TITLE: Villages of Urbana, Section M1-F
Lot 1822 – ‘Dudderar House’

FILE NUMBER: S-1065 AP #15418

REQUEST: Combined Preliminary/Final Plat
The Applicant is requesting Preliminary/Final Plat approval for one (1) additional residential lot within a major subdivision, to accommodate the existing historic home known as the ‘Dudderar House’ located within Section M-1F of the Villages of Urbana PUD.

PROJECT INFORMATION:
LOCATION: Located on the east side of Sugarloaf Parkway; access via Kenway Lane
TAX MAP/PARCEL: Tax Map 96, Parcel 249, Lot 1822
COMP. PLAN/LAND USE: Low Density Residential (LDR)
ZONE: Planned Unit Development (PUD)
REGION: Urbana
WATER/SEWER: Water and Sewer Classification: W-3, S-3

APPLICANT/REPRESENTATIVES:
APPLICANT: Monocacy Land Company
OWNER: Monocacy Land Company
ENGINEER: Rodgers Consulting
ARCHITECT: Not Listed
ATTORNEY: Not Listed

STAFF:
Denis Superczynski

RECOMMENDATION: Conditional Approval

Enclosures:
Exhibit #1-Preliminary Plan - Rendering
ISSUE

Development Request

The Applicant is requesting Preliminary/Final Plat approval of Lot 1822, located within Section M-1F of the Villages of Urbana PUD. The proposed residential lot will provide a separate lot for the existing historic Dudderar House which pre-dates development of the PUD and which was not specifically proposed by the Applicant or approved by the Planning Commission in the original reviews of 117 dwelling units in Section M-1F. The Villages of Urbana PUD rezoning allowed for the development of 3,013 dwelling units. The total number of dwellings currently approved in the project (through Phase 5) remains well below the total approved at Phase 1 (rezoning).

A Stormwater Management (SWM) Administrative Waiver was granted for this site on August 30, 2010 (AP #11087). Forest Resource Ordinance requirements were addressed in the original FRO Plan approved in October 1998.

Figure 1 - Aerial Map
BACKGROUND

Development History

The Phase II Plan for the area of the Villages of Urbana Planned Unit Development (PUD) (see zoning map below) - including Section M-1F - was originally approved by the Planning Commission on November 17, 1993 with subsequent revisions approved in September 1996, October 1999, July 12, 2000, and February 2001. In April 2013, the Planning Commission granted approval of the Combined/Preliminary Site Plan for 111 dwelling units on the M-1F site. While the Dudderar House itself was shown as a residential structure to be maintained on the site – complete with a newly-constructed garage and access driveway – no separate lot was established for the home.

This Combined Preliminary/Final Plat requires review by the Planning Commission due to the addition of a residential lot to the existing approved major subdivision for Section M-1F.
The subject Site - proposed Lot 1822 – is occupied by an existing historic house and its new garage. Known as the Dudderar House, the structure is eligible for listing on the National Register of Historic Places and is currently identified in the Maryland Inventory of Historic Places (Dudderar Farm, # F-7-135). This plan seeks to retain the ca. 1850 farm house and provide the opportunity for further rehabilitation of the structure as a habitable dwelling. This home was not included in the dwelling or lot totals in the April 2013 development approval for Section M-1F, however the dwelling unit is approved as part of the total number of units in the PUD.

Surrounding land uses include:

North – The areas directly across Worthington Boulevard are developed residential neighborhoods within the Urbana PUD. However, the area along the north side of Worthington Boulevard is maintained as open space and provides connections to the internal trail system integrated into the Villages of Urbana community. Northwest of the Sugarloaf Parkway/Worthington Boulevard traffic circle is the retail and commercial center of the PUD.

South – Immediately adjacent to the proposed development lies a small portion of land zoned VC which is being designed as an integral part of Section M-1F (the subject property)
and developed with residential units. Southeast of the site are the historic Landon House and Cockey House properties.

East – An office/commercial site, currently with a medical clinic and convenience store, occupies the parcel directly adjacent to M-1F on the east.

West – A bank, as well as older developed sections of the PUD are located west of the subject site. Uses along Worthington Boulevard west of the M-1F site include ‘Live-Work’ units. Single-family detached and townhouse residences predominate in this area.

Generally – Residential development comprised of single-family detached and single-family attached (townhouses and ‘2 over 2’ condominium units) surrounds the proposed Lot 1822 on all but its western edge.

**Land Use**
The Applicant has previously received Phase II approval for the residential development of Section M-1F. (see Development History)

**Frederick County Comprehensive Plan**
The area is designated ‘Low Density Residential (LDR)’ on the Comprehensive Plan Land Use Plan map and occurs within the Urbana Community Growth Area. No county, community, or corridor plan has been adopted for the Urbana area. Generally, the proposal demonstrates adherence to the general principles for compact development outlined in the County’s Comprehensive Plan through seeking a mix and intensity of uses conducive to the continuing development of compact neighborhoods in areas served by public infrastructure and facilities.

**Zoning**
The site is currently zoned ‘Planned Unit Development (PUD)’. An adjacent, and integrated, tract of land (1.14 acres) is zoned VC and includes six (6) additional dwelling units which are included in the same HOA as the surrounding PUD homes.
ANALYSIS

Summary of Development Standards Findings and Conclusions

Key issues of the proposed development include:
- Vehicular access to the site (Kenway Lane (private street))
- Establishment of appropriate BRLs (setbacks) and building massing such that the proposed lot integrates into the surrounding PUD development as well as the existing older village
- Successful integration of the existing Dudderar House into the layout of the new homes in Section M-1F

Detailed Analysis of Findings and Conclusions

Subdivision Regulations – Chapter §1-16: This application meets the requirements of the subdivision regulations in Chapter §1-16 of the Frederick County Code.

1. Zoning Ordinance Requirements

§ 1-19-10.500 Planned Unit Development Design Requirements: Section 1-19-10.500.6(H) of the Zoning Ordinance provides that the Planning Commission will establish the setbacks and maximum building height within a PUD. The Applicant previously established the following dimensional requirements for Section M-1F of the PUD. General Note #8 on the Preliminary/Final Plat identifies the requested setbacks. The requested setbacks and surrounding M1-F lot dimensions previously approved by the FCPC are shown for comparison:

<table>
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<th>Lot #</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
<th>Garage Setback</th>
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<tr>
<td>1755-1792</td>
<td>5’</td>
<td>4’</td>
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<td>1747-1754</td>
<td>10’</td>
<td>4’</td>
<td>25’</td>
<td>0’</td>
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<tr>
<td>Dudderar House Lot 1822</td>
<td>5’</td>
<td>4’</td>
<td>25’</td>
<td>10’</td>
</tr>
</tbody>
</table>

Requested Maximum Building Height (Single-Family Detached): 35 feet (actual building height is less)

The proposed setbacks are appropriate to the overall design and layout of Section M-1F and are in keeping with the patterns previously established throughout the PUD.

Pursuant to Section 1-19-6.220 of the Zoning Ordinance: 2.0 spaces are required for each single-family detached dwelling unit. With the inclusion of a parking pad, short driveway, and 2-car garage, the Applicant is able to provide two (2) calculated (or three actual) owner-controlled spaces on this lot. There are additional scattered on-street spaces and common parking areas throughout Section M-1F for guests and visitors.

2. Article I: In General - § 1-16-12 Public Facilities

- Consistent with other existing lots within this section of the Villages of Urbana PUD, the
proposed lot will access a privately-maintained road with continuously paved surfaces of 20 feet in width (Kenway Lane).

- The property is classified W3/S3 on the Frederick County Water and Sewerage Master Plan indicating improvements to, or construction of, publicly-owned community sewerage or water systems are planned within a 3 year time period. The existing structure will utilize public water and sewer. Much of Section M-1F is already constructed and occupied. The Division of Utilities and Solid Waste Management has reviewed and conditionally approved the proposed subdivision.

- Long-range, future development of the I-270 Transitway – illustrated in the Comprehensive Plan with a right-of-way along Worthington Boulevard – would place a regional transit option within steps of Section M-1F. The proximity of four major thoroughfares including Worthington Boulevard (MD 355), Sugarloaf Parkway, Fingerboard Road (MD 80), and Urbana Pike, creates maximum access to future local transit options that may develop before any regional option becomes a reality in Urbana.

3. Article IV: Required Improvements - §1-16-109 Street, Common Driveway, and Sidewalk Construction:

- Required minimum width for sidewalks is 4 feet. All sidewalks provided are a minimum of 5 feet wide.
- No direct sidewalk connection from this existing house to Sugarloaf Parkway is proposed by the Applicant or required by agencies or Staff.

4. Article VI: Design Standards and Requirements

§ 1-16-217. Land Requirements:

- The designated land use in the Comprehensive Plan for the lot is Low Density Residential. This designation is intended to be applied only within Community Growth Areas and indicates a residential density range of 3 to 6 dwellings per acre on public water and sewer. The proposed Section M-1F subdivision, and the proposed lot, are within a Community Growth Area and intended for residential development on public water and sewer with a gross density range of approximately 7.8 dwelling units per acre. The density of the PUD as a whole falls within the range of 3-6 dwelling units per acre.
- The existing topography and natural features are the basis for the overall community layout, with the higher elevations delineated as areas of development, and the lower elevation areas delineated as undeveloped areas to be maintained in a more natural state.
- No FEMA floodplain, flooding soils, or wet soils exist on the proposed lot.

§ 1-16-219. Lot Size and Shape:

- In the PUD the lot dimensions, setbacks and height limitations for structures are to be determined by the Planning Commission at subdivision. At the time of approval of the M1-F section, the Planning Commission approved a range of lot sizes appropriate to the type of dwelling unit:

  Townhouses: 1,600 s.f. to 2,300 s.f.
  Single-family detached: 4,800 s.f. to 6,300 s.f.
The existing Dudderar house is allocated a lot size of 8,137 s.f. which is slightly larger than the immediately surrounding single-family detached home sites. The larger parcel accommodates both the necessary arrangement of the house and its new garage as well as the notion that the historic home will maintain a slightly more prominent and more visible presence within Section M-1F in recognition of its role as a neighborhood landmark structure.

§ 1-16-235. Right-Of-Way and Paved Surface Widths:
- The proposed lot 1822 will access the existing Kenway Lane approved as part of the M1-F subdivision. No modifications to Kenway Lane are proposed as part of the current subdivision application.

5. Driveway Entrance Spacing Policy
Proposed driveways are all located on local residential streets, which have no spacing restrictions.

Other Applicable Regulations

Adequate Public Facilities Ordinance (APFO) – Chapter 1-20
This project is exempt from all APFO requirements as an existing house. Therefore, there is no added trip intensity, student yield, or water/sewer demands.

Forest Resource Ordinance (FRO) – Chapter 1-21
An exemption from FRO requirements has been granted. Forest Resource Ordinance requirements were addressed in the original FRO Plan approved for the PUD in October 1998.

Historic Preservation – Chapter 1-23
The existing historic house, known as the Dudderar House, is eligible for listing on the National Register of Historic Places and is currently identified in the Maryland Inventory of Historic Places (Dudderar Farm, # F-7-135). This plan seeks to retain the ca. 1850 farm house and provide the opportunity for further rehabilitation of the structure as a habitable dwelling. As one of the few remaining original structures in the area now occupied by the Villages of Urbana PUD, it is important to maintain the building and also to provide for a viable economic purpose that will facilitate its renovation and on-going maintenance. Although lot lines for this structure and its associated new garage were not established in the 2013 M-1F approval, the Applicant did work with Staff at the time to ensure that the ultimate environment for the Dudderar House was both functional and respectful of the building’s historical ties to the Urbana community.

A note has been added to the plan (Note #13) that will prevent the HOA from enforcing its architectural design standards where those standards are in conflict with the architectural treatments needed to restore or maintain the historic character of the Dudderar House.
### Summary of Agency Comments

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<tr>
<th>Other Agency or Ordinance Requirements</th>
<th>Comment</th>
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<tr>
<td>Development Review Engineering (DRE):</td>
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<tr>
<td>Development Review Planning:</td>
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<td>Div. of Utilities and Solid Waste Mngt. (DUSWM):</td>
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<td>Health Dept.</td>
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<tr>
<td>DPDR Traffic Engineering</td>
<td>Approved</td>
</tr>
<tr>
<td>Historic Preservation</td>
<td>Conditionally Approved</td>
</tr>
</tbody>
</table>

### FINDINGS

Based on the discussion in this report and with the conditions listed below, Staff has no objection to conditional approval of the proposed Combined Preliminary/Final Plat and finds that the application meets and/or will meet all applicable Zoning, Subdivision, APFO and FRO requirements once the conditions of approval have been met.

Staff notes that if the Planning Commission conditionally approves the Preliminary/Final Plat, the approval is valid for a period of five (5) years from the date of application or the period of APFO approval, whichever is less. If the plat is not recorded within this timeframe, the application will become void.
RECOMMENDATION

Should the Planning Commission conditionally approve this Combined Preliminary/Final Plat S-1065(AP #15418) for the proposed lot 1822 in Villages of Urbana, Section M1-F the motion for approval should include the following conditions:

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

2. The Preliminary/Final Plat approval is valid for a period of five (5) years from the date of application or the period of APFO approval, whichever is less. If the plat is not recorded within this timeframe, the application will become void.

3. Planning Commission approval of the requested building height limitations and setbacks as listed in this Staff Report.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission APPROVE the Combined Preliminary/Final Plat S-1065 (AP #15418) with conditions as listed in the staff report for the proposed Lot 1822, in Section M-1F of the Villages of Urbana, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.
Figure 3 - Illustrative Rendering - Lot 1822