

Zoning Map Amendment

Staff Report

Case #: R-22-02

Applicant: Cromwell Investments, LLC

Request: Amend the Planned Unit Development (PUD) to include an additional 2.4-acre Public Use Site and strike Condition 13 from the approved ordinance which established a 5-year moratorium on building permits from the original effective date of the ordinance.

Application At-A-Glance

What:

- Seeking to amend the existing approved Planned Unit Development (PUD) to include an additional 2.4-acre Public Use site along the future extension of Lake Linganore Boulevard (under construction).
- Requesting to revise the mix of land uses in the PUD – incorporating the additional Public Use site through an amended Concept Plan, and to strike Condition 13 from the approved ordinance which established a 5-year moratorium on building permits from the original effective date of the ordinance.
- Although the 2.4-acre land area has been identified by the County as a site for a potential senior center, the Public Use designation would permit a variety of governmental/institutional services, utilities, and facilities.

Where:

- The Cromwell PUD site is located within the Linganore Community Growth Area and was previously the last major uncommitted property in the growth area.

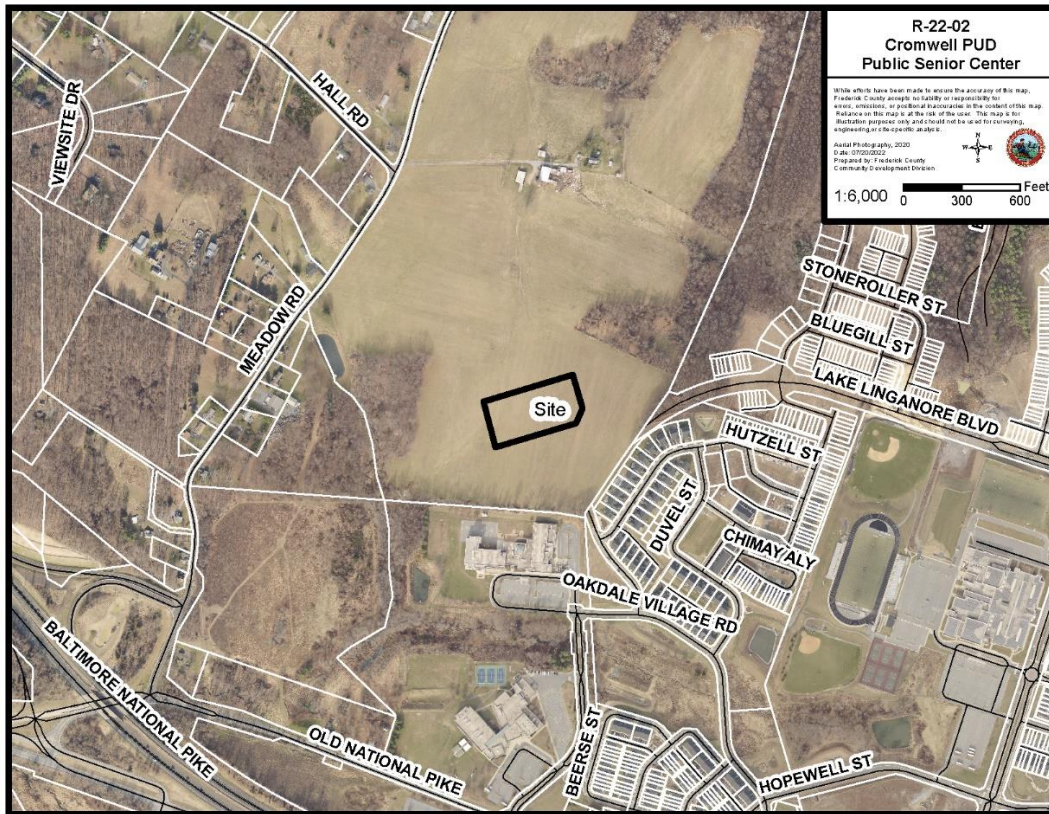
Why:

- The Applicant is cooperating with the County and Oakdale Investments, L.L.C. to locate a convenient and accessible land area for a potential senior center that would be located across Lake Linganore Boulevard from the 4-acre, planned public library site.
- The existing Concept Plan and land use chart designate the 2.4-acre area for residential uses. This amendment would establish conformance between the PUD ordinance and the potential land use on this site.

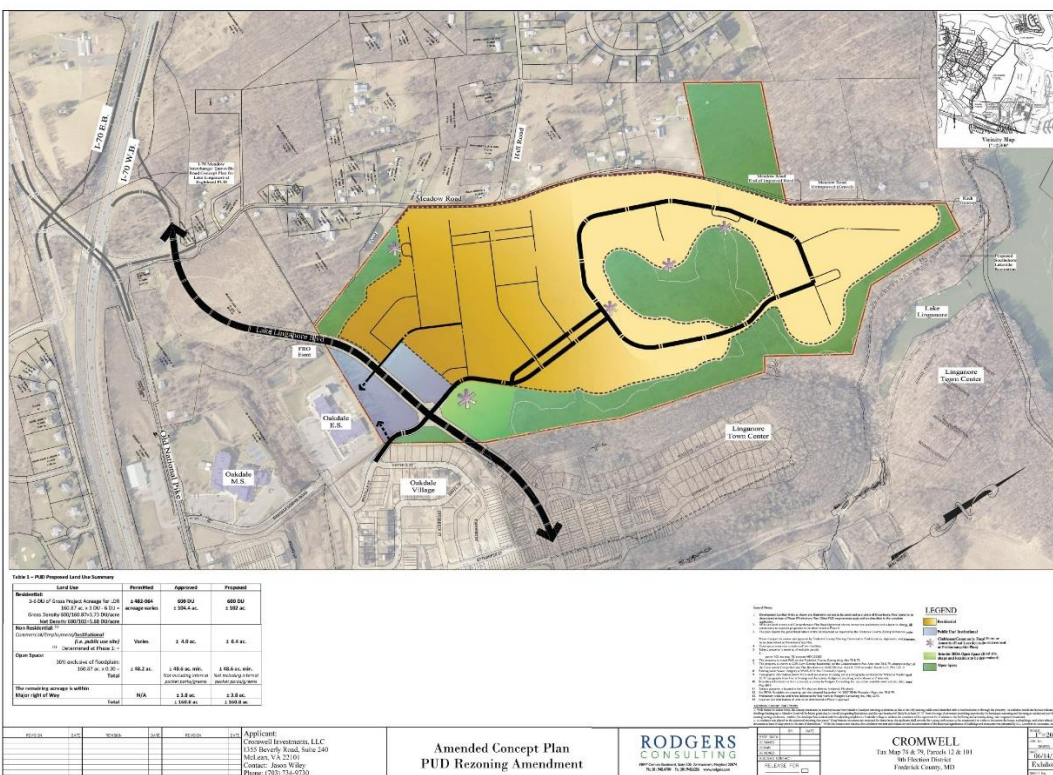
How:

- The Zoning Ordinance allows an application for an individual zoning map amendment to be filed by a property owner or his duly authorized agent, a contract purchaser, or any other person with at least a 50% proprietary interest in the property.
- The Applicant asserts as justification for the rezoning amendment that the proposed revision is being made pursuant to a request from Frederick County to provide an additional Public Use site within the area previously approved for PUD zoning in September 2020.
- A rezoning application is subject to a two-step review process:
 - 1) *Planning Commission* conducts a public hearing to consider the application and accept public input, after which the Commission submits its recommendation to the County Council.
 - 2) *County Council* holds its own public hearing to consider the application and accept public input, after which it decides whether to amend the zoning map or ordinance. The Council *may place certain conditions* on the property if it decides to approve a rezoning amendment request.
- The County is not required to approve a request for rezoning.
- If the application is approved the revised Concept Plan (with the revised land use mixture table) will replace the existing approved Concept Plan (Cromwell PUD R-19-01) and a new ordinance will be adopted by the County Council.

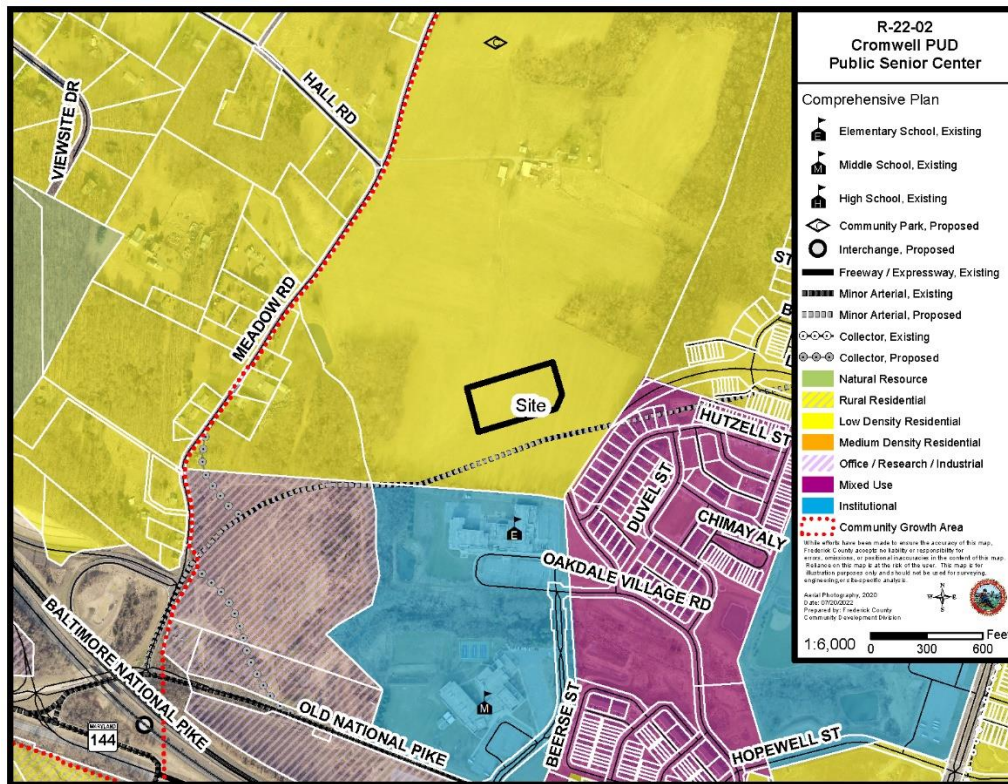
Site of Rezoning Request



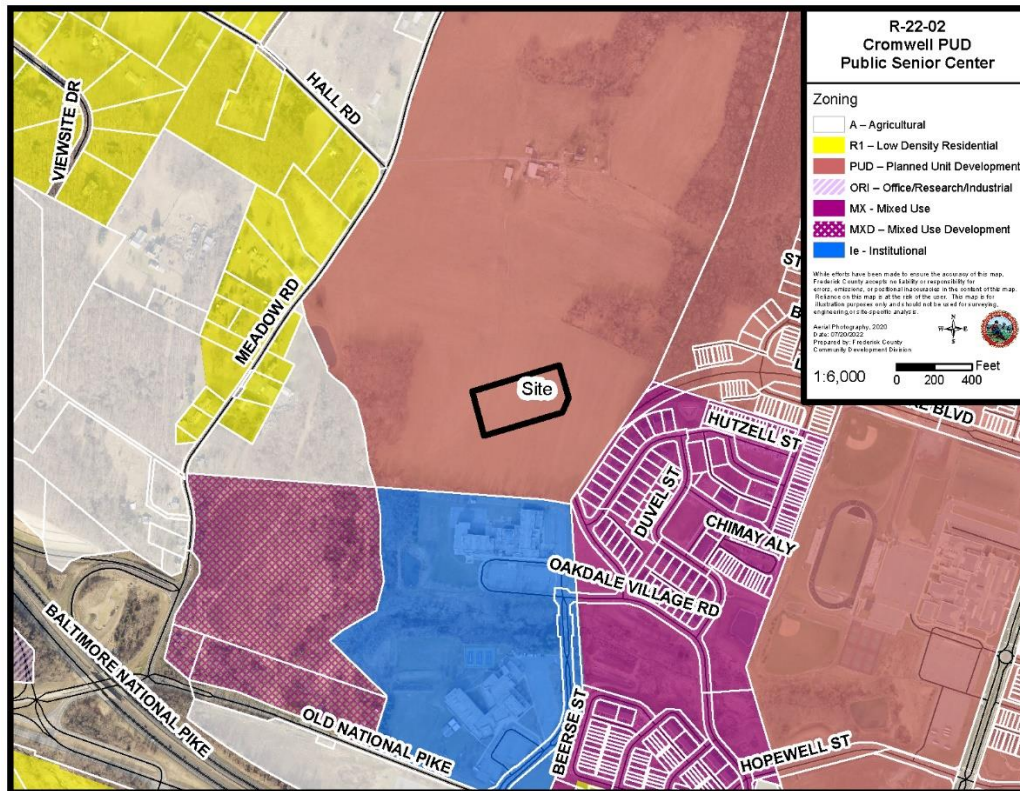
Applicant's Amended Concept Plan



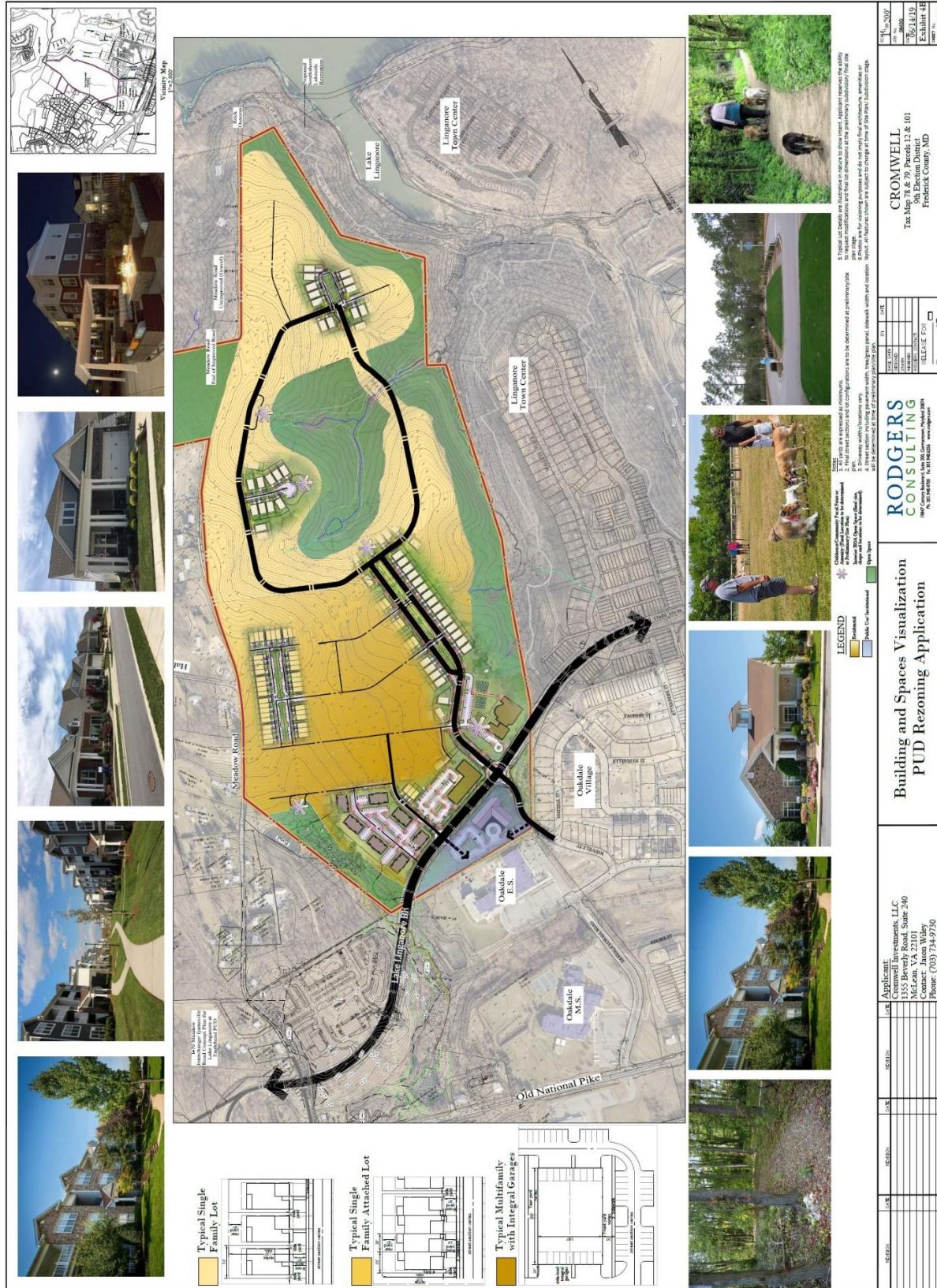
Comprehensive Plan Map



Existing Zoning Map



PRELIMINARY NOT FOR CONSTRUCTION



Applicant's Proposal

Overview

This Application proposes to amend the existing Cromwell Planned Unit Development (PUD) – originally approved in 2020 - rezoning 160.8 acres from Agricultural (A) to Planned Unit Development (PUD) as an age-restricted development with a maximum of 600 dwellings. The proposal seeks to revise the PUD to include an additional 2.4-acre Public Use site along the future extension of Lake Linganore Boulevard (under construction).

Specifically, the Applicant is requesting to revise the mix of land uses in the PUD – incorporating the additional Public Use site – through an amended Concept Plan, and to strike Condition 13 from the approved ordinance which originally established a 5-year moratorium on building permits from the original effective date of the ordinance (November 10, 2020).

Although the 2.4-acre land area has been identified by the County as a potential senior center, the Public Use designation would permit for a variety of governmental/institutional services, utilities, and facilities. The Application also maintains the option of having all or a portion of the project to be developed as a Continuing Care Retirement Community (CCRC), which could include nursing care, assisted living, and/or independent living components.

There is no commercial use proposed.

Proposed Concept Plan

Residential

No change to the residential component of the Cromwell PUD Concept Plan is proposed, other than the redesignation of 2.4 acres from residential use to institutional/public use. The age-restricted residential development is planned and approved for a maximum of 600 dwellings. The application proposes a mix of dwelling types including:

- Single-family detached
- Single-family attached (villas)
- Multi-family (condo)
- Multi-family (affordable rental) - tentative

The Plan does not identify how many units of each would be developed, but leaves that open to be determined at the Phase II subdivision/site plan stage.

CCRC Alternative

An alternative development concept would involve all or a portion of the PUD to be developed as a Continuing Care Retirement Community (CCRC). A CCRC may include any or all of the following:

- Nursing care
- Assisted living
- Independent living

A decision to pursue a CCRC would be made at the Phase II review of the project. The maximum of 600 dwellings for an age-restricted development would not apply to the CCRC. The nursing care and assisted living components are

typically counted as beds or rooms. Any independent living units would be similar to conventional dwelling units and could take the form of detached units, attached units, or a multi-family building.

Public Use/Institutional

The existing PUD ordinance designates a 4-acre Public Use Site on the south side of Lake Linganore Boulevard. This Site is proposed for a regional library and would be dedicated to the County. ***An additional 2.4-acre Public Use Site, which is at the heart of this rezoning request, is proposed on the north side of Lake Linganore Boulevard, directly across from the proposed library site.*** The 2.4-acre area is being put forward at the request of the County, for a potential senior center facility or other appropriate public use.

Proposed Land Use Mix - Cromwell PUD Concept Plan

Proposed Land Use	Acres	Percentage (of gross land area)	Maximum Permitted or Minimum Required
Residential/CCRC	102	63.4%	
Institutional/Public Use Site	6.4	4.0%	
Open Space	48.6 ¹	30.2%	30% minimum (48.2 acres)
Road right-of-way	3.8	2.4%	
TOTAL	160.8 acres	100%	

1. Does not Include pocket parks/greens to be identified within the residential area

Open Space

No change to the Open Space strategy for the Cromwell PUD is being proposed in this Application. With a gross area of 160.8 acres the open space requirement is 30% or 48.2 acres. The Plan designates open space along the entire eastern boundary of the site (15.5 acres), which incorporates the existing woodlands, steep slopes, and several stream corridors. The perennial stream along the eastern property line flows into Lake Linganore. This open space also extends into the middle of the property (13.5 ac.) encompassing two intermittent streams and their buffers. A smaller open space area (3.5 acres) is in the southwestern part of the site encompassing existing woodlands and wetlands. The third open space area (11 acres) encompasses the parcel on the west side of Meadow Rd. that is wooded with moderate and steep slopes. A 1-acre pocket park is shown on the south side of Lake Linganore Boulevard and a 4-acre Site is shown at the entry corner with Street A (northeastern quadrant). Together these open space areas total approximately 48.5 acres. Not identified on the plan would be pocket parks/greens that would be incorporated within the residential blocks.

Phasing Plan

The application does not propose a specific phasing plan, but does provide updated project implementation information. The justification statement notes that the construction of Lake Linganore Boulevard will be phased from both directions: east to west, beginning at Meadow Road; and west to east, beginning at its existing terminus.

The developer, who is responsible for constructing the necessary water and sewer infrastructure to serve the Cromwell PUD, indicates that progress has been made in advancing these infrastructure components through continued design and engineering efforts, as well as in the Water and Sewer Plan designation of W-4/S-4 on the Cromwell property.

The market conditions for either age-restricted development or demand for CCRC facilities will determine when the

project is likely to get underway.

The timing of the development by the County of any potential public use sites for a potential regional library, senior center, or other such appropriate public facility, will be finalized at the time of Preliminary Subdivision Plan/Site Plan review, subsequent to dedication in accordance with a future MOU.

If the Amendment application is approved, Condition 4 of the existing Cromwell PUD Ordinance should be included and modified to apply to both Public Use Sites.

Condition 13 of the existing Cromwell PUD ordinance prevents the issuance of any building permits within the development until November 10, 2025 (five years from the effective date of the original ordinance) except for the construction of model homes. The Applicant seeks to remove this condition in this rezoning amendment. May 10, 2023 will mark the half-way point in this building permit moratorium.

Evaluation

Proposed Land Use Mix and Density

Gross density of a proposed PUD development shall comply with the following table.

County Comprehensive Plan Land Use Designation	Dwelling Units per Acre
Low Density Residential	3-6 du/ac
Medium Density Residential	6-12 du/ac
High Density Residential	12-20 du/ac

The Site, with a gross acreage of 160.8 acres and with the proposed maximum of 600 dwellings, would have a **gross density** of 3.7 dwellings/acre. ***A net density calculation, based on the proposed residential area of 102 acres, would result in a net density of 5.9 dwellings/acre.*** These densities are consistent with the Comprehensive Plan range for Low Density Residential of 3-6 dwellings/acre. Development as a CCRC would not have a corresponding density figure.

Consistency with the Comprehensive Plan Map - Land Use Designation

The site is located within the Linganore Community Growth Area and represents the last major uncommitted property in the growth area. It has long been designated for Low Density Residential development as far back as the 1984 New Market Region Plan.

The application of PUD zoning with a gross density of 3.7 dwellings/acre is consistent with the Low Density Residential plan designation and is within the 3-6 dwelling/acre density range.

There has not been a specific Community or Corridor Plan developed for the Linganore community.

Consistency with the Livable Frederick Master Plan

The Livable Frederick Master Plan (LFMP) embodies a focus on policy and general growth strategy in order to articulate a clear direction for Frederick County in the face of future change. In concert with the Comprehensive Plan Map, future community, corridor, large area, and functional plans, the LFMP constitutes Frederick County's Livable Frederick Comprehensive Plan.

This Application is consistent with the broad LFMP policies that seek to establish land uses which are generally

supportive of the residential and service needs of an increasingly older population, either through redevelopment or new development in communities and neighborhoods located within designated Community Growth Areas, such as the Linganore and Spring Ridge CGA's that surround this Site.

The LFMP's Thematic Plan Diagram (and supporting text) identifies the Spring Ridge, Linganore, and Bartonsville areas as places where the County may support suburban retrofit policies including provisions for "finding locations for mixed use" and strengthening suburban communities "by reinvesting in them with infill development and redevelopment that creates more opportunities to walk, shop, work, and recreate closer to home." Targeted residential development that provides additional local opportunities for older or retired Frederick County residents to remain in the County supports a diverse residential marketplace while increasing the chance that extended, multi-generational families can continue to live in close proximity to one another.

Compatibility with Adjoining Zoning and Land Uses

The Public Use Site proposed as a potential County-developed senior center is situated across Lake Linganore Boulevard from the proposed regional library site, and sits in close proximity to significant private community amenity features in the Cromwell PUD. To the north and east is the Linganore PUD, including the Alpine area to the north, which has not yet developed, and the Linganore Town Center area, which is under construction. The Linganore Town Center is approved for 1,185 dwellings with a mix of several dwelling types. The area immediately adjacent to this site will develop as single-family detached houses and townhomes. The Oakdale Village development is located to the east of the site with 315 dwellings including single-family, townhouses, and two-over-two units. Oakdale Elementary and Middle schools are located to the south of the site.

Natural Features

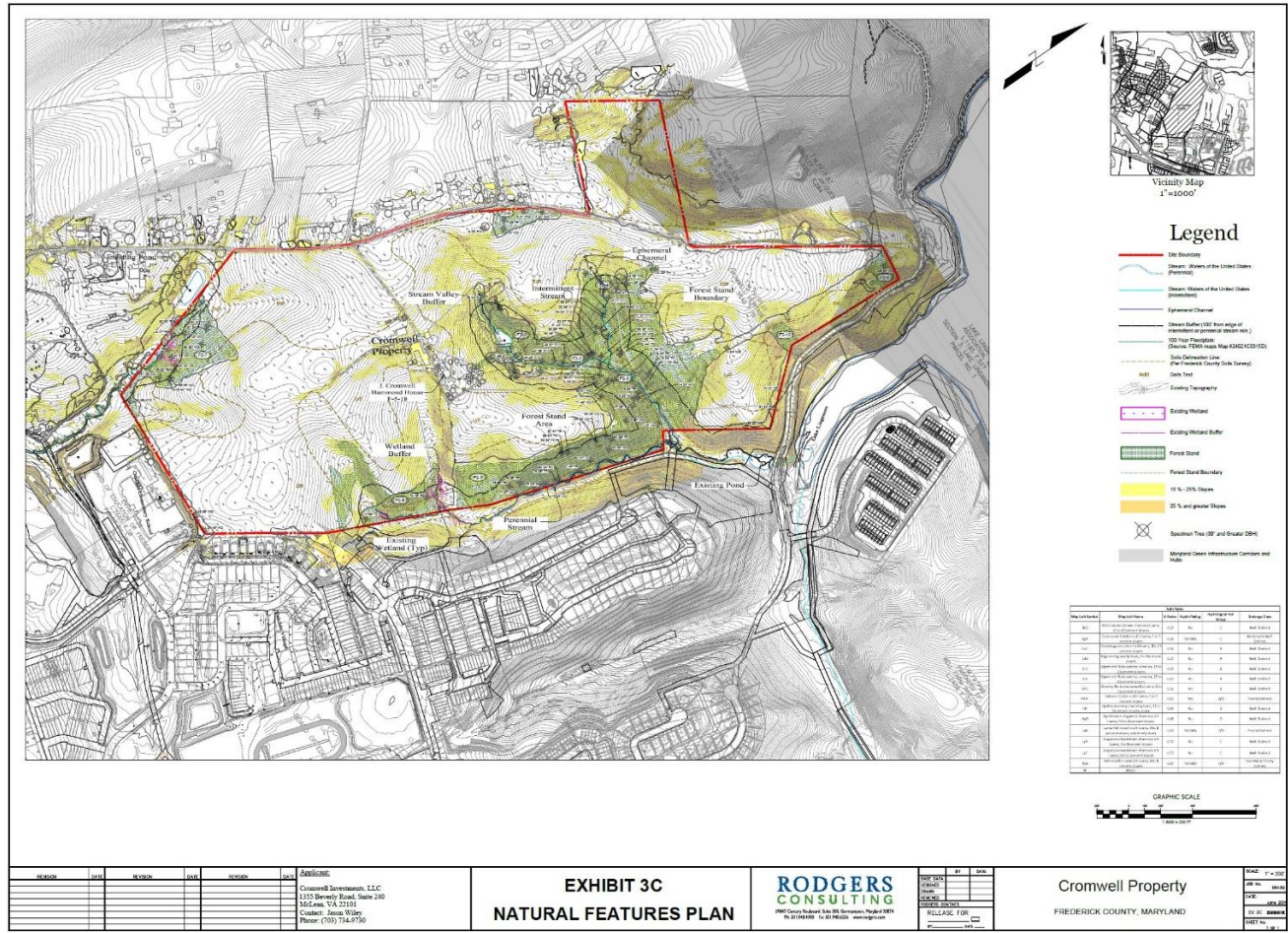
The Cromwell Site, like most of the Linganore area, has rolling topography with areas of moderate and steep slopes along the streams and along the north property boundary coming up from Lake Linganore. The existing woodland areas generally overlap with the stream corridors and the moderate/steep slopes. All of these areas are designated as open space on the revised Concept Plan.

Cromwell property looking northwest (Oakdale Elementary in lower corner)



A revised Natural Features Plan has been submitted with this amendment application, though the proposed additional Public Use Site does not impact sensitive environmental resources. Maryland Green Infrastructure Corridor and Hubs data have been added to this revised exhibit.

Revised Natural Features Plan



Cultural Resources

The property includes the original Cromwell Farm residence built about 1835. There are several outbuildings on the site as well. The property is listed on the Maryland Inventory of Historic Places (MIHP) as the *J. Cromwell Hammond House* (F-5-18). Condition 7 of the approved Cromwell PUD ordinance states, "If any historic structures are proposed for demolition, the Applicant shall provide the County with access to the structure(s) in order to document the house, outbuildings, and other related structures at least 90 days prior to the start of demolition." This condition has been satisfied with the site documentation conveyed to the County's Historic Preservation staff. The property was determined to be ineligible for placement on the National Register of Historic Places. The County's survey files also initially indicated the existence of a graveyard on the site, but included no details as to its precise location. A small family cemetery was located as part of the study conducted by Archeological Testing and Consulting, Inc. in 2021. The three severely degraded burial sites were carefully removed with each individual placed into a separate re-interment vault. The three individuals will be re-interred in an appropriate, to-be-determined location within Cromwell Farm. The demolition permit for the farm structures is denied until the Planning Commission has reviewed and approved a preliminary subdivision/site plan for the PUD.



Schools

The application proposes a condition that the project will be age-restricted to residents aged 55 and over so there would be no impacts on school enrollments.

Water and Sewer

The site is classified *W-4/S-4* on the Water and Sewerage Plan, a progression that has occurred since the effective date of the existing ordinance.

Water Supply

Public water is provided through the New Design water system, which withdraws water from the Potomac River. The New Design Water Treatment Plant has a permitted withdraw capacity of 16 million gallons/day (MGD) (average daily) and has a current average daily demand of approximately 6 MGD.

Sewer Service

Sewage treatment service is provided by the Ballenger-McKinney wastewater treatment plant (WWTP), which has a permitted capacity of 15 MGD and currently discharges into the Monocacy River. Current average daily demand at the Ballenger-McKinney WWTP is 7.3 MGD.

Based on the proposed 600 dwellings, and assuming 250 gallons/day/dwelling, the development would need approximately 150,000 gallons/day of both water supply and sewage treatment capacity. The developer will be responsible for extensions and connections to the existing public water and sewer lines as well as constructing water storage tanks, pump stations, etc. as required. Additional design and engineering details are available for review in the Applicant's Justification Statement.

Public Safety

The Site is approximately 1.5 miles from the Spring Ridge Fire Station #33. Police protection for the Site is provided by the Frederick County Sheriff's Office.

Libraries

The Concept Plan proposes a 4-acre public use Site that would accommodate a new regional library. The accommodation for the library would address a previously imposed condition for the adjoining Linganore Town Center development, which is part of the Linganore PUD.

Planned Improvements

The Linganore Regional Library is referenced in the FY 2023-2028 Capital Improvements Program (CIP) and is scheduled for construction funding in FY 2027.

Senior Center

The current adopted FY 2023-2028 CIP allocated future funding for the construction of a New Market area senior center in FY 2027-2028.

Parks

The nearest County parks are Old National Pike Park (6 miles) and Pinecliff Park (5.3 miles). Pinecliff Park is fully developed with playing fields, playgrounds, picnic areas, and access to the Monocacy River. Old National Pike Park is partially developed.

The proposed site development would include a private clubhouse and pathways/trails within the site which would be maintained by an HOA. As an active adult/age-restricted community there is a decreased demand for the usual playing field and playground amenities. While the County Comprehensive Plan has a Community Park symbol on the site, the County Division of Parks and Recreation does not have any active plans to purchase land for a community park in this area.

Planned Improvements

The FY 2023-2028 CIP includes a project for Old National Pike Park Phase 2 for the construction of additional facilities in FY 2023 (current budget year).

Transportation

Existing Site Access Characteristics

The site has approximately 3,227 feet of frontage along the paved portion of Meadow Road. Beyond this point Meadow Road is gravel and primarily serves as a private driveway to a residence where the road/driveway dead ends. The Concept Plan proposes no vehicular access to Meadow Road per Condition #3 of the original rezoning ordinance.

Meadow Rd. looking north



North end of Meadow Rd. looking south



The primary site access will be the planned Lake Linganore Boulevard, which the developer will be responsible for constructing from Meadow Road to the roadway's current terminus, including the entirety of the roadway segment within their project limits. The Concept Plan shows two access points onto Lake Linganore Boulevard. The proposed Street A is across from a proposed extension of Neuville Street which will provide access to the Oakdale Village development.

Neuville St looking north into Cromwell property



Pedestrian and Bicycle Facilities

There are no existing sidewalks along either Old National Pike or Meadow Rd. The planned Lake Linganore Boulevard will have sidewalks to provide pedestrian access primarily to the east towards the Linganore Town Center and Oakdale Village developments. The neighborhoods to the west of Meadow Road do not have any sidewalks.

There are no existing bicycle facilities in the area of the site, but bike lanes would be provided on Lake Linganore Boulevard.

Existing and Future Traffic Volumes and Capacity on Adjoining Roads

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 **capacity** of the road (based on the number of existing thru lanes) by the current average daily traffic (ADT) **volume**.

4-lane arterial capacity – 34,000 vehicles/day

2-lane arterial capacity – 18,000 vehicles/day

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

Count Location	Average Annual Daily Traffic (AADT) 2015/2040	Volume/Capacity (VC) Ratio 2015/2040
Old National Pike – west of Boyers Mill Rd.	9,750/11,300	0.54/0.63
Meadow Rd. – north of I-70 Ramps	430/980	0.02/0.05
MD 144/Old National Pike – west of Meadow Rd.	19,100/17,550	0.56/0.52

Note that traffic on MD 144 will drop appreciably as a result of the opening of the two new interchange ramps with I-70, and will then slowly increase back to near the 2020 volume by 2040. The same would be true of Old National Pike when Lake Linganore Boulevard is fully constructed.

The proposed 600 dwellings would have the following daily weekday trip generation (with Staff assumptions for dwelling types solely for the purpose of estimating trip generation) based upon the ITE 11th Edition (2021):

Single-Family (400 dwellings)	1,724 daily trips (4.27 trips/dwelling)
Townhouses (100 dwellings)	431 daily trips (3.70 trips/dwelling)
Multi-Family (100 dwellings)	324 daily trips (2.02 trips/dwelling)

Should a continuing care retirement community (CCRC) be *substituted* as a land use, the trip yield would be 2.40 daily trips per unit.

Comprehensive Plan Map Designations for Adjoining Roads

Old National Pike – Minor Arterial

Meadow Rd. – Minor Arterial (only between Old National Pike and the I-70 ramp access) Local Road north of the I-70 ramp access. The Minor Arterial designation was intended to reflect its incorporation into the planned alignment for Lake Linganore Boulevard.

Lake Linganore Boulevard – Minor Arterial

Planned Improvements

Lake Linganore Boulevard – a proposed Minor Arterial roadway, referred to on Comprehensive Plans as the Town Center Connector will connect Meadow Road at the I-70 interchange ramps to Boyers Mill Rd. A portion of the west leg to the eastern boundary of the Cromwell property will be constructed as part of the Linganore Town Center. The developers of the Delauter MXD and the proposed Cromwell PUD would be responsible for the remaining portion. The west leg will connect with Eaglehead Drive. The east leg would connect Eaglehead Drive to Boyers Mill Rd. The road is proposed to be a 2-lane divided roadway (one lane in each direction).

I-70/Meadow Rd. Interchange – a new ramp (Phase 1) to westbound I-70 was opened to traffic on October 1st, 2020 Phase 2 provided a new ramp from eastbound I-70 down to a reconstructed intersection with MD 144/Old National Pike, which opened to traffic in 2022.

Bicycle Facilities – MD 144/Old National Pike is designated as part of the on-street bikeway network on the County's Bikeways and Trails Plan (2018). This designation would support the application of bike lanes, improved shoulders, or pavement markings/signage as part of any roadway improvements to Old National Pike. Bike lanes will be incorporated in the design and construction of Lake Linganore Boulevard.

Summary of Findings

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

(1) Consistency with the comprehensive plan;

Staff finds that the proposed PUD is consistent with the Low Density Residential land use plan designation on the current Comprehensive Plan Map within the Linganore Community Growth Area. The gross density of 3.7 dwellings/acre is within the range of 3-6 dwellings/acre for low density residential development.

(2) Availability of current and planned public facilities;

Staff finds that parks, libraries, and public safety facilities are currently adequate to serve the proposed age-restricted residential development. Schools will not be impacted due to the age-restriction of 55 years of age and older for residents. For water/sewer service, the proposed 600 dwellings or CCRC facility can be served by the existing

water/sewer facilities. There is approximately 10 MGD of available water supply in the New Design water system and 7.7 MGD of sewage treatment capacity currently available at the Ballenger-McKinney WWTP. The potential for a County-operated senior center adjacent to this age-restricted residential development enhances access to services that are of value to citizens in the age cohort likely to reside in the Cromwell PUD community.

(3) Adequacy of existing and planned future transportation systems;

Staff finds the existing and planned road network to be adequate to accommodate the additional traffic that would be generated by either an age-restricted development or a CCRC. Old National Pike has a volume/capacity ratio less than 1.0 indicating the ability to accommodate additional traffic. The planned extension of Lake Linganore Boulevard from the Linganore Town Center will provide the primary access to the site. Having this road connect directly to the recently opened westbound ramp to I-70, as well as benefitting from the Phase 2 improvements, will minimize the number of trips having to use MD 144 into Frederick. Additionally, staff finds that the potential public use site will not adversely impact the functioning of the Linganore Growth Area's transportation network and may provide advantages given an enhanced neighborhood pedestrian system, proximity to participating population cohorts, and the opportunity for combined vehicle trips.

(4) Compatibility with existing and proposed development;

The proposed compatibility with existing and proposed development is enhanced with the addition of this 2.4-acre Public Use Site.

(5) Population change, including availability and location of land zoned to meet the ten-year need for residential development;

While the addition of the Public Use Site does not alter the impact of population change as originally determined in the Cromwell PUD approval, it is noted that the proposed maximum of 600 dwellings will result in a population increase of approximately 1,602 people based on an average household size of 2.67 persons/household. This additional population would be on the high side based on the age-restriction, which would likely have a smaller average household size. The Applicant notes in their Justification Statement that County Residential Pipeline data from July 2022 provides 7.5 years of supply based upon a 10-year average absorption rate of 1,800 dwellings per year.

(6) The timing of development, planned future transportation systems and planned public facilities.

The application does not have a specific phasing plan for the development. The market conditions for either an age-restricted development or CCRC will dictate how quickly any construction will proceed. Any development will not occur until Lake Linganore Boulevard is constructed, which is the responsibility of the developer. Water and sewer infrastructure is in the vicinity of the site and will also be the developers' responsibility to extend to the site.

(7) Sensitive environmental resources have been identified and impacts to these resources are avoided or minimized to the maximum extent practicable;

The Cromwell Site, like most of the Linganore area, has rolling topography with areas of moderate and steep slopes along the streams and along the north property boundary coming up from Lake Linganore. The existing woodland areas generally overlap with the stream corridors and the moderate/steep slopes. All of these areas are designated as open space on the revised Concept Plan. Any applicable regulations regarding Environmental Site Design, FRO (including specimen trees), or other sensitive natural resources would be addressed at the time of subdivision and site plan review. Existing FEMA floodplain and stream buffers would be addressed at the time of plan review. Revised Natural Features mapping indicates that the area of the proposed Public Use Site is not characterized by the presence

of sensitive environmental resources.

(8) Historic resources have been identified and impacts to these resources are avoided or minimized to the maximum extent practicable.

The property includes the original Cromwell Farm residence built about 1835. There are several outbuildings on the site as well. The property is listed on the Maryland Inventory of Historic Places (MIHP) as the *J. Cromwell Hammond House* (F-5-18). Condition 7 of the approved Cromwell PUD ordinance states, "If any historic structures are proposed for demolition, the Applicant shall provide the County with access to the structure(s) in order to document the house, outbuildings, and other related structures at least 90 days prior to the start of demolition." This condition has been satisfied with the conveyance of site documentation to the County's Historic Preservation staff. The property was determined to be ineligible for placement on the National Register of Historic Places. The County's survey files also initially indicated the existence of a graveyard on the site, but included no details as to its precise location. A small family cemetery was located as part of the study conducted by Archeological Testing and Consulting, Inc. in 2021. The three severely degraded burial sites were carefully removed with each individual placed into a separate re-interment vault. The three individuals will be re-interred in an appropriate, to-be-determined location within Cromwell Farm.

§ 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;

Staff finds that the proposed development is in a location where existing water/sewer infrastructure is in place and planned facilities such as the Lake Linganore Boulevard will provide access and connections to the surrounding community. ***The proposed Public Use Site further supports this criterion.***

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

Staff finds that the proposed PUD zoning is consistent with the Low Density Residential plan designation of the Comprehensive Plan. While the concept plan does not have building siting detail, the proposed mix of dwelling types would support the County's Comprehensive Plan goals regarding efficient and well-planned development patterns supporting a mix of residential. There is no Community or Corridor Plan for this area. ***The proposed Public Use Site further supports this criterion.***

(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 proposed development would be denser than existing residential uses to the west of Meadow Road. The density and dwelling types would be similar and compatible with the adjoining Oakdale Village and Linganore Town Center developments to the east. ***Any adverse impacts of the proposed Public Use Site will be mitigated similarly to the balance of the project.***

(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 proposed development will be able to connect with existing and planned infrastructure (water/sewer and roads) in the vicinity. The planned Lake Linganore Boulevard will connect this site with the larger Linganore Town Center area to the east. ***The proposed public use sites - to accommodate a library and a potential senior center - will also help to establish a civic focus for the larger community.***

(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;

With the planned Lake Linganore Boulevard, staff finds the transportation system will be adequate to accommodate the development, including the potential development of a senior center on the proposed Public Use Site. The recently opened ramp to westbound I-70 as well as the completed Phase 2 improvements will provide a direct access to the west into Frederick that will alleviate traffic on MD 144. Currently Old National Pike/MD 144 to the east and west of the site have available capacity (VC ratios less than 1.0).

(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;

The concept plan does not have building design and location detail. The planned Lake Linganore Boulevard will connect the project to the Linganore Town Center development to the east. ***The location of the proposed Public Use Site (and potential senior center) further optimizes non-automobile access within the Cromwell PUD, and provides additional opportunities for regional and neighborhood-level pedestrian, bicycle, and transit access.***

(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 Spring Ridge Fire Station (Station #33) is approximately 1.5 miles from the site. This station has professional staff and a full complement of fire and rescue equipment. ***The proposed Public Use Site does not impact this criterion.***

(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 existing woodlands, moderate/steep slopes, and streams are incorporated into the open space areas of the development. The extent of the required stream buffers are also within the open space area. The open space area along the eastern boundary of the site will adjoin an existing open space corridor, in the Linganore Town Center, centered along a stream. ***Revised Natural Features mapping indicates that the area of the proposed Public Use Site does is not characterized by the presence of sensitive environmental resources.***

(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 proposed age-restricted development will include a mix of dwelling types from single-family to multi-family with the specific proportions to be determined in Phase II. ***The proposed designation of an additional 2.4 acres for a Public Use Site, and its potential development as a senior center, further supports this criterion.***

(I) 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.

Staff finds that parks, libraries, and public safety facilities are currently adequate to serve the proposed age-restricted residential development. Schools will not be impacted due to the age-restriction of 55 years of age and older for residents. For water/sewer service, the proposed 600 dwellings or CCRC facility can be served by the existing water/sewer infrastructure in the vicinity of the site. There is approximately 10 MGD of available water supply in the New Design water system and 7.7 MGD of sewage treatment capacity currently available at the Ballenger-McKinney WWTP. ***The proposed Public Use Site, and its potential development as a senior center, further supports this criterion.***

§ 1-19-10.500.10. – Specific Development Standards within the Planned Development Districts

For a PUD that proposes to be age-restricted the following criteria shall be considered to determine whether the project or portion thereof may be approved for designation as an age-restricted community.

1. Active and passive recreational amenities.

The project proposes to have a clubhouse with a pool and fitness center. Walking trails are also proposed within the project site. ***The immediate proximity to a regional library and a potential senior center further enhances access to active and passive recreational amenities.***

2. Availability, suitability and proximity of development to planned support services.

The nearest existing medical offices or facilities are located in the New Market shopping center approximately 3.5 miles to the east at MD 75; a Frederick Health facility in Urbana approximately 4.5 miles south; and at various locations in and around the City of Frederick approximately ± 5 miles to the west. The adjoining proposed Delauter MXD (R-19-02) includes a commercial land use component that would provide an opportunity for medical offices and other support services. ***The proposed Public Use Site, and its potential development as a senior center, further supports this criterion.***

3. The amount of existing and approved age-restricted development in the county and in proximity to the proposed development.

There are two existing age-restricted developments in the County – Crestwood Village in the Ballenger Creek area and a portion of the Greenview PUD located on Old National Pike at Mussetter Road. Two planned, or under construction, age-restricted developments in the County include a portion of the Ballenger Run PUD (36 dwellings) and the Woodlands at Urbana project (566 dwellings). One age-restricted project is proposed in the City of Frederick on the Crum farm (Bloomfields) for up to about 1,500 dwellings. ***The proposed Public Use Site does not impact this criterion.***

Applicant Proposed Conditions

The Applicant proposes revisions to two of the Cromwell PUD's original conditions. The first revises the text to indicate the inclusion of the second Public Use Site:

"4. Prior to recordation of the first residential subdivision plat, the developer shall: (1) subdivide and convey to the County, the ± 4-acre, **AND ± 2.4-ACRE** public use site identified on the Concept Plan development-ready state (site graded, public water & sewer connections available to the site, and storm water management facilities (for quantity) completed; or (2), or at the County's sole discretion, enter into a mutually agreeable Memorandum of Understanding to provide for the conveyance of the ± 4-acre **AND ± 2.4-ACRE** public use site and the conditions(s) under which the Public use siteS will be conveyed."

Staff concurs with the proposed revisions to #4.

And the second strikes the condition which served as a building permit moratorium and presumed development timing mechanism:

~~"13. No building permits shall be issued, except for model homes, until five (5) years after the effective date of this Ordinance."~~

The halfway mark of this moratorium arrives on May 10, 2023. The current 5-year period is set to end on November 10, 2025.

With progress having been made on local and regional road improvements, including progress toward the construction of Lake Linganore Boulevard through the Cromwell PUD site as well as water and sewer design, engineering, and W/S Plan progression, the Planning Commission may consider a recommendation of a reduction in the moratorium period or its elimination entirely if it finds that the intent of the original mechanism has been partially or completely fulfilled.

Planning Commission Action

Options for Planning Commission Action

The Planning Commission may take any of the three following actions regarding this application:

1. Approval of the request as presented by the Applicant;
2. Conditional approval of the Applicant's request;
3. Denial of the Applicant's request.