TITLE: Brien Place

FILE NUMBER: SP-16-08, AP# 16656

REQUEST: Concept Site Development Plan Approval
The Applicant is requesting Concept Site Development Plan approval for a Village Center residential development of four structures (1 existing SFD and 3 new townhouses) located on a 0.82-acre site.

PROJECT INFORMATION:
ADDRESS/LOCATION: Located on the east side of Urbana Pike adjacent to, and south of, the Villages of Urbana PUD
TAX MAP/PARCEL: TM 96; Parcels 157 & 158
COMP. PLAN: Village Center (VC)
ZONING: Village Center (VC)
PLANNING REGION: Urbana
WATER/SEWER: W-4; S-4 (P.157) W-3; S-3 (P. 158)

APPLICANT/REPRESENTATIVES:
APPLICANT: Monocacy Land Company LLC
OWNER: - same -
ENGINEER: Rodgers Consulting
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Denis Superczynski

RECOMMENDATION: Conditional Approval

ATTACHMENTS:
EXHIBIT 1- Concept Site Plan Rendering
EXHIBIT 2- Proposed Buildings – 3D Illustration
**Development Request**

The Applicant is requesting Concept Site Development Plan approval for a residential development consisting of 1 existing single-family dwelling (currently used as a business office for the Villages of Urbana PUD) and 3 proposed townhouses on a 0.82-acre parcel. The proposed plan includes:

**Concept Plan Details:**

- **Proposed Lots 1-3 (Existing Parcel 157)** - Construction of a three-unit block of 2&1/2-story townhouses (each unit is 22 ft. wide; 32 ft. in height) on individual lots of 5,072 s.f., 3,953 s.f., and 5,198 s.f.
- **Proposed Lot 4 (Existing Parcel 158)** – Existing 1-story structure (gross floor area of 2,878 s.f.); single-family dwelling currently being used as the field office for the Villages of Urbana PUD
- **Frontage Improvements** – Planned improvements along the frontage of Parcels 157 and 158 to include narrowing of street section, installation of curb & gutter, provisions for on-street parallel parking spaces, and construction of 5 ft.-wide sidewalks.

The land uses included on the concept plan would be categorized as single-family residential and townhouse per §1-19-5.310 Use Table in the Zoning Ordinance. All proposed uses are principal permitted uses in the VC Zoning District. The townhouse use is subject to Site Development Plan approval.

As required by Zoning Ordinance §1-19-7.500(D), Site Development Plan proposals in the VC Zoning District are required to submit plans to the Planning Commission (or its representative) for Concept Site Development Plan Approval. This Concept Site Development Plan must demonstrate how the proposed activity will meet development standards listed in §1-19-7.500(C).
BACKGROUND

Development History
The Applicant has utilized the single-family home at 3501 Urbana Pike (Parcel 158) as a business office for the Villages of Urbana PUD project since the late 1990’s. A small 19th-century home occupied Parcel 157 (3505 Urbana Pike) but was demolished prior to 2011.

Existing Site Characteristics
The Site is currently occupied by one older home (late-19th century), a paved parking area for approximately 8 vehicles, a single driveway access onto Urbana Pike, and several trees (at least one of which is a specimen tree). This section of Urbana Pike remains a state roadway with Collector status as shown on the County Comprehensive Highway Plan, though the road will be conveyed to the County within three years. The land is relatively flat with a small number of small trees and shrubs along the northern property boundary (facing Brien Alley). The property is currently served by an existing well and septic system which would be abandoned under this proposal in favor of the extension of nearby public water and sewer lines to the site.

The total area of the two parcels – both zoned Village Center (VC) - is approximately 0.82 acres (see Figure 1 below).

Figure 1- General aerial view showing site
Surrounding land uses include: The Villages of Urbana PUD on the northern edge of the Site, single-family residential uses along Urbana Pike (east and west sides), a church, and several small retail and office uses within a few hundred feet of the subject Site. A new townhouse community, Worthington Square, is under construction across Urbana Pike.

Figure 2 - Rendering of proposed plan for Parcels 157 & 158 showing surrounding architecture as well as proposed buildings.
ANALYSIS
Summary of Development Standards Findings and Conclusions

Form and Layout
The Applicant proposes to develop three new townhouse structures on the Site, situated west of the existing SFD which is slated to remain as part of the redevelopment of these parcels (See Figure 2). The three townhouse units (1,936 s.f. each) will face Urbana Pike but will gain vehicular access via their rear property lines from Brien Alley, a small lane constructed to serve residences in the PUD. The existing entrance driveway located on Parcel 158 (Lot 4) - will be reconstructed to serve the SFD on that lot. The new townhouses will be set back slightly farther than the structures on either side due primarily to an existing Potomac Edison easement along the Urbana Pike frontage. However, the townhouses do not have integral garages and this design factor results in front yards devoid of vehicular pavement. Although no public plaza or open space is required by the Zoning Ordinance, the larger front yard will provide a modest green area that will visually unify the three new townhouses. Some on-street parking is anticipated in keeping with the County’s preferred street section on this segment of Urbana Pike. These spaces - perhaps 4 or 5 in total – will serve as overflow parking for these new dwellings and for other existing structures in the vicinity.

Figure 3- Zoning of site and vicinity in Urbana.
Proposed structures - from west to east within the Site (refer to Exhibit 2-Elevation Renderings):

**New Townhouse Block (Lots 1-3)** – These 2&1/2-story, 1,936 s.f. homes will face Urbana Pike and are typical of the scale and massing of townhouses constructed in Urbana in recent years. The massing of the three units approximates the width of the adjacent single-family home at 3501 Urbana Pike (66 ft. for the townhouses versus 55 ft. for the SFD). While it will be clear – even to passive viewers - that the new units are not a single house, the addition of these homes will not constitute a significant disruption to the pattern of massing that dominates the small village community in this section of Village Center in Urbana. The use of the front gable on the ‘end units’ and the dormers on the center unit provide traditional architectural elements similar to those found on many older homes in Urbana’s VC district and, in this case, serve to break up what could have been a static roofline.

Each townhouse will be served by a new ‘rear loading’ garage set at the back of the property allowing for direct access onto Brien Alley. The three 1&1/2 story garages are proposed as a row of three attached structures with capacity for two vehicles and a habitable 2nd level. Exterior stairways provide direct access from the rear yards to the 2nd level spaces in the garages. A pass-through ‘man door’ allows at-grade access to the vehicle from the rear yards. The garage structures allow the townhouses themselves to be built with narrower and shorter dimensions and the alley access eliminates the need for driveway access to Urbana Pike.

**Existing Building (Lot 4/3501 Urbana Pike)** – This existing single-family structure/business office will not change in terms of architectural design as part of this Concept Site Plan application. The Applicant is maintaining the small paved parking area located in the rear yard and is not proposing any additional construction. The house is typical of other 19th-century wood frame structures in Urbana.

The scale of all structures shown on the Concept Site Plan is compatible with the general scale and form of buildings throughout Urbana’s Village Center District-zoned areas. The Applicant has put forward a structure that while broader than many of the adjacent and facing buildings in the vicinity still manages to place three dwelling units in an architecturally complementary structure that utilizes traditional building elements such as the bay window, dual gable roof, and covered front stop entry to meet the design requirements of the VC district.

The building footprint of the townhouse block measures just over 2,900 s.f. giving it a massing more in line with the small village chapels or larger homes on the eastern and western edges of village center. Although slightly larger than the existing structure on P. 158 (2,878 s.f.), the new buildings’ placement on the site – with a deeper front yard setback - mitigates for this size difference. However, the new Village Center construction (associated with, but not within, the PUD) is much closer to this proposed scale and the buildings will be visually anchored to the neighborhood in large part because of this newer development.

**Building Footprints – Existing VC Structures in the Vicinity**

<table>
<thead>
<tr>
<th>Structure</th>
<th>Footprint</th>
</tr>
</thead>
<tbody>
<tr>
<td>3501 Urbana Pike (P. 158)</td>
<td>2,878 sf</td>
</tr>
<tr>
<td>8832 Urban Church Rd</td>
<td>1,200 sf</td>
</tr>
<tr>
<td>3504 Urbana Pike</td>
<td>2,100 sf</td>
</tr>
<tr>
<td>3509 Urbana Pike</td>
<td>2,040 sf</td>
</tr>
<tr>
<td>3514 Urbana Pike</td>
<td>1,780 sf</td>
</tr>
<tr>
<td>3526 Urbana Pike</td>
<td>1,560 sf</td>
</tr>
<tr>
<td>3528 Urbana Pike</td>
<td>1,400 sf</td>
</tr>
<tr>
<td>Smith Store</td>
<td>1,600 sf</td>
</tr>
</tbody>
</table>
The variety of building sizes in the immediate vicinity makes it difficult to establish a clear pattern. With the proposed structure measuring at 50% to 100% larger than seven of the closest structures, it is evident that the Applicant has taken a cue from closest existing building – 3501 Urbana Pike – which is nearly identical in overall building footprint to the proposed row of three townhouses.

Access and Parking
The existing driveway serving the existing house will remain and be reconstructed in coordination with frontage improvements along Urbana Pike. The new townhouses will be served by Brien Alley at the rear of the site. (See Figure 5) A new bank of three attached garages will provide convenient and adequate parking for the new homes. The townhouses will be incorporated into the HOA governing the Villages of Urbana Section M-1A since the vehicular access will be across the private alley of the PUD.

Adequate parking is available for the new dwellings, utilizing the 2-car garages and parking pads. On-street parking may serve as a modest overflow area for these and other properties along Urbana Pike.

Development Density
The residential development density of this proposal is approximately 4.9 dwellings/acre (gross density at 4 DUs/0.82 acres). VC-zoned parcels may not exceed 5 dwellings per acre in a Community Growth Area. If the Applicant moves forward with this plan, an addition plat, Preliminary Plan or other subdivision device, must be approved to establish the combined density of Parcels 157 and 158 and create a clear record of development rights utilized in this proposal.

This application meets the maximum residential density established in the Village Center Zoning District.
Figure 5 - View of Site toward the south showing Brien Alley.

Figure 6 - Aerial view toward the north showing general development density/setbacks in vicinity of Brien Place site.
Mixed Uses
No mix of uses is proposed in this Concept Site Plan.

Public Facilities
The Applicant proposes to extend public water and sewer service to the site by constructing connection lines from the adjacent lines serving the Villages of Urbana. At such time as public water and sewer is available to the site, the private well and septic system will be properly abandoned in compliance with Health Department regulations. The Site is currently classified S-4/W-4 (P. 157) and S-3/W-3 (P. 158) in the County’s Water and Sewer Plan. Public sidewalks across the Urbana Pike frontage are proposed in this plan and will provide points of connection to the larger pedestrian network when adjacent lots develop or redevelop.

Detailed Analysis of Development Standards

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

Site Development §1-19-7.500 (D): Development requiring site development plan review, as provided in §1-19-5.310 Use Table, shall receive concept plan approval from the Planning Commission or its authorized representative as the first step in the development review process. The concept plan, submitted in conformance with §1-19-3.301.2 (B) shall demonstrate:

(a) The manner in which the Village Center Design Standards have been met by the proposed development;

• Site Development and Layout –
  o Every effort has been made by the Applicant to ensure that the proposed buildings face the public ways and internal, semi-public spaces (Urbana Pike and Brien Alley).
  o The Applicant makes good use of the traditional village building form – multi-story structures that reflect traditional architectural forms and elements are proposed in the new structures and maintained in the existing building.
  o At the time of Site Development Plan Review, on-site vehicular parking areas and associated parking pads will be located to the side or rear of the structures.
  o As an infill project in a rapidly redeveloping village, the opportunity remains for on-street parking spaces (constructed as frontage improvements and reviewed and approved for the reconfigured Urbana Pike) to serve not only the fronting structures, but surrounding uses as well. The cumulative effect over time results in fewer paved surfaces while maintaining adequate parking spaces for all residents/visitors of Urbana.
  o The Applicant will be proposing one full movement driveway onto Urbana Pike at the time of Site Development Plan Review, to occur at the location of the existing drive serving 3501 Urbana Pike. No interconnection to adjoining sites is proposed for Lot 4 (P. 158), however, the spirit of the design guideline is honored through the establishment of the alley-loaded garages for Lots 1, 2, & 3.
  o The proposed layout allows for pedestrian interconnections between this and other property in the surrounding neighborhood. Short segments of sidewalk have been constructed across Urbana Pike in conjunction with recent site development on various lots. The construction of the single-family home immediately adjacent to the Brien Place site will result in a sidewalk connection eastward toward the new commercial center of Urbana.
Refuse and recycling can be accommodated at a location on the Site with limited visibility from Urbana Pike.

- **Building Massing and Bulk**
  - Building Footprint – The proposed row of three townhouse dwellings reads visually as a single structure. The proposed footprint is nearly identical to that of the adjacent existing building at 3501 Urbana Pike and is consistent with Section 1-19-7.500 (C)(4). See previous discussion (Pages 6-7).
  - The proposed structures generally complement the overall form of surrounding buildings and maintain (and re-establish through infill development) a consistent pattern and texture in the built environment.
  - The proposed height of the structure is slightly larger than that of surrounding buildings, however the use of the front extended gables in the two end units provides a close visual match to the height of those homes and businesses within sight of the proposed development, particularly the adjacent structure at 3501 Urbana Pike and those buildings across the street which share the gabled roof element.
  - The Zoning Ordinance limits townhouses and multi-family structures to a maximum of three dwelling units, where abutting a public street. This Concept Plan is compliant with this standard.
  - All of the buildings in this project are oriented to show their access/entry features to the public street.
  - The Concept Plan illustrates the use of human-scaled architectural elements such as covered front stoop entries and bay windows.
  - Although specifics regarding materials and finishes will be determined at the time of Site Plan review, the visualization material submitted for the Concept Plan provides details of the proposed building shape, height, massing and window/door placement. The townhouse units echo the window and door placement and scale of other buildings in the vicinity including a center unit entry porch that is closely matched to the design employed at 3501 Urbana Pike.

The Applicant has submitted elevations and a three-dimensional rendering of the proposal which demonstrate how the proposal seeks to meet these standards. Staff will continue to work with the Applicant to ensure building design and finishes that are internally cohesive and respectful of the structures in the vicinity of the Site.

- **Dimensional Regulations (Height and Setbacks)**

Per §1-19-7.500(B)(3) the VC district provides for the establishment of dimensional standards on a site-by-site basis, using adjoining and facing buildings as a guide. The building heights (for the new structures) proposed at a maximum of 32’ and no more than 2&1/2 stories are intended to match/complement the existing houses on adjacent and facing parcels. The proposed setbacks, were calculated based on the averages of existing and facing buildings as required by the VC district provisions and will serve to reinforce a more pedestrian-friendly local streetscape. As mentioned earlier in this report, the townhouses are set back farther than necessary under normal circumstances due to the Potomac Edison easement across the site frontage. However, the proposed placement is not inconsistent with the varied setbacks of nearby existing VC structures within this section of the zoning district.

**Proposed Height of Structures**

In the VC district – within designated Community Growth Areas such as Urbana – the maximum building height permitted is 40 feet. The proposed townhouses will be 32 ft in height as measured by the ordinance,
although the peak of the gable will actually climb to approximately 39 ft. in height. The existing house at 3501 Urbana Pike is slightly shorter than the proposed townhouses – measured by the ordinance at 27 ft. in height (approx. 29 ft. to the peak of the gable). The rendering in Figure 2 demonstrates that the Applicant has utilized the two prominent dormers on Lots 1 and 3 as a visual match for the approximate height of the existing house. When viewed from the street, the protruding gabled dormers of the townhouses will appear to more closely ‘match’ the height of their neighboring structure.

Building Height – Existing VC Structures in the Vicinity (ordinance measured/peak point)

<table>
<thead>
<tr>
<th>Structure</th>
<th>Height</th>
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<tbody>
<tr>
<td>3501 Urbana Pike (P. 158)</td>
<td>27/29 ft</td>
</tr>
<tr>
<td>8832 Urban Church Rd</td>
<td>23/27 ft</td>
</tr>
<tr>
<td>3504 Urbana Pike (P. 158)</td>
<td>24/27 ft</td>
</tr>
<tr>
<td>3509 Urbana Pike (P. 158)</td>
<td>21/23 ft</td>
</tr>
<tr>
<td>3514 Urbana Pike (P. 158)</td>
<td>25/27 ft</td>
</tr>
<tr>
<td>3526 Urbana Pike (P. 158)</td>
<td>21/23 ft</td>
</tr>
<tr>
<td>3528 Urbana Pike (P. 158)</td>
<td>24/26 ft</td>
</tr>
<tr>
<td>Smith Store</td>
<td>24/27 ft</td>
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</tbody>
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Proposed Setbacks/Building Restriction Lines (BRLs)

The actual setback measured for existing structures in the vicinity is calculated as the distance between the buildings and the edge of pavement. Front yard setbacks vary greatly in the immediate vicinity of this Site, as do front parcel boundaries. (See Figures 5 & 6 above). The average setback in the vicinity produces a figure of 43 feet from the edge of pavement. For means of practical comparison, the proposed townhouses will be situated 44 feet from the existing edge of pavement. The actual calculated setback for the purposes of establishing a measurement in the manner dictated by the Zoning Ordinance will be 23 feet (distance between building front and property line). The Applicant has proposed a setback (BRL) of 15 feet (37 feet from edge of existing pavement) based primarily upon the need to keep the proposed townhouse structures out of the Potomac Edison right-of-way easement. While this setback is slightly greater than ideal for residential structures in the Village Center, the setback requested is within the range of values for adjoining and facing structures in the immediate vicinity and is consistent with the requirements of the Zoning Ordinance laid out in Section 1-19-7.500(B)(3).

Building Front Yard Setbacks – Existing VC Structures in the Vicinity (range in feet to edge of pavement)

<table>
<thead>
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<th>Structure</th>
<th>Range</th>
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<tr>
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<td>28 ft</td>
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<tr>
<td>8832 Urban Church Rd</td>
<td>81 ft – 91 ft</td>
</tr>
<tr>
<td>3504 Urbana Pike (P. 158)</td>
<td>54 ft – 65 ft</td>
</tr>
<tr>
<td>3509 Urbana Pike (P. 158)</td>
<td>12 ft – 14 ft</td>
</tr>
<tr>
<td>3514 Urbana Pike (P. 158)</td>
<td>22 ft – 28 ft</td>
</tr>
<tr>
<td>3526 Urbana Pike (P. 158)</td>
<td>32 dt</td>
</tr>
<tr>
<td>3528 Urbana Pike (P. 158)</td>
<td>36 ft</td>
</tr>
<tr>
<td>Smith Store</td>
<td>3 ft – 7 ft</td>
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</tbody>
</table>

Staff finds that the proposed setback (BRL) of 15 feet is consistent with Section 1-19-7.500 (B)(3) of the Zoning Ordinance.

Findings/Conclusions

Based upon the review and analysis as provided above, Staff finds that the Concept Site Development Plan meets the intent of the Development Standards within the VC zoning district. Staff will continue to work with the Applicant as the project moves through the Type I Site Development Plan process to address all outstanding items as discussed within the Staff Report. Staff anticipates that the application will meet the site plan review criteria as set forth in §1-19-3.300.4 including items related to site development, transportation, parking, public utilities, natural features, and common areas at the time for formal

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application.

Other Applicable Regulations

**APFO – Chapter 1-20:**
The Applicant will be required to meet all Adequate Public Facilities Ordinance (APFO) requirements at the time of Type I Site Development Plan review.

**Forest Resource – Chapter 1-21:**
The Applicant has submitted a Combined Preliminary/Final FRO plan (FRO AP 16921), which has been approved. The site does not contain any forest. The required 0.17 acre afforestation mitigation will be provided by paying fee-in-lieu (current rate is $0.43 per square foot; 0.17 acres x $0.43/s.f. = $3,184.24. Payment amount is based on the rate at the time payment is made).

The site does contain one specimen tree; a 48” White Ash. This tree is in very poor condition. Cables were attached to the tree at some point in the past to address a health issue. The tree is half dead with significant crown dieback that is likely the result of Emerald Ash Bore infestation. If the tree falls it may land on the existing structure, Urbana Pike, and the powerlines. Since this tree is deemed a hazardous tree its removal was approved by Staff.

**Historic Preservation – Chapter 1-23:**
No existing historic or cultural resource is adversely affected by the proposed Concept Site Plan. The site proposed for the new townhouses is identified as the former location of a small 19th century house and shed which was listed as a non-contributing structure on the Maryland Inventory of Historic Places inventory form F-7-63 prior to its demolition at some point prior to 2011.

**Findings/Conclusions**
The Applicant will be required to address these other applicable regulations as part of the Type I Site Development Plan approval process moving forward after this Concept Site Development Plan has been approved.
RECOMMENDATION
Staff recommends that the Planning Commission approve this Concept Site Development Plan with the following conditions to be addressed at Site Development Plan application.

1. Planning Commission approval of proposed building footprints of 2,904 s.f. (townhouse block) and 1,320 s.f. (garage block) as depicted on the Brien Place Concept Site Development Plan.

2. Planning Commission approval of the setbacks and maximum building height as proposed on the Concept Plan and as established based on existing adjacent and facing structures in the vicinity as follows:

   - Maximum Height: 32 feet
   - Front yard Setback: 15 feet (minimum)
   - Side Yard Setback: 5 feet (minimum)
   - Rear Yard Setback: 30 feet
   - Garage/Accessory: 20 feet (minimum)

3. If the Applicant moves forward with this plan, an addition plat, or other subdivision device, must be approved to establish the combined density of Parcels 157 and 158 and create a clear record of development rights utilized in this proposal.

4. FRO mitigation must be provided prior to applying for grading permits, building permits or lot recordation, whichever is applied for first.

PLANNING COMMISSION ACTION

MOTION TO APPROVE
I move that the Planning Commission APPROVE Concept Site Development Plan #SP16-08 (AP-16656) for the proposed Brien Place with conditions as specified in the Staff Report.
EXHIBITS – Project Renderings