion and at comparable densities. Also, the Summerfield subdivision to the west of the Site is composed of a combination of townhouses and single family dwellings arranged in a similar fashion and at comparable densities. These subdivisions are but a portion of a much larger development of comparable density and arrangement of land uses in the Linganore PUD.

Proposed land uses for the Casey PUD development to the east of the Site and is comparable to the Blentligner PUD in density, arrangement of land uses, and mix of
dwellings proposed. Additionally, the Town of New Market to the south of the Site anticipates residential development on the Smith/Cline properties along Boyers Mill Rd. and employment development on the Delaplaine property.

(D) The proposed development provides a safe and efficient arrangement of land use, buildings, infrastructure, and transportation circulation systems. Factors to be evaluated include: connections between existing and proposed community development patterns, extension of the street network; pedestrian connections to, from, and between buildings, parking areas, recreation, and open space;

The site has approximately 3,100 feet of frontage along Boyers Mill Road and proposes its primary access point on this road across from Finn Dr.. The Concept Plan proposes an arterial spine road from Boyers Mill Road through the Site which would continue to the Casey property, which then is planned to connect to MD75. An additional access point to Boyers Mill is also proposed.

Two local road connections to Pinehurst Drive are proposed at the north of the Site connecting to the Pinehurst subdivision of the Lake Linganore community.

An interconnected local street network is proposed with sidewalks that would provide access to the school and park/open space areas. Trails are also proposed as part of the open space corridors.

(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;

From the perspective of the Comprehensive Plan, Boyers Mill Road currently has some available capacity to handle additional development. The proposed arterial road through this project intersecting Boyers Mill Rd., continuing through the adjoining Casey property, and connecting to MD75, will also provide road capacity for this area. In the near term, additional capacity from the project to the MD 75/I-70 Interchange will need to be created as the existing transportation network is not adequate to accommodate this development. These improvements would include either a new eastward connection through the Casey project to MD 75 or the construction of the New Market Bypass, as well as improved capacity along MD 75, north of MD 144.

(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;

One of the main features of the layout is a central open space corridor with a trail system that runs through the Site. In some areas of the plan, rear loaded townhouse dwellings are proposed, which would eliminate or reduce driveways and curb cuts along the fronts of these buildings and can potentially create a streetscape that has favorable design features.
such as on-street parking, uninterrupted sidewalks for pedestrian convenience and safety, and buildings with architectural features (windows, front doors, bay windows, porches, landscaping) that are sized and configured to relate to the physical dimensions of pedestrians rather than automobiles (as would be the case with an overabundance of garage doors and driveways).

(G) **Existing fire and emergency medical service facilities are or will be made adequate to serve the increased demand from the proposed development in addition to existing uses in the area. Factors to be evaluated include: response time, projected schedule of providing planned improvements, bridges, roads, and nature and type of available response apparatus;**

The nearest public safety facility is the New Market Fire Station, located approximately 2 miles from the site. The Project Site is located within a 4 minute travel time radius from the fire station.

(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;**

Natural corridors have been identified on the concept plan along stream valleys throughout the proposed Site. These areas are excluded from development and will protect natural features such as stream corridors, floodplains, and steep slopes. Trails and open space are planned along the central circulation corridor and within some of the stream valleys.

(I) **The proposed mixture of land uses is consistent with the purpose and intent of the underlying County Comprehensive Plan land use designation(s), and any applicable community or corridor plans;**

The applicant proposes a mix of single-family detached, townhouse, and two over two dwellings which are consistent with the Comprehensive Plan land use plan designation of Low Density Residential.

(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.**

Water and sewer service is currently adequate to accommodate the proposed development. There are existing parks including the Old National Pike Park and New Markets community park within the surrounding vicinity. Public safety facilities and services are adequate. Two of the three schools serving the site are currently under capacity. The proposed development would be providing an elementary school site.
VIII. Staff Recommendation

Staff recommends APPROVAL of the request, R-14-03, to rezone the 634 acres from Agricultural (A) to Planned Unit Development (PUD) based upon:

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

Subject to the following conditions of approval:

1. A maximum of 720 dwelling units may be constructed.
2. Phasing of the project shall permit 200 lots to be recorded per year with a previous year's unused allocation permitted to be carried into the following year.
3. No residential plat may be recorded until one of the following conditions is met:
   Either;
   The planned arterial through the Blentlinger PUD and the adjoining Casey PUD, as well as the improvements to MD75 from the Casey project entrance to just north of the MD 75/MD 144 intersection is guaranteed,
   Or;
   The planned New Market Parkway, as well as the improvements to MD75 from the Bypass to just north of the MD 75/MD 144 intersection is guaranteed.
4. The developer shall design the project in conformance with the approved Community Design Guidelines and Development Principles Manual.
5. The developer shall dedicate and convey to the County a 24.5 +/- acre middle school site to the BOE, in fee simple, upon
   i) the recordation of the subdivision plat for the 100th lot in the Project or within two (2) years of the recordation of the subdivision plat for the 1st lot in the Project, whichever occurs first; and
   ii) BOE's acceptance of the conveyance of land for the Public School Site. The Applicant and BOE shall enter into a Memorandum of Understanding ("MOU"), which shall set forth the rights and responsibilities of the parties in connection with development of the school site, prior to final, unconditional approval of the Phase II (Execution) Plan for the portion of the Project that contains the school site.
6. Provide two (2) neighborhood parks of at least 20,000 square feet each to be centrally located. with one in the northern land bay, and the other in the central land bay.
7. Provide a diversity of single family lot sizes.