Zoning Map Amendment

August 15, 2014

CASE NUMBER: R-14-04

PLANNING REGION: Walkersville

APPLICANT: RSB Holdings, LLC

REQUEST: Rezone 60.42 acres from Agricultural (A) to Planned Unit Development (PUD)

LOCATION: Located on the south side of Daysville Road, north of Liberty Road (MD 26).
I.  Background

The property is composed of a single parcel: Map 51, Parcel 19, which contains approximately 60.42 acres of land. The Property is bounded on the north by Daysville Road, on the west by the existing Wisperren Oaks subdivision, on the south by Liberty Road (MD 26), and on the east by Liberty Elementary School. Part of the site is currently farmed with agricultural crops, with the remainder being forested. The County’s Comprehensive Plan identifies the Property within the Libertytown Community Growth Area and designates the Site as Low Density Residential (LDR). The Property is currently classified as Planned Service (PS) on the Frederick County Water and Sewerage Plan.

There is a Development Rights and Responsibilities Agreement (DRRA) request for the subject property in conjunction with this rezoning case.

The Phase I PUD request proposes a Concept Plan that depicts 120 dwellings (57 single-family units and 63 townhome units), with net density of 2.4 dwelling units per acre.

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 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 the amount of land to be donated 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 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. 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. 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.

§ 1-19-3.110.4. APPROVAL CRITERIA (Individual 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. (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 sitting 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

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Site Area</td>
<td>60.42 ac</td>
</tr>
<tr>
<td>Open Space Area</td>
<td>30.23 ac</td>
</tr>
<tr>
<td>Park Site</td>
<td>3.86 ac</td>
</tr>
<tr>
<td>Water Tank Site</td>
<td>1.02 ac</td>
</tr>
<tr>
<td>Street ROW</td>
<td>5.46 ac</td>
</tr>
<tr>
<td>Residential Area</td>
<td>19.85 ac</td>
</tr>
</tbody>
</table>

Total number of proposed dwellings: 120  (57 single-family detached (47%), 63 townhouses (52%)

Concept Plan

The Concept Plan that depicts 120 dwellings (57 single-family units and 63 townhome units), with net site density of 2.4 dwelling units per acre.

The plan proposes two access points, one off of Daysville Rd. just west of the driveway to the school and a second off of MD 26.

The concept plan proposes a cluster of 63 townhouses, centrally located within the PUD, which would not adjoin any existing residences in the Wisperren Oak subdivision to the west.

There are four areas proposed to be developed with single family detached houses. All of the single-family are proposed to be front loaded dwellings with no alleys. There is a cluster of 8 single family lots proposed off of the access road proposed off of Daysville Road. As the access road travels westbound through a area of open space, the access road is proposed to end in a cul-de-sac which will serve 21 single family lots. There is a buffer strip approximately 120 feet wide between these lots and the adjoining Wisperren Oaks subdivision. This buffer is completely forested.

There is a cluster of 15 single family dwelling lots proposed off of the western side of the northbound access road proposed off of Liberty Road, as well as a row of 13 single family detached dwelling lots. These two areas of single family homes front on the ring road that is proposed to surround the proposed townhouses.

The Concept Plan also proposes a 3.86 acre site for active parkland, which adjoins the ball fields of the Liberty Elementary. Pedestrian access through the park site is proposed to the school. It is expected that the park site will be owned by the HOA.

Open Space/Green Area

Open space requirements are based on the total size of the area being considered for PUD zoning and the gross density of the project. Applying the 30% open space standard based on a gross density of 3—6 units per acre results in 18.12 acres of open space required for the Phase I plan (60.42 ac. x 30% = 18.12 ac.) Staff notes that 0.75 acres of mapped FEMA 100-year floodplain is present on the far southeast corner of the property and is excluded from the open space calculation. The concept plan proposes 30.23 acres of open space, primarily along the streams, existing pond and wetlands plus the forested slopes present on the eastern and western portions of the project area.
Phasing Plan

Section 1-19-10.500.5(D) of the Zoning Ordinance requires a phasing plan to be submitted with a Phase I PUD application and states that the proposed phasing plan shall describe the timing and sequence for dedication of public lands and development of public facilities and utilities. The Daysville Glen PUD is projected to be constructed over a period of 3-5 years. The Applicants justification statement proposes a schedule for the Phase II Plan including subdivision and site plan review will be pursued no later than the first quarter of 2015. Staff would note, however, that this development will require the construction of significant water and sewer infrastructure.

Graphic #1: Daysville Glen Phase 1 Concept Plan
IV. Evaluation – Relationship to County Plans and Regulations

Proposed Land Use, Design and Density

The Concept Plan proposes only residential uses with a total of 120 dwellings including 57 single-family dwellings (48%) and 63 townhouses (52%).

The Comprehensive Plan contains guidelines for development densities intended for Low, Medium and High density-designated properties, with the range for Low Density Residential at 3-6 dwellings per acre. While the density proposed with this Phase I PUD is actually below the range for low density residential staff would still find that it conforms to the Comprehensive Plan.

Project Density

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Acreage</td>
<td>60.42</td>
</tr>
<tr>
<td>Proposed Dwelling Units</td>
<td>120</td>
</tr>
<tr>
<td><strong>Gross Density</strong></td>
<td><strong>1.99 dwellings/acre</strong></td>
</tr>
<tr>
<td>Flooding Soils</td>
<td>- 0.75 ac.</td>
</tr>
<tr>
<td>Net Acreage</td>
<td>49.33 acres (subtracts ROW, water tank site, park site, and floodplain)</td>
</tr>
<tr>
<td><strong>Net Density</strong></td>
<td><strong>2.4 dwellings/acre</strong></td>
</tr>
</tbody>
</table>

¹ Property proposed for PUD zoning.

Consistency with the Comprehensive Plan

The site is designated Low Density Residential and located within the Libertytown Growth Area as shown on the County Comprehensive Plan (amended 2012).

A Low Density Residential designation (3-6 dwellings/acre) within a Growth Area identifies an area for future growth and new development. The concept plan at a gross density of 1.99 dwellings/acre, while below the density range for Low Density Residential would still be considered consistent with general land use policies as adopted in the Comprehensive Plan.

Consistency with Community or Corridor Plan Guidelines

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.

The application proposes a design that employs an interconnected internal street network, concentrated and dense residential uses, and a mixture of housing types. Areas of sensitive natural resources are protected and help guide the pattern and layout of the future residential development.
Graphic #2: Daysville Glen Phase 1 Comprehensive Plan Map
Compatibility with Adjoining Land Use

The Property is bounded on the north by Daysville Road. On the north side of Daysville Road the Mayne Property is zoned Residential (R-3) and is currently undeveloped. The Mayne Property has received Preliminary Subdivision Plan conditional approval on January 11, 2011 for 193 housing units including single-family and townhouses. There is an 8 acre tract that is zoned Agricultural (AG) at the northwest corner of the property. To the west is the existing Residential (R-1) zoned Wisperren Oaks residential subdivision. Part of the site is currently farmed with agricultural crops, with the remainder being forested. There is a small area of General Commercial (GC) zoning on the north and south side of Daysville Road and Liberty Road/Main Street. The remaining parcels on north and south sides of Main Street in Libertytown are zoned Village Center (VC).

Natural Features

The southern border of the Property is located Town Branch, which is a tributary of Linganore Creek.

The design of the Project has incorporated existing natural features into forest conservation, open spaces and stormwater management areas. The topographic characteristics of the Property are a key design element in the Concept Plan. The development illustrated on the Concept Plan has been designed and arranged in order to minimize any disturbance to the Property’s existing natural features.

The Property is comprised of primarily of woodlands with a 10.5 acre portion of cropland along Daysville Road. Slopes are gentle to moderate (8-25%), with some bands of severe slopes in excess of 25%. The soils onsite are mainly Hydrologic Groups “B” and “C” with some “Flooding Soils” along the southern property line. The northeast portion of the site contains restricted soils, although the majority of the development is proposed to occur on the non-restricted portion of the site.

The Concept Plan proposes to preserve 30.23 acres of passive open space, as well as a 3.86 acre portion dedicated to active open space adjacent to the existing fields located at Liberty Elementary School.

Of the total area of the Property (60.42 acres), total forest area is approximately 50 acres. The total area encumbered by FEMA floodplain, stream buffer, or floodplain soils is 0.75 acres.

There is a finger of National Wetlands Inventory wetlands located on site as well as FEMA floodplain; shown on the "Environmental and Natural Features Map"-Graphic #4, these areas are not impacted by the proposed development.

Population Change

Current Population: 739

Potential Additional Population:

120 proposed dwellings
X 2.7 persons per household
324 persons

Potential Total Population: 739 (current)
+ 324 (R-14-04 request)
+ 2,099²
3,162 persons

¹ Developed acreage within the Walkersville Planning Region Growth Area from the 2010 Comprehensive Plan x 2.7 Persons Per Household (p.p.h). Frederick County average household size of occupied units based on 2010 US Census American Community Survey 3-year estimates.
² Includes pipeline dwellings and potential dwellings from undeveloped land within Walkersville Planning Region Growth Area as amended September 2012, utilizing 2.7 pph from above.
Graphic #4: Daysville Glen Phase 1 Environmental Features Map

Environmental Features
- Parcels
- Streams
- FEMA Floodplain
- Forest

Slope (Percent)
- 15% < 25%
- > 25%

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V. Evaluation --Availability and Adequacy of Public Facilities and Services

Schools

The following is an analysis of the potential enrollment impacts on the Frederick County Public Schools for the dwellings proposed by this request. Background enrollment is not shown on this chart but would be considered as part of the Adequate Public Facilities Ordinance (APFO) schools test. The Adequate Public Facilities School Test—school capacity evaluation—is required of this project and will document the demand and any projected capacity constraints on the school system resulting from the proposed development.

Total Proposed Dwellings: 120 total dwellings

57 Single Family Detached Units (SFD), 63 Townhouse Units (TH)

<table>
<thead>
<tr>
<th>School Level</th>
<th>Total Enrollment/ State Rated Capacity(^1)</th>
<th>% of State Rated Capacity</th>
<th>Total Projected Pupils(^2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liberty Elementary</td>
<td>304/364</td>
<td>84%</td>
<td>10 15 25</td>
</tr>
<tr>
<td>New Market Middle</td>
<td>484/851</td>
<td>55%</td>
<td>8 5 13</td>
</tr>
<tr>
<td>Linganore High</td>
<td>1474/1600</td>
<td>92%</td>
<td>12 7 19</td>
</tr>
</tbody>
</table>

2. Projected Pupil Yield per Household from BOE Approved Educational Facilities Master Plan – September 2013

Programmed Improvements (FY 2015-2020 CIP)

There are no programmed improvements for the three schools listed above.

Planned Improvements

There are no planned improvements for the three schools listed above.

Water and Sewer

The site currently has a classification of Planned Service (PS) on the County’s Water and Sewerage Plan. The Project is planned to be served by the existing Ballenger-McKinney WWTP. A planned Water Treatment Plant is to be constructed by the developer(s) of the Mayne Farm (North) and/or Mill Creek developments. Adequacy of planned water and sewer facilities required to serve this project shall be evaluated prior to approval of the Phase II plan. This evaluation will include, at a minimum, raw water supply and treatment capacity, finished water storage volumes, and sewage conveyance capacity. The Applicant has conducted preliminary engineering studies and is in communication with the Division of Utilities and Solid Waste Management (DUSWM) regarding the details of this significant water and sewer conveyance system upgrades that will in addition to serving the Project, will also serve the wider-community as part of a much-needed single community system. A sanitary sewer pumping station is anticipated, and will be constructed by the developer of the Project.
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. The Applicant is responsible for extensions and connections to the public water and sewer lines to serve the project site.

Based on the proposed 120 dwellings at 250 gallons/day/dwelling this development would require approximately 30,000 gallons/day of sewer and water capacity.

**Public Safety Facilities**

The Property is served by the Frederick County Sheriff’s Office and the Libertytown Volunteer Fire Company, which is located approximately one-half (1/2) mile from the Property.

**Libraries**

The nearest Frederick County Public Library to the subject properties is the Walkersville Regional Library in Walkersville, approximately 7 miles to the west.

**Parks and Recreation Facilities**

The proposed Concept Plan for the Project includes 30.23 acres of passive open space area, together with a 3.86 acre park site, planned as an Active Park Area. The Active Park is situated adjacent to the existing ball fields at the Liberty Elementary School, which will expand the potential recreation opportunities available to future residents in the area. In addition, the existing Libertytown Park, which offers multiple ball fields and various other recreational amenities, is situated approximately one (1)-mile from the Property.

**Transportation**

**Existing Site Access Characteristics**

The proposed PUD will be accessed from Daysville Road and Liberty Road (MD 26). The project site has approximately 550 feet of frontage along Daysville Rd., which is 20 feet wide with grass shoulders. The site has approximately 900 feet of frontage along MD 26, which is 24 feet wide with paved shoulders approximately 6-10 feet in width.

**Highway Plan Classification**

Daysville Rd. – Collector (60 foot right-of-way)

MD 26 – Minor Arterial (80 foot right-of-way)

**Existing Traffic Volumes/Capacities**

<table>
<thead>
<tr>
<th>AADT: Annual Average Daily Traffic in vehicles per day (vpd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MD 26: 8,290 vpd (2013, SHA) – Capacity 14,200 vpd (2-lane undivided arterial road in town)</td>
</tr>
<tr>
<td>Daysville Rd: 1,870 vpd (2009, County) – Capacity 12,600 vpd (2-lane undivided collector roadway)</td>
</tr>
</tbody>
</table>

This development would generate approximately 900 vpd and by comparing the existing traffic volumes, and other nearby residential development projects, versus capacity, both MD 26 and Daysville Road have available capacity to handle this development.

There have been however, many substantiated citizen complaints regarding truck noise and vehicle speed through the center of Libertytown. The State Highway Administration (SHA) is in the process with working with the citizens and their elected representatives in developing road improvement concepts to address these matters. It would be expected, that as a condition of APFO approval at or prior to the next approval stage (Phase
of the project, that this developer would partner with the SHA and community in implementing some of the more critical transportation elements (e.g., signalization at MD 26/550) in Libertytown.

**Pedestrian Facilities**

There are no existing sidewalks on Daysville Rd. or along MD 26 west of the school. There is a sidewalk on the north side of MD 26 that crosses Daysville Rd. and continues directly to the school. Pedestrian access between the project and Libertytown would be considered as part of the Phase II review.

**VI. Summary of Findings**

Sections 1-19-3.110.4 and 1-19-500.3 of the Zoning Ordinance identify criteria by which the Planning Commission and the Board of County Commissioners shall use to evaluate requests for zoning map amendments and floating zone reclassifications.

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

1. **Consistency with the Comprehensive Plan**
   
   The site is designated Low Density Residential and located within the Libertytown Growth Area as shown on the County Comprehensive Plan (amended 2012).
   
   A Low Density Residential designation (3-6 dwellings/acre) within a Growth Area identifies an area for future growth and new development. The concept plan at a gross density of 1.9 dwellings/acre, while below the density range for Low Density Residential would still be considered consistent with general land use policies as adopted in the Comprehensive Plan.

2. **Availability of Public Facilities**
   
   The site currently has a classification of Planned Service (PS) on the County’s Water and Sewerage Plan. The Project is planned to be served by public water and sewer systems provided by the applicant and/or extended from nearby planned projects, such as Mayne Farm (North), and Mill Creek developments. There is adequate capacity in the Ballenger/McKinney WWTP to serve this project. The developer will not be able to move forward without the construction of the necessary water infrastructure.

   The site will be served by Liberty Elementary School, New Market Middle School, and Linganore High School. All three schools are currently below 100% capacity. The Adequate Public Facilities Ordinance testing for school adequacy would be conducted at Phase II review.

3. **Adequacy of existing and future transportation systems**
   
   This development would generate approximately 900 vpd and by comparing the existing traffic volumes, and other nearby residential development projects, versus capacity, both MD 26 and Daysville Road have available capacity to handle this development.

4. **Compatibility with existing and proposed development**
   
   Existing development adjoining the site includes Liberty Elementary school to the east and a funeral home along MD 26. To the north along Daysville Rd. and further east across MD 26 are agricultural properties. Adjoining to the west is the Wisperren Oaks subdivision. Proposed development includes the Mayne property on the north side of Daysville Rd. which is approved for 193 dwellings including single-family and townhouse dwellings. While this site is at the edge of the Libertytown growth area the concept plan proposes adequate buffering of the development with adjoining agricultural and lower density uses.
5. **Population Change**
The potential population change resulting from the proposed 120 dwelling units equates to 324 people, based on an average of 2.7 persons per household.

6. **The timing of development and facilities**
The Daysville Glen PUD is projected to be constructed over a period of 3-5 years. The development will not be able to move forward without the construction of significant water and sewer infrastructure, which may also be tied to the development of the Mayne north site and the Mill Creek projects.

**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 concept plan with 120 dwellings is proposed on 60.42 acres, resulting in a net project density of 2.4 dwellings/acre. The Project proposes clustering of the residential uses to protect the existing woodlands. Public utilities will be extended as necessary to serve the Project, and infrastructure will be upgraded by the Developer as necessary to serve the Project. The extension of public infrastructure and provision of public facilities will be addressed through the APFO LOU and shall be in compliance with all current and applicable County regulations, policies, and ordinances.

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

The Project is generally consistent with the Low Density Residential (LDR) Land Use Plan designation and with the goals of the County Comprehensive Plan. The single family detached and townhouse dwellings support goals to provide a mix of dwelling types within the community growth areas.

C. **The proposed development is compatible with existing or anticipated surround 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 scale of the proposed Project and dwelling units will be designed as necessary to promote compatibility with the existing and pipeline residential dwellings within the Libertytown Growth Area. Setbacks, placement of passive and active open space, and natural screening will help buffer and mitigate any potential differences from the existing and proposed development.

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 connection to, from and between buildings, parking areas, recreation, and open space.**
The proposed circulation pattern provides for two main accesses into the Project, with clear and organized circulation around the centrally located townhouse portion of the site. The majority of single family detached units will be served by through streets. The Project is proposing pedestrian connections to the adjacent elementary school as well as active recreation areas. The Project is also proposing sidewalks throughout the Project.

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, and neighborhood impacts, projected construction schedule of planned improvements, pedestrian safety and travel demand modeling.**

Access to the property will be from MD 26 and Daysville Road. This development would generate approximately 900 vpd and by comparing the existing traffic volumes, and other nearby residential development projects, versus capacity, both MD 26 and Daysville Road have ample excess capacity to handle this development. Intercommunity pedestrian connections between this site and Main Street Libertytown, as well at new development proposals: Mayne Farm and Mill Creek, would be addressed under APFO at or prior to Phase II.

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 concept plan of the Project proposes sidewalks along all streets and trail connections between the site and the elementary school.

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 site will be served by the Libertytown Volunteer Fire Station, which is located less than one mile from the subject property, at the corner of South Street and Jones Road.

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 natural features, including the floodplain, stream corridors, and forest areas, and wetlands located on the site are identified as open space on the concept plan. The large open space and trail network enhances and provides opportunities for connectivity to natural features. The physical design of the proposed development is sensitive to the multiple natural resources—streams, wetlands, forested slopes—present on the subject property. These environmental features have been analyzed and considered in the planned configuration of the future development on the project site and are shown as Open Space.
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 subject property is designated Low Density Residential on the County Comprehensive Plan and located within a Community Growth Area. As such, it is an area identified for future growth and development, as articulated in the County Comprehensive Plan. The concept plan proposes just residential uses with a mix of single-family and townhouses which supports the goals and policies of the Comprehensive Plan to provide a mix of dwelling types within the community growth 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 and emergency services, libraries, and law enforcement) shall be evaluated as adequate or to be made adequate within established county standards.

The Project is planned to be served by public water and sewer systems provided by the developers of this Project and nearby projects, including Mayne Farm (North), and Mill Creek. All of the developers will contribute towards the construction of an inter-connected public water supply, treatment, storage, and distribution system. The site will be served by Liberty Elementary School, New Market Middle School, and Linganore High School all of which are currently below 100% of capacity.

VII. Staff Recommendation

Staff recommends approval of Case # R-14-04 to rezone 60.42 acres from Agricultural to Planned Unit Development based upon:

1. A review of the Approval Criteria as set forth in §1-19-3.110.4 (Zoning Map Amendments) and;
2. A finding that the project adequately addresses the Planned Development District Approval Criteria as set forth in §1-19-10.500.3 (Planned Development Districts)

Staff recommends the following conditions:

1. A maximum of 120 dwelling units may be constructed.
2. Provide a diversity of single family lot sizes.