

Jonathan Armacost
9056 Clendenin Way
Urbana, Maryland 21704

October 20, 2023

Frederick County Council
Frederick, Maryland

Subject: Support for the Knowledge Farms Active Adult Community

Dear Members of the County Council,

I am writing to express my enthusiastic support for the development of the Knowledge Farms Active Adult Community in Urbana, Maryland. I believe that this new community will be a valuable addition to our town, and I would like to highlight a few key reasons for its approval.

First and foremost, I would like to emphasize the importance of balancing the needs of our existing community, such as the Woodlands, with the growing demand for active adult housing. The Woodlands has been a wonderful residential area, and I am confident that Knowledge Farms will uphold the same standards of excellence and neighborhood that we cherish. It is great to see housing for active adults that is in a location that is beneficial for them, to be close to family or their current employers and not some out of state destination which for many years has been the only choice for aging adults that want to live in a community with their peers.

One concern often associated with new developments is the potential strain on our local schools. I am pleased to note that Knowledge Farms will not overcrowd our schools, ensuring that our educational institutions can continue to provide quality education to the children in our area.

Moreover, the residents of Knowledge Farms are likely to add significant value to our community. Active adults often bring a wealth of experience and expertise, which can enrich our town through volunteer work, mentorship, and various other contributions. Their presence will foster a sense of vitality and community engagement. They will patron the local businesses that now more than ever need our support.

It's also reassuring to know that Knowledge Farms will maintain the architectural and design aesthetic that Urbana residents value. This continuity in design will help preserve the character of our town while allowing for necessary growth and development.

Lastly, I have a large concern about unsightly industrial developments in our area. Approving Knowledge Farms will prevent the construction of warehouses, storage facilities, or more office spaces that often sit vacant, large parking lots with bright lights or less desirable projects that could compromise the visual appeal of our community. I know having a community of active adults is not going to create the chaos traffic that can come along with a distribution center that has tractor trailers coming and going all hours of the day and night.

In conclusion, I sincerely hope that you will approve the Knowledge Farms Active Adult Community project. It aligns with the needs and desires of our community, respecting our existing residents and the

character of Urbana. By supporting this initiative, we can ensure that Urbana remains a wonderful place to live for active adults while preserving our town's unique charm and existing residents' property values.

Thank you for your attention and dedication to our community's future. I trust that you will make the right decision to benefit Urbana's residents and the town as a whole.

Sincerely,

Jon Armacost
Urbana Resident

From: Chad Tyler <chad@tylerco.com>
Sent: Friday, November 3, 2023 4:41 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Historical Staff Report with Implications for the Knowledge Farms Rezoning Hearing - date TBD

Dear Members of the County Council,

I'm sending you the attached July 10th, 2017 Staff report on the Natelli (Urbana Office Research Center) rezoning, which has implications for our Knowledge Farms rezoning hearing, with the date TBD. We'd certainly appreciate you reviewing it in advance of the hearing, and I'm sending it now to provide sufficient time for that. I believe that some of the current members of the Council we're also on the Council back in 2016, when Natelle's subject rezoning started. As you know (as the County's records reflect) the Council voted favorably in support of that rezoning, with many of the same factors now applying to our Knowledge Farms rezoning. We look forward to providing a more comprehensive overview of our rezoning at the Council hearing (when scheduled), whereby we'll address the merits of the rezoning, and relevant matters of concern brought forth by some within the community. We may also send in more supporting data in advance of the hearing. Thanks in advance for your attention and consideration of this information.

Chad S. Tyler, President

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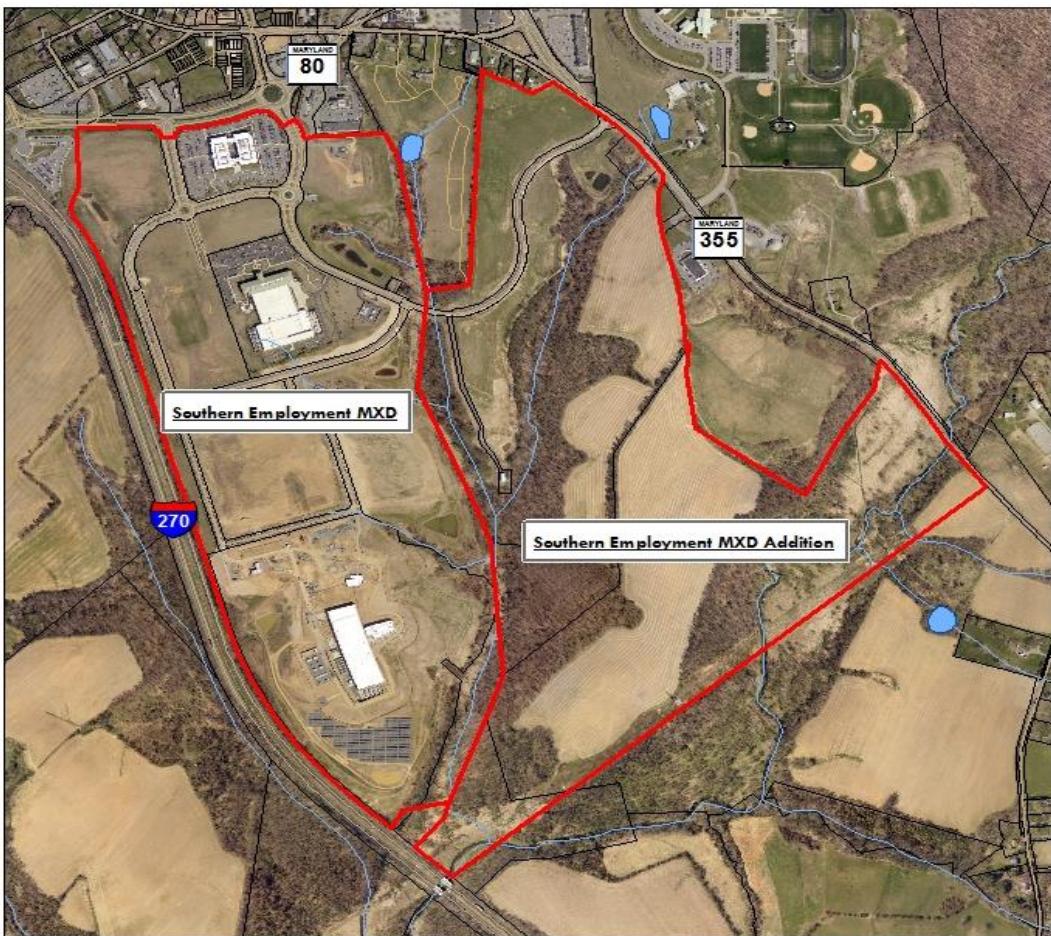


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July 10, 2017

Frederick County Division of Planning & Permitting
Zoning Map Amendment
Staff Report

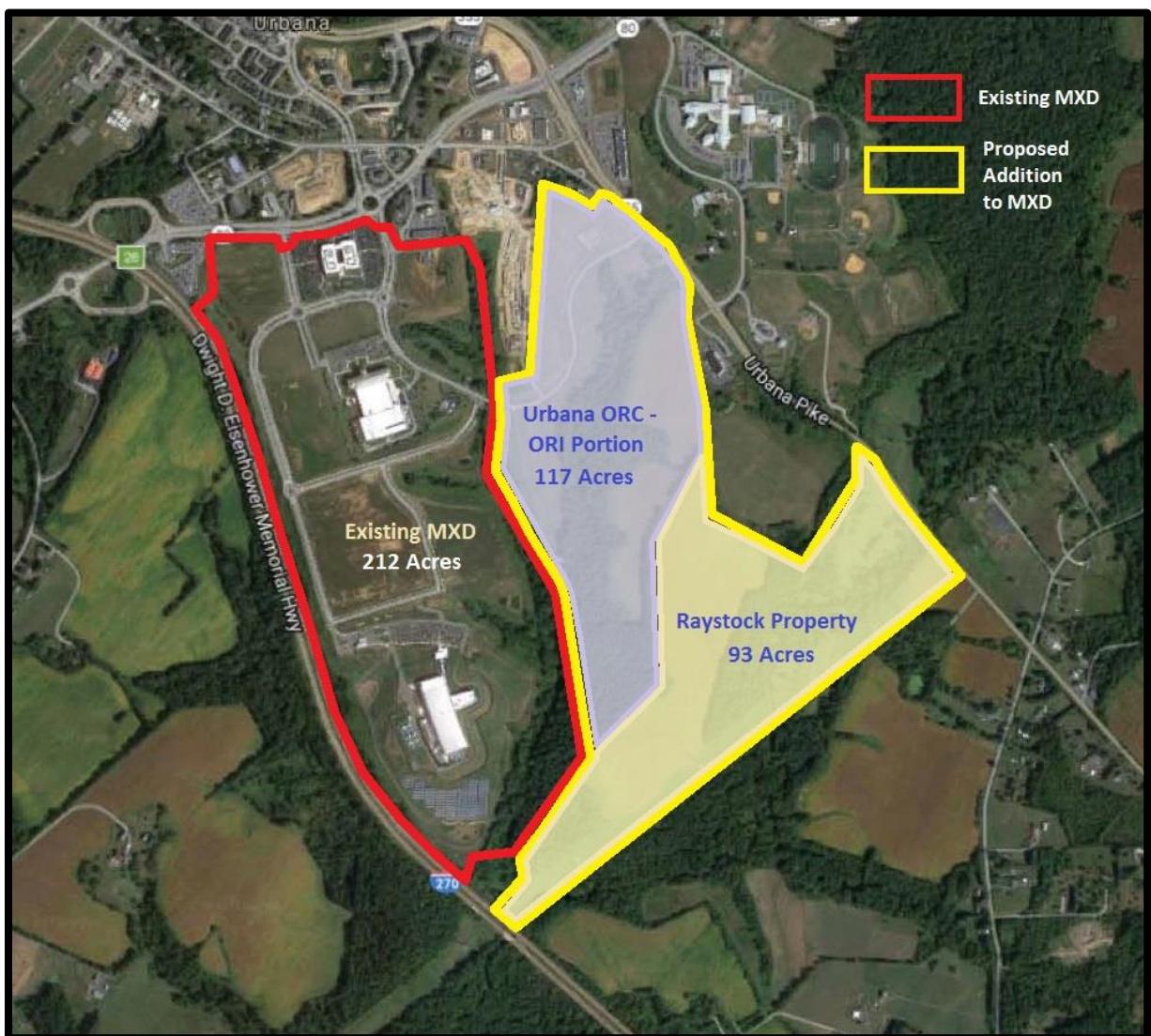
Case #: R-16-01 (C)
Applicant: Urbana Corporate Center, LLC, and Natelli Communities LP,
Request: Rezone 166.9 acres of Office/Research/Industrial (ORI), 42.5 acres of Resource Conservation (RC), and 0.7 acres of Limited Industrial (LI) to Mixed Use Development (MXD) and amend the Phase I Plan of the Southern Employment MXD (a.k.a. Urbana Office Research Center MXD) to include additional acreage as an age-restricted residential development with 700 permitted dwellings and/or an assisted living/nursing care facility.



I. Background

This development, more specifically known as the Urbana Office Research Center or Southern Employment MXD, was rezoned from ORI to MXD in 1998 (R-98-1) proposing only employment and commercial uses (no residential uses). The Phase I Plan was amended in 2009 (R-98-1 A) to adjust the amount of permitted commercial uses to accommodate a planned outlet mall. In 2012, a second amendment to the development was approved (R-98-1 B) that significantly reduced the commercial uses to accommodate the now existing Social Security Administration data center.

There is approximately 67 acres of net acreage available within the current MXD to accommodate additional employment and commercial development. If developed entirely as employment with a Floor Area Ratio (FAR) of 0.5, this land has the potential for approximately 1.4 million square feet of office space.



II. Applicant's Proposal

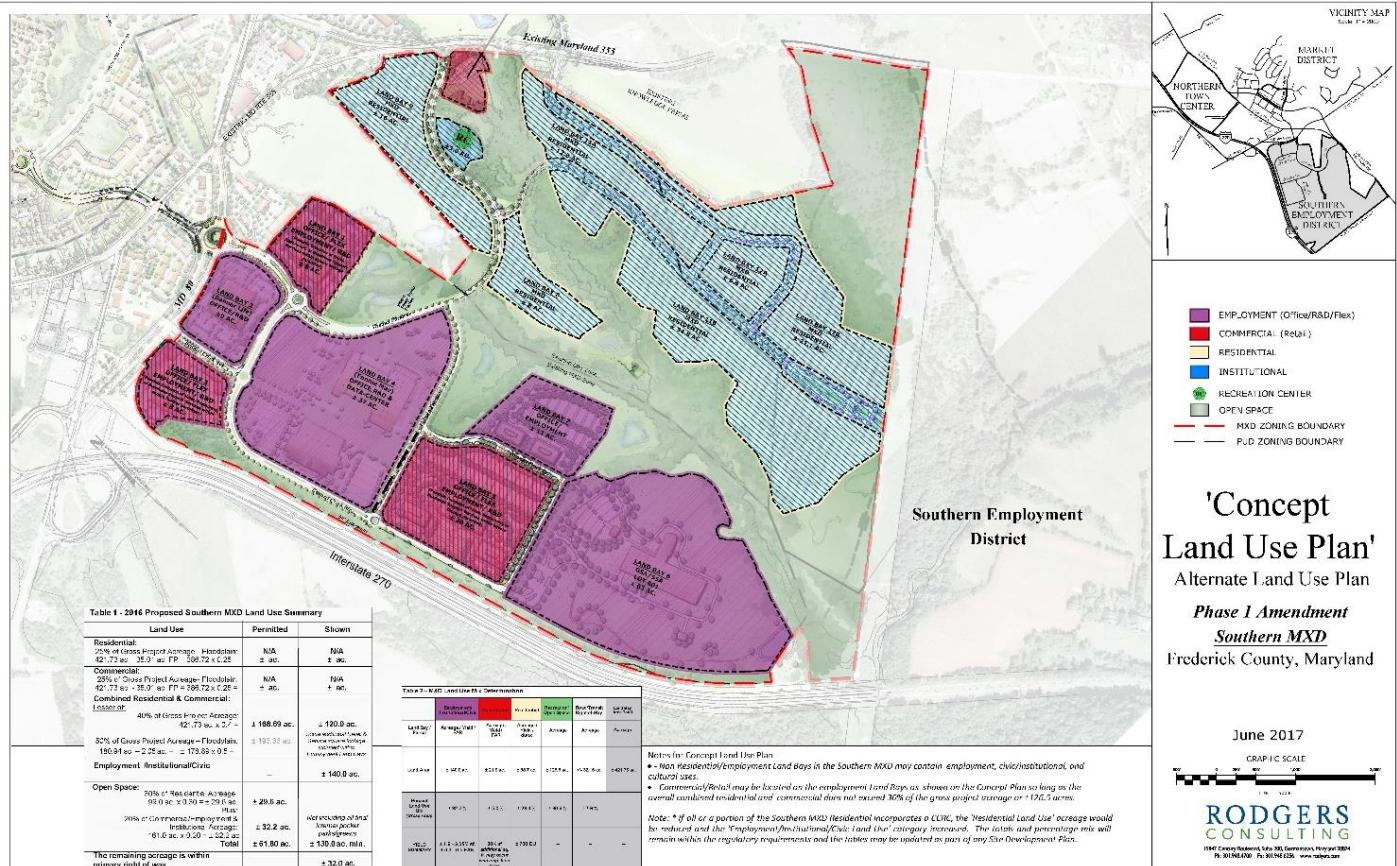
Overview

In the Southern Employment MXD, the Applicant is seeking a significant expansion and revision of the land use mix previously approved. The proposal maintains the original employment areas in the 211+ acre MXD development that is already home to several employers including the Social Security data center, Fannie Mae data center, and Legal and General (insurance company). The proposed 210-acre expansion area south and east of the existing MXD would create an opportunity for the development of a 700-unit age-restricted residential community, absorbing not just the undeveloped Raystock property but the land bays previously zoned for ORI development along Urbana Parkway. This portion of the proposal would add a residential component to an MXD project that currently includes only non-residential uses. This area may also accommodate an institutional use, which would permit an assisted living/nursing care facility on all or a portion of proposed residential area.

In summary the Application proposes:

- Rezone and add 210 acres to the Southern MXD development;
- Add a residential component for 700 age-restricted dwellings with the option to develop all or a portion of this area with an assisted living/nursing care facility.

Proposed Concept Plan



Southern Employment District MXD - 2012



The proposed land use plan meets the threshold criteria of the Zoning Ordinance laid out in Section 1-19-10.500 as follows:

Existing & Proposed Land Use Mix Summary

Land Use	Existing MXD		Proposed MXD		Maximum Permitted or Minimum Required
	Acres	Percentage (total land area)	Acres	Percentage (total land area)	
Residential	0	24%	99	28%	40% maximum ¹
Commercial	17		21		
Employment/Institutional	140	44%	140	33%	No maximum
Open Space/Recreational/Floodplain	32	17%	130	31%	62 ac minimum
Right-of-Way	23	15%	32	8%	N/A
TOTAL	212ac	100%	422 ac	100%	

1. Of the gross acreage (421.73 acres) including floodplain

Open Space Criteria

The Zoning Ordinance requires the provision of open space at the following rates in an MXD:

Residential uses - 30% of total residential acreage = 29.7 ac

Commercial/Employment/Institutional uses - 20% of combined acreage = 32.2 ac

The required amount of Open Space is 61.9 acres. The Applicant is proposing 130 acres (including 35 acres of floodplain) which exceeds the requirement significantly.

Employment Potential

This application (Southern MXD R-16-01 (C), and the Northern MXD application (R-16-01 (B) submitted under separate application), propose to shift a significant amount of land from employment use to residential or institutional uses. The table below summarizes both applications and the difference in acreages for each development/property as currently exists and with the proposed revisions.

Development/Property	Existing (acres)	Proposed (acres)
Northern MXD	67	35
Southern MXD (undeveloped land only)	67	67
Urbana Office Research Center (ORI)	54	0
Raystock property (ORI)	71	0
Total Acres	259 acres	102 acres
Building Potential (square feet)	5.6 million¹	2.2 million¹

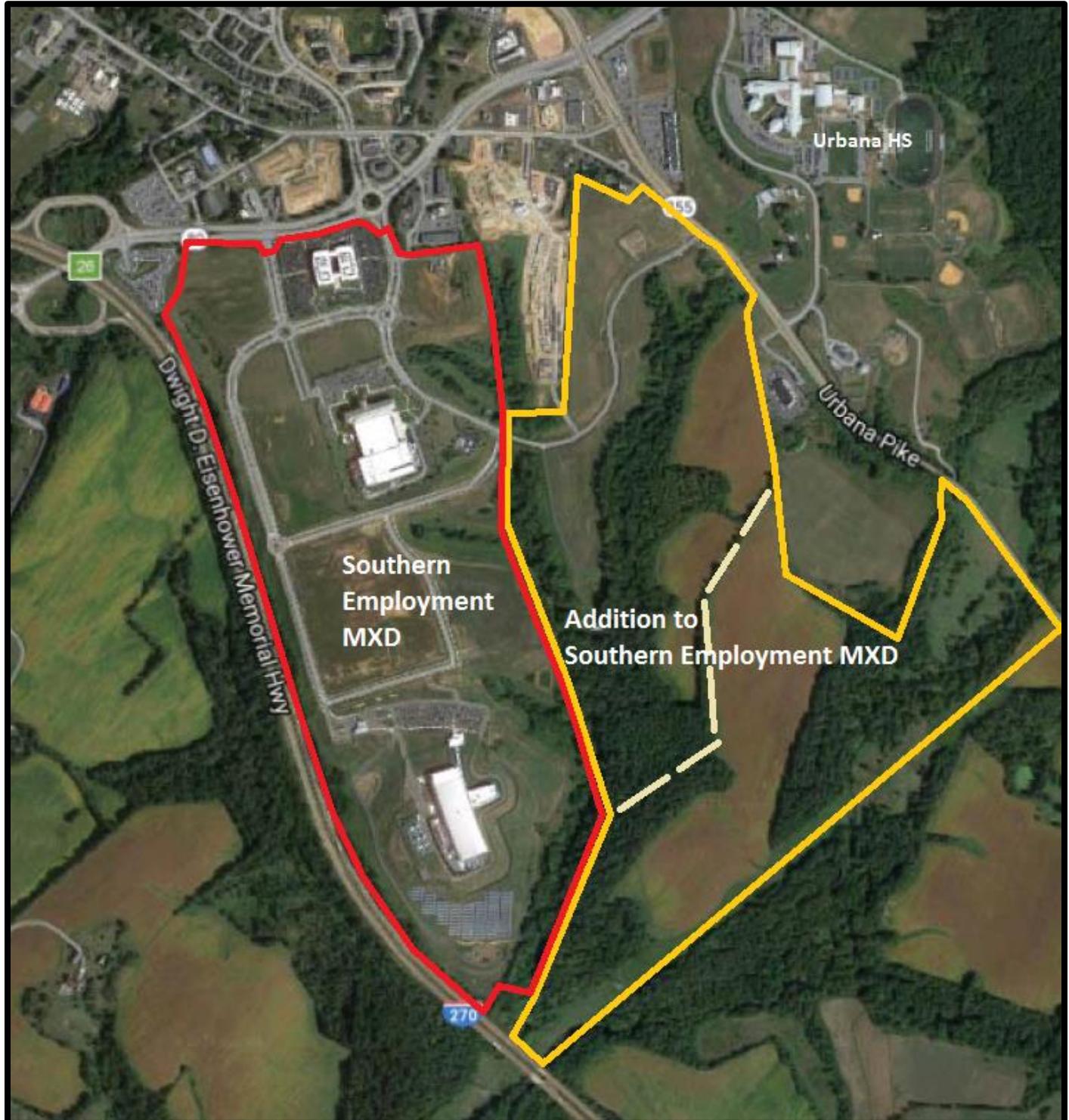
1. Assumes a Floor Area Ratio (FAR) of 0.5

Concept Plan

The Concept Plan demonstrates a continuation of design principles previously utilized by the Applicant throughout the development of the associated Urbana projects. Proposed development areas are illustrated as compact neighborhoods utilizing a modified block patterns with a clear hierarchy of streets serving a variety of building types and responding sensitively to the natural features and environmental constraints of the land.

The **Southern Employment MXD** concept plan provides a level of detail that demonstrates a new approach to this expanded geographical area of the Urbana community. In addition to a continued buildup of the office/employment bays previously improved for development (streets, water/sewer, lighting, sidewalks), the plan illustrates the proposed age-restricted project in two distinct sections: a higher-density series of residential structures surrounding a community center, situated along the existing Urbana Parkway; and, what appears to be a slightly lower-density 'peninsula' of varying types of residences laid out along a hairpin-shaped loop road with connections to MD 355 on the east and Urbana Parkway on the west. These two sections are separated by a largely undeveloped, wooded, stream valley. A comprehensive trail system that connects the sub-areas of the community to one another and to the greater Urbana area is illustrated as a key element in providing interconnectivity to other destinations and land uses in neighborhood. The road network is linked together through a robust series of streets designed to provide convenient access from I-270, MD 80, and MD 355. Land areas immediately adjacent to Sugarloaf Parkway provide sites for anticipated, previously-approved retail, restaurant, and hotel uses.

Southern Employment MXD and Proposed Addition



Phasing Plan

The employment area of this MXD is essentially complete in terms of shared infrastructure and site preparation. Additional employment uses may proceed through the development review process (6 – 9 months) and otherwise be unencumbered in terms of construction.

The areas along Urbana Parkway that would transform from office/research uses to the proposed age-restricted residential community are in a development-ready state with roads and utilities available. The southernmost sections of the age-restricted site are in a pre-development state and would require significant effort to be ready and available for development. Site Development Plan application is anticipated for this section during the 2017-2018 timeframe. No other phasing information is available in the application. Initial construction of the residential component could occur in the 2018/2019 timeframe.

III. Evaluation - Relationship to the County Plans

Proposed Land Use Mix and Density

The Land Use Mix proposed in this Application provides for a range of uses anticipated in areas designated in the Comprehensive Plan for Mixed Use Development. In summary:

Employment/Institutional	33%
Residential	23%
Commercial	5%
Open Space	31%
Other (core functions)	8%

The Residential Density of the age-restricted component can be measured in two ways:

Gross Density 700 du/422 acres = 1.66 dwellings/acre

Net Density 700 du/99 acres = 7.1 dwellings/acre

The proposed net residential density of 7.1 DUs/acre falls squarely within the Medium Density Residential range (6-10 dwellings/acre) in the County Comprehensive Plan (*Managing Our Growth*, p. 10-25).

Consistency with Comprehensive Plan

The I-270 corridor in Frederick County has been targeted as a primary employment area as far back as the County's first Comprehensive Plan in 1959. The first industrial zoning in the corridor was applied in 1969. In the late 1990's the I-270 corridor in both Frederick and Montgomery county's was first marketed as the I-270 High Technology Corridor to recognize the type of development occurring in Montgomery County and to promote the entire corridor. While the initial view of the land along I-270 was to be solely employment the County has facilitated the ability to create mixed employment/residential developments to address the market and the shift away from the isolated office campus type development. The County Comprehensive Plan references the desire for mixed developments in the following policies:

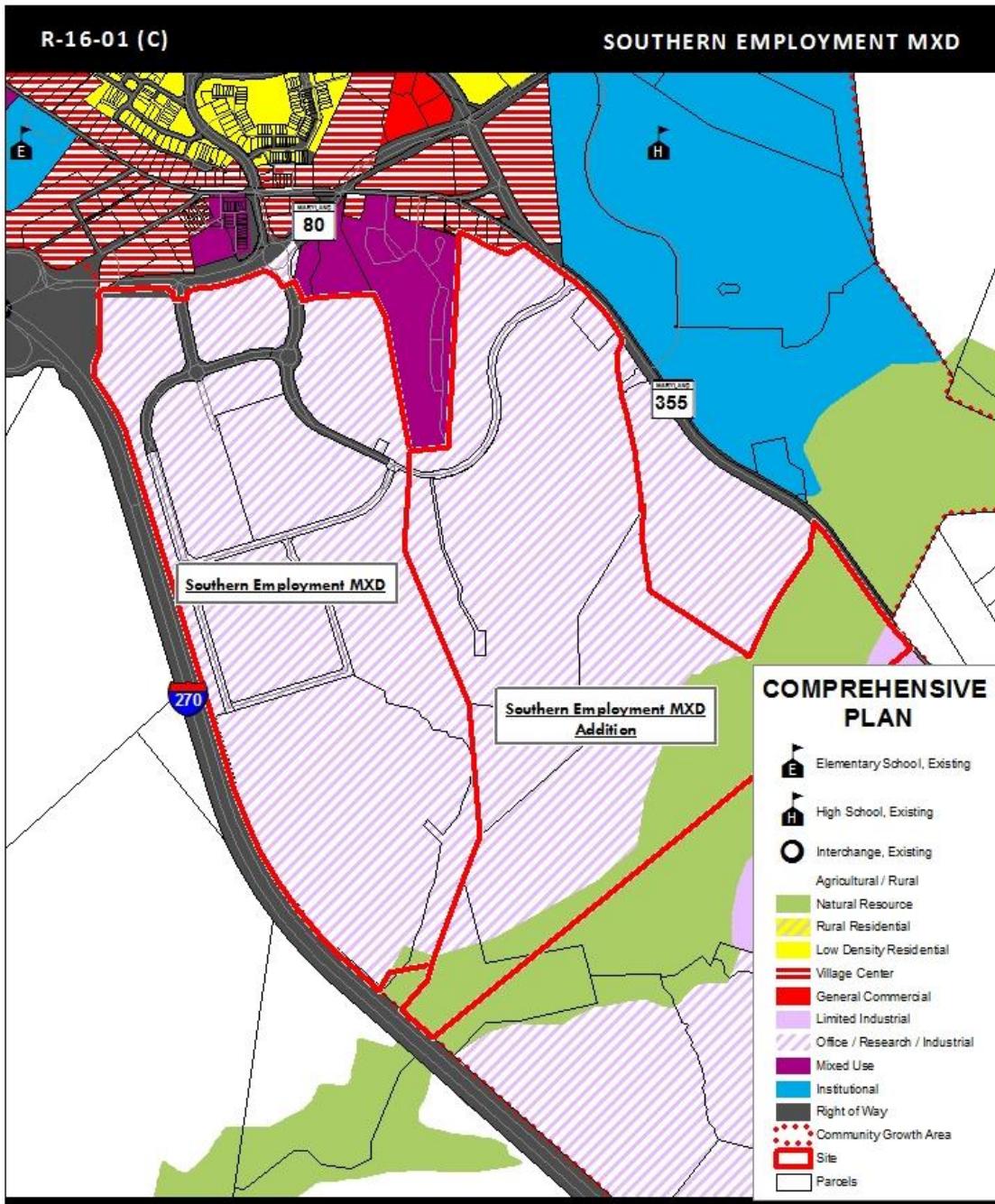
ED-P-02 Locate employment uses in community growth areas where they can take advantage of existing/planned infrastructure and proximity to the workforce & other services.

ED-P-03 Integrate compatible employment, commercial and residential uses when possible to achieve a mixed-use environment.

ED-P-07 Advocate for the efficient use of limited land resources zoned for employment that accommodates the County's targeted industries.

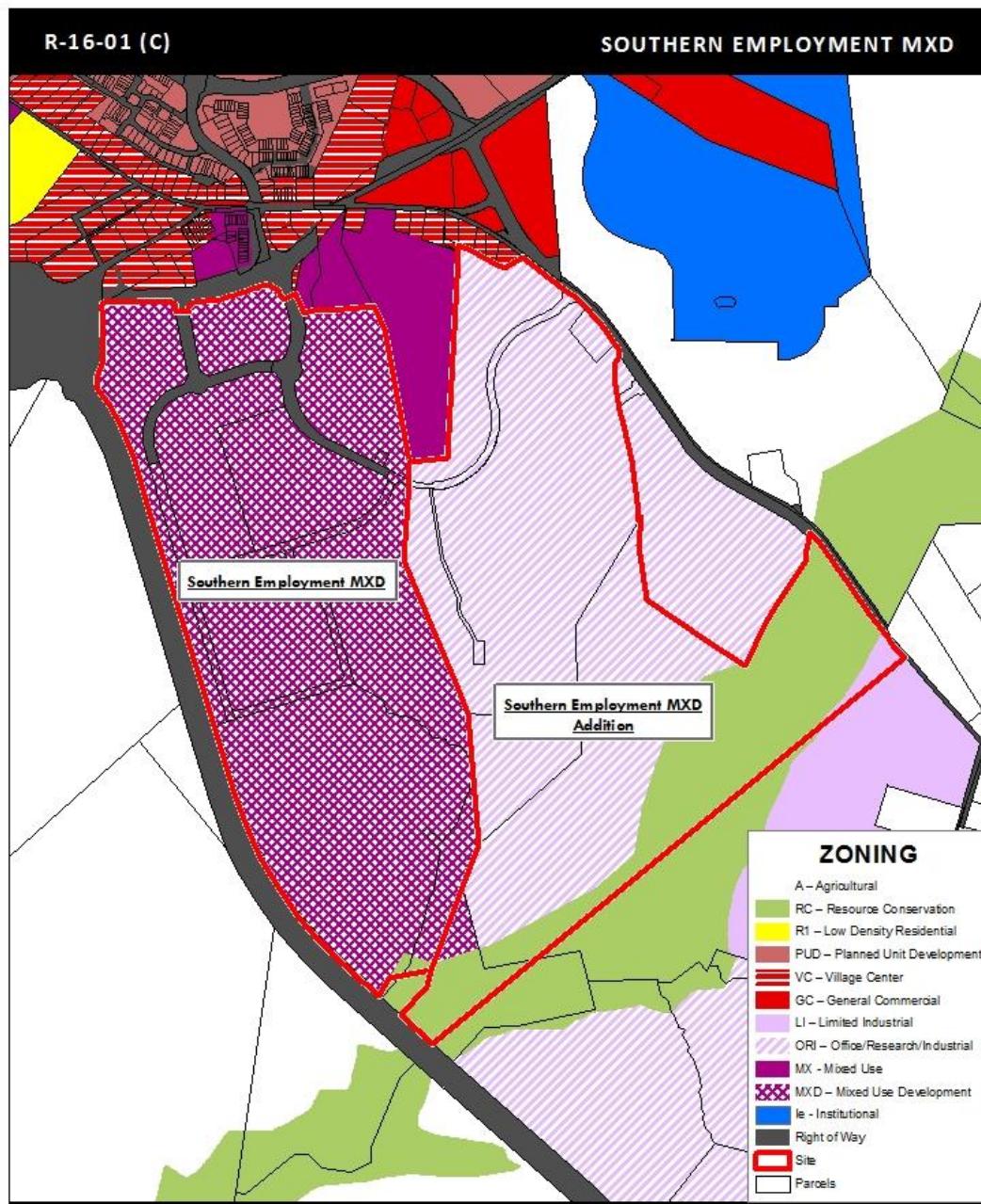
MG-P-19 Substantially limit development along major highway corridors such as I-270 and US 340 to those uses that maximize employment opportunities.

Staff recognizes the current market conditions, trends and absorption rates related to office development in the larger Washington metropolitan region. Irrespective of those trends, staff supports the revised Concept Plan submitted by the Applicant that maintains 67 acres of construction-ready land area within the older portion of the MXD.



Compatibility with Adjoining Zoning and Land Uses

Adjoining zoning districts surrounding the Southern MXD include Village Center (VC), Office/Research/Industrial (ORI), Limited Industrial (LI), and General Commercial (GC). Along the I-270 boundary, the MXD areas adjoin vast areas zoned Agricultural (A). This boundary serves as the physical limit of the Urbana Community Growth Area along its entire western edge. On the south, the proposed Southern Employment MXD boundary abuts a swath of Resource Conservation (RC) acreage, a portion of which would be incorporated into the revised MXD. The mix of intensive uses generally permitted by the zoning of the abutting properties is consistent with the continued development of the growth area.

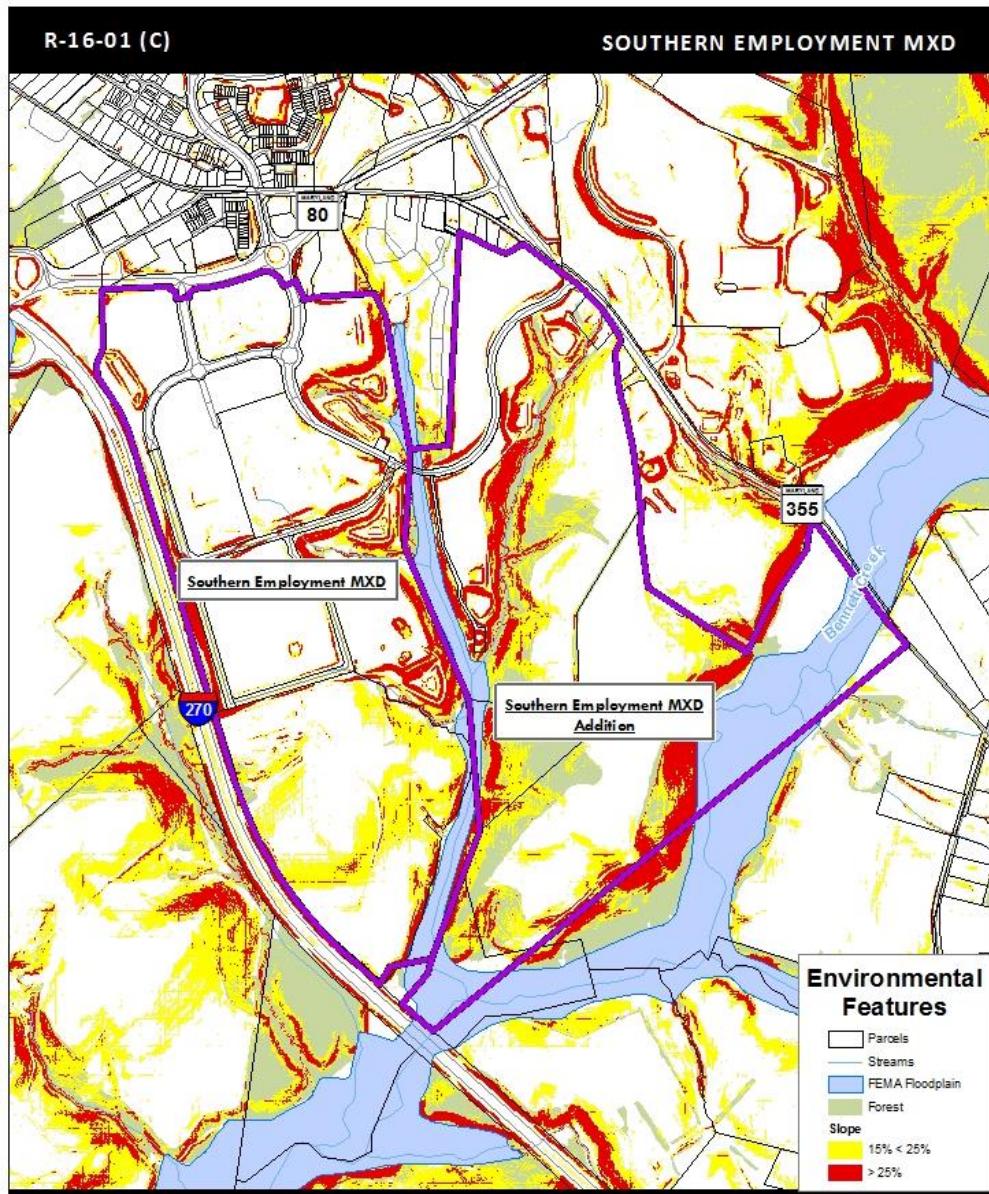


Surrounding land uses include commercial shopping centers, high-density residential apartments, and the Urbana High School campus.

The proposal is compatible with adjoining zoning districts and land uses.

Natural Features

The Southern Employment MXD site is also characterized by rolling topography with cleared open land and woodlands primarily adjacent to the streams. There is a stream corridor that separates the proposed residential component from the existing Southern MXD site. The stream is a tributary to Bennett Creek and has a narrow band of 100-year floodplain. The area proposed to be rezoned to MXD includes a portion of Bennett Creek and its adjacent 100-year floodplain. These areas are proposed to be open space in the Phase I Plan.



IV. Evaluation - Adequacy of Public Facilities and Services

Schools

The proposed amendment to the MXD will not include any all-age residential uses that would generate new students.

Water and Sewer

Within the existing Southern Employment District MXD the developed parcels are classified S-1/W-1 (existing service). Other portions with subdivision approval, within the existing MXD and in the ORI property are classified S-3/W-3. The Raystock property is classified S-4/W-4 (service in a 4-6 year timeframe).

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 capacity of 25 million gallons/day (MGD) and has a current average daily use of approximately 16 MGD.

Sewer Service - Sewage treatment service is provided by the Ballenger-McKinney wastewater treatment plant (WWTP), which has capacity of 15 MGD and currently discharges into the Monocacy River. Current average daily treatment flows at the Ballenger-McKinney WWTP is 5.7 MGD.

Based on the proposed 700 dwellings, and assuming 250 gallons/day/dwelling, the residential use would need approximately 175,000 gallons/day of both water supply and sewage treatment capacity. The Applicant is responsible for extensions and connections to the existing public water and sewer lines as well as constructing water storage tanks, pump stations etc.

The proposed 700 dwellings will use less than 50% of the capacity needed for the approximately 2 million sq. ft. of office use that would be replaced with the residential.

Programmed Improvements (FY 2018-2023 CIP)

There are no projects in the Urbana area.

Public Safety

The nearest fire station is the Urbana Volunteer Fire Department (Station #23), located on Urbana Pike next to Urbana Elementary School. The County Division of Fire and Rescue Services plans to add 9 Firefighters to the Urbana Fire Station to fully implement tactical unit staffing. Additional staffing opportunities are available as a result of the 2016 FEMA Grant. The site is approximately 3,500 feet from the Urbana Fire station.

Police protection for the Site is provided by the Frederick County Sheriff's Office.

Programmed Improvements (Adopted FY 2018-2023 CIP)

Green Valley Fire Station – Replacement of the existing station (Station #25), located near the intersection of MD 75/80. The site has been dedicated and conveyed to the County. The station is proposed to be open in 2023 and will have space for the County Sheriff's Office.

Planned Improvements

There are no additional planned public safety related improvements

Libraries

Urbana is served by the Urbana Regional Library located in the Villages of Urbana PUD Town Center. There are no library improvements programmed in the FY2018-2023 CIP.

Parks

There are two existing County parks in the vicinity of Urbana. The County's Urbana District Park (95 acres) is a regional park located on MD 355 across from the Northern Town Center MXD development. The other is the County's Urbana Community Park (20 acres) located on Urbana Pike adjacent to the Northern Town Center MXD. Both parks are fully developed with play fields, playgrounds, and trails.

The proposed active adult residential component in the Southern MXD would have its own HOA controlled pool/club house facilities. The Frederick YMCA is proposing a full YMCA facility including an aquatic center on property between the Urbana High and Middle schools. The County is proposing to contribute funding towards the pool component to allow for some public use of the pool.

Programmed Improvements (FY 2018-2023 CIP)

No programmed improvements for parks in the vicinity

Planned Improvements

Special Park – The County owns a 19-acre site in the Villages of Urbana next to Centerville Elementary School that would be available for future park facilities.

Sugarloaf Elementary School will be constructed as a Park/Rec school, including an oversized gymnasium designed to offer expanded recreational programs.

Transportation

Existing Site Access Characteristics

The Southern Employment District MXD has frontage along MD 80 with two full access points, one controlled by a traffic signal and the other at a roundabout. A third access point is provided via Urbana Pkwy, which runs through the MXD to MD 355. The proposed residential area will have a connection to Urbana Pkwy and a direct access point (currently an existing driveway access to Knowledge Farms) to MD 355 across from Campus Dr.

Existing 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 # existing thru lanes) by the current average daily traffic **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)	Volume/Capacity (VC) Ratio
MD 355 – north of Worthington Blvd	10,990	18,000, V/C -0 .61
MD 355 – north of MD 80	8,050	34,000, V/C – 0.24
MD 355 – south of Campus Dr.	8,750	18,000, V/C – 0.49
MD 80 – west of I-270	7,060	18,000, V/C – 0.39
MD 80 – west of Urbana Pkwy	19,600	34,000, V/C – 0.58
MD 80 – east of MD 355	19,510	34,000, V/C – 0.57

The proposed 700 dwellings would have the following daily weekday trip generation:

Senior detached (700 dwellings) 2,597 daily trips

Based on ITE (8th edition) trip generation rate of 3.71 trips/dwelling unit

Comprehensive Plan Designations for Adjoining Roads

MD 80 – Minor Arterial

MD 355 – Major Arterial

Urbana Pkwy - Collector

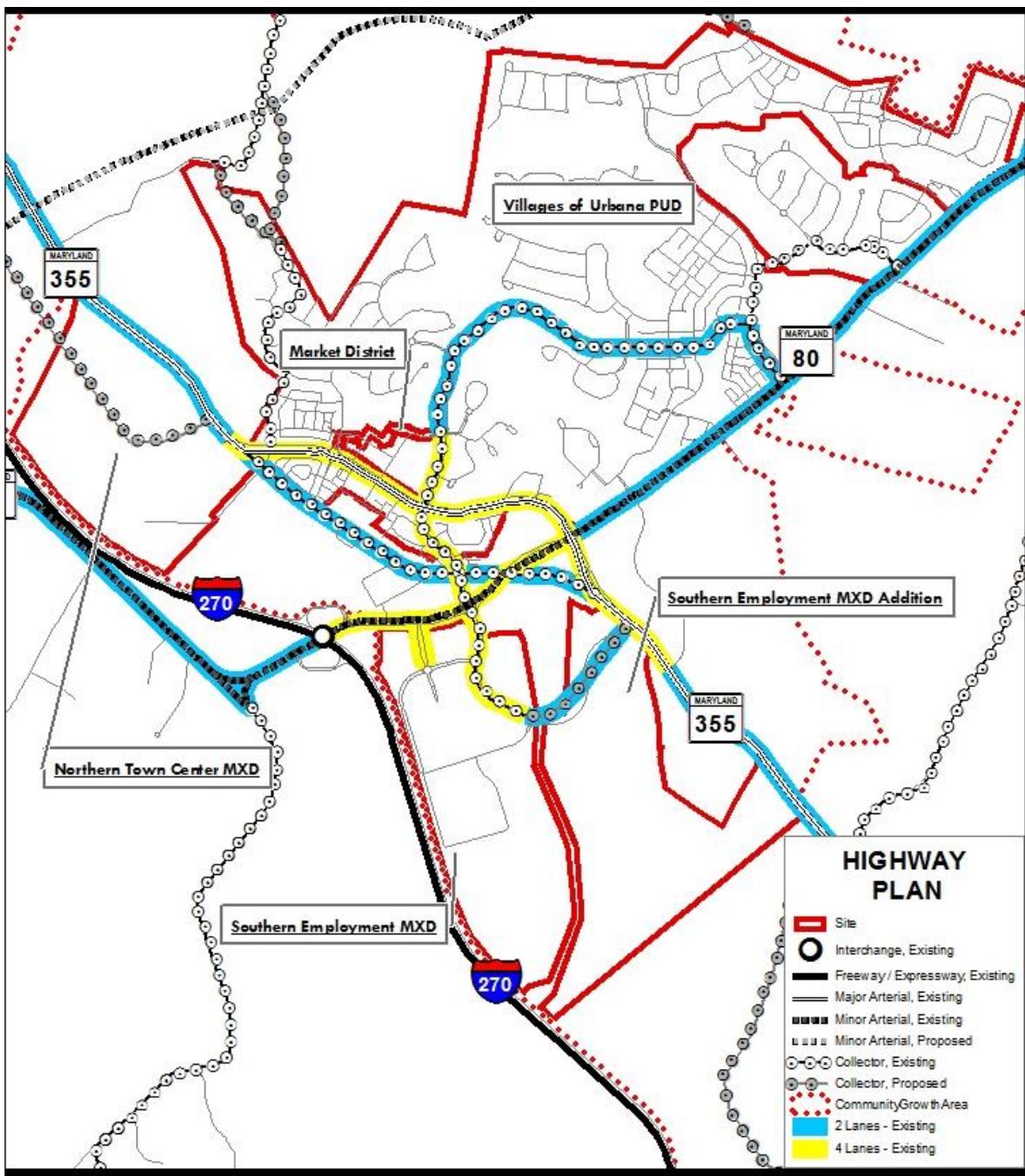
Urbana Pike (old MD 355) - Collector

Programmed Improvements (Adopted FY 2017-2022 CIP)

There are no County road improvements in the current CIP.

Planned Improvements

I-270/MD 80 Interchange – Through prior APFO approvals, the applicant is responsible for constructing a new ramp from northbound I-270 to eastbound MD 80. This ramp will replace an existing ramp that requires traffic to make a left turn onto eastbound MD 80 at a traffic signal.



V. Approval Criteria and 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 amendments to the Southern MXD maintains a sufficient mix of land uses, including employment, that Staff would find consistent with underlying Office/Research/Industrial Comprehensive Plan designation.

(2) Availability of public facilities;

Staff finds that parks, libraries, and public safety facilities are currently adequate to serve the proposed residential development. The construction of a replacement Green Valley fire station (station #25) in 2023 will help to maintain adequate fire/rescue services. For water/sewer service, the proposed 700 dwellings will require less than 50% of the capacity than the employment uses it is proposed to replace. There is approximately 9 MGD of water supply and 9.3 MGD of sewage treatment capacity currently available in the New Design water system and the Ballenger-McKinney WWTP.

The proposed age-restricted residential would not generate any new students.

(3) Adequacy of existing and future transportation systems;

Staff finds the existing road to be adequate to accommodate additional traffic. Both MD 80 and MD 355 throughout the immediate Urbana area have volume/capacity ratios less than 1.0 indicating the ability to accommodate additional traffic. Current Adequate Public Facility Ordinance (APFO) approvals will require additional improvements to MD 80 east of MD 355 and on MD 355 in the vicinity of the Urbana District Park. The potential daily weekday trip generation of 2,597 trips from the proposed age-restricted residential can be adequately accommodated given current traffic volumes and volume/capacity ratios.

(4) Compatibility with existing and proposed development;

Staff finds that proposed changes to the MXD are generally compatible with existing and proposed development. The remaining employment area in the Southern MXD will be separated from the residential uses by a natural buffer (stream valley and open space areas).

(5) Population change; and,

The current population of Urbana proper is approximately 9,800. The proposed 700 additional age-restricted dwellings will result in a population increase of approximately 1,400 people based on an average household size of 2.0 persons/household.

(6) The timing of development and facilities.

For the MXD development the water/sewer and road infrastructure are mostly in place to accommodate the age restricted residential development and/or an assisted living/nursing care facility. These additional dwellings will also be subject to subsequent APFO testing for school adequacy.

§ 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 proposal for the Southern Employment MXD is relatively compact and efficient in its consumption of land and infrastructure in this section of the MXD. A complex mix of medium-density residential, employment, commercial, and open space/recreational uses are woven together to maximize privacy and separation where necessary and to encourage interconnection between residential neighborhoods and the services and facilities needed to sustain them.

(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 general Phase I design components of the Southern MXD proposal are consistent with the County's Comprehensive Plan goals regarding efficient and well planned development patterns supporting a variety of housing types and employment opportunities for current and future County residents. Currently, there are no Community or Corridor Plans for this area.

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

To the extent discernible in a Phase I Land Use Concept Plan, the proposal for the Southern Employment MXD appears to reflect a development scheme that makes wise use of natural and man-made features to diminish differences in intensity, building scale, and appearance between the existing employment uses and the proposed residential or assisted living/nursing care facility.

(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;*

Staff finds that the proposed development of the Southern Employment MXD provides a safe and efficient arrangement of land uses, whether it is developed as age-restricted or with an assisted living/nursing care facility. The road network that is mostly existing provides alternative access points while also providing some degree of separation of traffic generated by the employment uses.

(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;*

Staff finds the transportation system to be adequate to accommodate additional traffic. Both MD 80 and MD 355 throughout the immediate Urbana area have volume/capacity ratios less than 1.0 indicating the ability to accommodate additional traffic. Current Adequate Public Facility Ordinance (APFO) approvals

will require additional improvements to MD 80 east of MD 355 and on MD 355 in the vicinity of the Urbana District Park. The potential daily weekday trip generation of 2,597 trips from the proposed 700 age-restricted residential dwellings can be adequately accommodated given current traffic volumes and volume/capacity ratios.

(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;*

While the network of streets and pedestrian facilities appears to have expanded organically into the land areas previously planned for office employment uses in the Northern Town Center MXD, the proposed expansion of a significant residential component (700 DUs) into the southernmost land areas of the Southern Employment MXD creates a challenge for connecting future residents to the jobs, shopping areas, and institutions critical to a successful community. Staff finds that the Applicant has maximized connectivity in the southernmost sections of the MXD by providing multiple pedestrian paths, apparent vehicular/pedestrian interconnections to previously developed parcels, and placed the highest density residential structures in close proximity (within 500 feet) to existing commercial development and potential transit routes along Urbana Parkway, Urbana Pike, and Fingerboard Road.

(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 Urbana Fire Co. (Station #23) is within 2 miles of the site. This station has professional staff and a full complement of fire and rescue equipment. The Green Valley Station (Station #25) is approximately 5 miles from the respective developments and would serve as the second due station. County Fire and Rescue Services plans to add career staff to support tactical staffing of equipment to better serve the community.

(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 proposed concept land use plan maintains the open space areas from currently approved plans. These open space areas protect several stream corridors that include woodlands, and moderate slopes. Sensitive natural areas and open spaces are utilized strategically to provide natural land use buffers and provide opportunities for passive and active recreational amenities to serve both residential and employment uses in the MXD.

(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;*

Staff does find the proposed residential land use in the Southern MXD component to be consistent as it

provides for an integrated mix of land uses in an area that is currently limited to employment and commercial uses.

(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.*

Staff finds that parks, libraries, and public safety facilities are currently adequate to serve the proposed residential development. The construction of a replacement Green Valley fire station in 2023 will help to maintain adequate fire/rescue services. For water/sewer service the proposed 700 dwellings will require approximately less than 50% of the capacity than the employment uses it is proposed to replace. There is approximately 9 MGD of water supply and 9.3 MGD of sewage treatment capacity currently available in the New Design water system and the Ballenger-McKinney WWTP.

VI. Proposed Condition Revisions

Two recently concluded County studies include recommendations supportive of the revisions proposed in the Urbana Southern MXD application:

The Seniors First Steering Committee Report and Recommendations (November 2016), notes that the number of adults age 60+ will surpass the number of school age children in the County by 2020. The Report also notes that the 85 and over age group will nearly quadruple over the next 25 years. The result is a growing demand for services to this growing segment of our population coupled with a need for a continuum of affordable housing options, assisted living alternatives, and skilled care for seniors.

The Frederick County Affordable Housing Needs Assessment (November 2016) provides further support for more affordable housing options for our growing senior population. Specifically, housing programs to support aging in place alternatives, and utilization of a portion of the County's MPDU funds to serve seniors are strongly recommended by the Steering Committee.

The following conditions reflect the most recent revision to the Southern Employment MXD approved in 2012 (Ordinance # 12-32-627).

Language with a ~~strikethrough~~ is proposed to be deleted and language in all CAPITALS is new.

1. The proposed street connections between the employment uses and commercial uses shall be maintained in a way that allows for pedestrian access through the development of the project. Furthermore, these pedestrian/street links between employment and commercial uses shall be strengthened through the use of wider and generously landscaped walkways.
2. The MXD project shall be subject to the *Frederick County Community Design Guidelines and Development Principles* (adopted July 16, 2002) throughout the Planning Commission's review process.
3. Convenient bicycle and pedestrian access shall be established and maintained in order to fully interconnect the Villages of Urbana PUD with the Urbana Office/Research Center MXD. Such access shall accommodate reasonable attempts to find convenient connections to the NEWLY INCORPORATED MXD ORI lands east of the EMPLOYMENT AREA OF THE MXD.
4. An integrated trail/walkway shall be constructed for the use of employees of, and visitors to, employment and commercial uses in the MXD.
5. Applicant shall coordinate with Frederick County's TransIT Division in order to optimize future transit service to the MXD.
6. An extension of Bennett Creek Avenue through Fannie Mae site, either as a pedestrian or vehicular thoroughfare, shall be indicated on the land use plan and illustrative document so

as to protect the opportunity for access to the central Land Bay.

7. The applicant shall confirm and demonstrate at or prior to the time of MXD Phase II (preliminary plan) approval through a traffic review to the satisfaction of County staff that the traffic impacts, including distribution of trips, resulting in any proposed change in use are not greater than the traffic impacts resulting from the current approved uses under the APFO LOU amended as part of this application.
8. THE SOUTHERN MXD SHALL BE PERMITTED TO DEVELOP AS DEPICTED ON THE CONCEPT PLAN AND UTILIZE UP TO 30% OF THE COMBINED LAND USE AS RESIDENTIAL AND COMMERCIAL AS PERMITTED UNDER SECTION 1-19-10.500.7(A).
9. A MAXIMUM OF 700 DWELLING UNITS MAY BE DEVELOPED IN THE SOUTHERN EMPLOYMENT DISTRICT MXD. ONE HUNDRED PERCENT (100%) OF THESE DWELLINGS UNITS SHALL BE AGE-RESTRICTED.
10. SOME OR ALL, OF THE PROPOSED RESIDENTIAL LAND USE AREA FOR THE AGE-RESTRIED DWELLINGS MAY BE DEVELOPED AS A NURSING CARE/ASSISTED LIVING FACILITY. IF THE DEVELOPED AS A CCRC, NURSING HOME/ASSISTED LIVING FACILITY, THE NUMBER OF UNITS WILL BE DETERMINED AS PART OF THE SITE DEVELOPMENT PLAN, AND NOT BE SUBJECT TO THE UNIT CAP ESTABLISHED AS IT IS AN INSTITUTIONAL USE.
11. COVENANTS SHALL RESTRICT 100% OF THE DWELLING UNITS IN THE SOUTHERN MXD PROJECT TO BE AGE-RESTRICTED PER THE FEDERAL FAIR HOUSING ACT AND THE HOUSING FOR OLDER PERSONS ACT OF 1995. THERE SHALL BE A FURTHER LIMITATION ON THE MINIMUM AGE OF PERMANENT RESIDENTS BEING 19 YEARS OF AGE. THESE COVENANTS SHALL BE RECORDED PRIOR TO THE RECORDING OF THE FIRST SUBDIVISION PLAT. THE COVENANTS SHALL BE RECORDED AND MADE PART OF THE TITLE FOR EACH DWELLING UNIT. EVERY PROPERTY OWNER WITHIN THE AGE-RESTRICTED DEVELOPMENT (AND HOA) SHALL BE BENEFICIARIES OF THE COVENANTS WITH THE ABILITY TO ENFORCE THEM THROUGH ADMINISTRATIVE OR JUDICIAL PROCEEDINGS. THESE COVENANTS ARE TO BE REVIEWED BY THE COUNTY ATTORNEY'S OFFICE TO ENSURE THAT THE MXD ZONING DISTRICT IS INVALID IF THESE COVENANTS ARE NOT RECORDED AND DO NOT RESTRICT AGE AS PROFFERED IN A BINDING AND ENFORCEABLE MANNER. THE REQUIRED BIANNUAL FEDERAL SURVEYS (24 CFR 100.307) SHALL BE MADE AVAILABLE TO THE COUNTY FOR ITS REVIEW AND RECORDS.

VII. Staff Recommendation

Staff recommends APPROVAL of the request, R-16-01 (C), to rezone approximately 210 acres from ORI, LI, and RC to MXD, and to add this land area to the Southern Employment District MXD for the purpose of developing an age-restricted residential use and/or an assisted living/nursing care facility. Staff forwards this recommendation in consideration of the recommendations contained in the Seniors First Steering Committee Report and Recommendations and the Frederick County Affordable Housing Needs Assessment, and based on the following findings:

Based on the findings, described in Section V of the staff report, relative to:

- The Approval Criteria as set forth in §1-19-3.110.4 of the Zoning Ordinance; and
- The Planned Development District Approval Criteria as set forth in §1-19-10.500.3 of the Zoning Ordinance.

Staff further recommends APPROVAL of applicant's proposed/revised conditions. Staff would recommend deletion of #4 as this condition has been satisfied. The recommended conditions are listed below:

1. The proposed street connections between the employment uses and commercial uses shall be maintained in a way that allows for pedestrian access through the development of the project. Furthermore, these pedestrian/street links between employment and commercial uses shall be strengthened through the use of wider and generously landscaped walkways.
2. The MXD project shall be subject to the *Frederick County Community Design Guidelines and Development Principles* (adopted July 16, 2002) throughout the Planning Commission's review process.
3. Convenient bicycle and pedestrian access shall be established and maintained in order to fully interconnect the Villages of Urbana PUD with the Urbana Office/Research Center MXD (aka Southern Employment MXD). Such access shall accommodate reasonable attempts to find convenient connections to the newly incorporated MXD ORI lands east of the employment area of the MXD.
4. An integrated trail/walkway shall be constructed for the use of employees of, and visitors to, employment and commercial uses in the MXD.
5. Applicant shall coordinate with Frederick County's TransIT Division in order to optimize future transit service to the MXD.

6. An extension of Bennett Creek Avenue through Fannie Mae site, either as a pedestrian or vehicular thoroughfare, shall be indicated on the land use plan and illustrative document so as to protect the opportunity for access to the central Land Bay.
7. The applicant shall confirm and demonstrate at or prior to the time of MXD Phase II (preliminary plan) approval through a traffic review to the satisfaction of County staff that the traffic impacts, including distribution of trips, resulting in any proposed change in use are not greater than the traffic impacts resulting from the current approved uses under the APFO LOU amended as part of this application.
8. The Southern Employment MXD shall be permitted to develop as depicted on the concept plan and utilize up to 30% of the total acreage for residential and commercial land uses as permitted under section 1-19-10.500.7(a).
9. A maximum of 700 dwelling units may be developed in the Southern Employment MXD. One hundred percent (100%) of these dwellings units shall be age-restricted.
10. Some, or all, of the proposed residential land use area for the age-restricted dwellings may be developed as a CCRC, nursing home, or assisted living facility. For land areas within the proposed MXD that are developed as a CCRC, nursing home, or assisted living facility, the number of units permitted for these institutional uses will be determined during the site development plan review process, and will not be counted against the 700 dwelling unit cap established for the Southern Employment MXD.
11. Covenants shall restrict 100% of the dwelling units in the Southern MXD project to be age-restricted per the Federal Fair Housing Act and the Housing for Older Persons Act of 1995. There shall be a further limitation on the minimum age of permanent residents being 19 years of age. These covenants shall be recorded prior to the recording of the first subdivision plat. The covenants shall be recorded and made part of the title for each dwelling unit. Every property owner within the age-restricted development (and HOA) shall be beneficiaries of the covenants with the ability to enforce them through administrative or judicial proceedings. These covenants are to be reviewed by the county attorney's office to ensure that the MXD zoning district is invalid if these covenants are not recorded and do not restrict age as proffered in a binding and enforceable manner. The required biannual federal surveys (24 CFR 100.307) shall be made available to the county for its review and records.

**Gene Giesler
4338 Prices Distillery Rd.
Ijamsville, MD 21754**

12/12/2023

Frederick County Council
Winchester Hall
12 East Church Street
Frederick, MD 21701

Subject: Support for the Knowledge Farms Rezoning from OFFICE/RESEARCH & INDUSTRIAL to Mixed Use (MXD)

Dear Members of the County Council,

As a long-standing resident of the Urbana area, I am writing to express my strong support for the Rezoning of the Knowledge Farms Property (3280 Urbana Pike) from OFFICE/RESEARCH & INDUSTRIAL to Mixed Use (MXD). Further, I understand the proposed rezoning will enable more age restricted (55+ years of age) housing to be developed there, along with some commercial, and an assisted living facility. All of these are needed and underserved in the Urbana area.

Among the benefits I believe the county and community will enjoy from this rezoning include:

Quality of Life:

Age restricted developments like that planned for Knowledge Farms are designed to provide a high quality of life for residents, with a focus on amenities such as walking paths, light commercial services healthcare facilities (like the adjacent Knowledge Farms Medical Bldg).

Further, the planned mix of housing types mirror the adjacent Woodlands Development, and will accommodate various income levels, contributing to socioeconomic diversity and inclusivity.

Aesthetic Appeal:

Age restricted residential developments (like the Knowledge Farms Development) are often designed with aesthetics in mind, incorporating landscaping, architectural variety, and other features that enhance the visual appeal of the area (over industrial).

The focus on aesthetics can contribute to a positive living environment and increased property values.

- No impact on schools' capacity/demand.
- Lower Environmental Impact:

Residential developments (particularly age restricted) generally have a lower environmental impact compared to industrial zones.

- Reduced Traffic and Noise:

Age-Residential developments generate less traffic and noise pollution compared to industrial zones, contributing to a quieter and more peaceful living environment. In conclusion, with the Council scheduled to hear and decide on this matter on January 16th, I'm encouraging you to vote in favor of it. Thanks in advance for your consideration of my position.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Giesler". The signature is fluid and cursive, with a long, sweeping line for the "e" in "Gene".

Gene Giesler

Gene Biegel
4338 Prince St Dist 147 P.O.
Tigerville, MD 21754

BALTIMORE MD 212
12 DEC 2007 4:2

\$0.63 0
U.S POSTAGE
FIRST-CLASS
062500703076
FROM 21754



Frederick County Court Council
12 East Chest St - Winchester Hall
Frederick, MD 21701

2007-01-12 10:45:00 AM

2007-01-12 10:45:00 AM

From: Scott Reilly <svreilly49@gmail.com>
Sent: Wednesday, December 27, 2023 4:31 PM
To: Young, Brad <BYoung@FrederickCountyMD.gov>; Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Knowledge Farms MXD Rezoning - R-21-02

Council President Brad Young:
Members of the Frederick County Council:

We support the request by Knowledge Farm Partners LLC (Case #R-21-02), to rezone the Knowledge Farm development in Urbana from Office/Research/Industrial (ORI) to Mixed Use Development (MXD).

The subject property was approved in 2003 for a site plan that included 140,000 square feet of uses consistent with the Office, Research and Industrial zoning designation. The proposed rezoning to Mixed Use Development will allow for the creation of active adult residential units and continuing care residences, possible commercial uses, and 25 percent of the site as open space/green areas.

The Frederick County Planning Commission's recommended conditions on the Rezoning Application are responsive to concerns previously raised by the public and by County officials. These conditions restrict the number of residences on the property, place age restrictions on property residents, limit the height of residential, commercial and institutional structures, and request efforts to mitigate traffic impacts on the abutting community.

The applicant's development proposal, enabled by the requested MXP zone, currently includes needed senior housing, possibly including rental housing opportunities, and a substantial component of continuing care housing that is missing from abutting residential communities, including our own community, The Woodlands of Urbana active adult development. Under the proposal, the townhouse units located on the portion of the site closest to The Woodlands community are similar in layout, height, and density to The Woodlands' villas located on Herb Garden Drive. The active adult multifamily buildings are in keeping with the condominium buildings already constructed and under construction at The Woodlands, and the applicant proposes to limit the height of the continuing care facility to three stories, as conditioned by the Planning Commission.

The Knowledge Farms proposal will serve a growing need in Urbana by providing independent living, continuing care housing, and services to our increasing senior population, including the residents of The Woodlands of Urbana. We urge the County Council to approve this zoning request with the conditions recommended by the Planning Commission.

Scott Reilly and Stephanie Killian
9302 Chicory Court
Urbana, MD 21704

From: Marian Callahan <mcallahan3311@gmail.com>
Sent: Friday, December 29, 2023 7:03 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Knowledge Farms Development

Dear Council,

I have written countless letters, and have testified in person, concerning the issue of overdevelopment in Urbana, at the Knowledge Farms site.

As you know, homes in The Woodland development border the site. We are concerned about the density to come — and that additional buildings will severely restrict the light that can come through the rear windows of the homes. Please note that these homes depend on the rear window for light and ventilation.

—There are several schools bordering the site. And the traffic tie-up at Campus Drive is already a hazard, with the intersection including Urbana High School as well as elementary schools. Children on bicycles and on foot present a problem in moving traffic as needed.

—Route 270 is already overburdened and additional vehicles coming on to exit 2 6 will sorely impact our community.

You have seen various studies, but you have not considered the fact that development in the area, in New Market, and in other sections, simply adds to density without providing for the needs of the community.

—We have not seen developers listening to our concerns. There is no consideration for a dialysis center; for a market; for emergency services. Rather, developers are concerned only with their pockets and not with Frederick County residents.

Marian Callahan
3311 Ivy Meadow Drive
Urbana, 21704
301 213 8325

Clem Meyer
1402 Thurston Rd
Dickerson MD 20842

12/27/2023

Frederick County Council
Winchester Hall
12 East Church Street
Frederick, MD 21701

Subject: Support for the Knowledge Farms Rezoning from OFFICE/RESEARCH & INDUSTRIAL to Mixed Use (MXD)

Dear Members of the Frederick County Council,

As a long-standing resident of southern Frederick County, I am writing to express my strong support for the Rezoning of the Knowledge Farms Property (3280 Urbana Pike) from OFFICE/RESEARCH & INDUSTRIAL to Mixed Use (MXD). Further, I understand the proposed rezoning will enable more age restricted (55+ years of age) housing to be developed there, along with some commercial, and an assisted living facility. All of these are needed and underserved in southern Frederick County.

Among the benefits I believe the county and community will enjoy from this rezoning include:

Quality of Life:

Age restricted developments like that planned for Knowledge Farms are designed to provide a high quality of life for residents, with a focus on amenities such as walking paths, light commercial services healthcare facilities (like the adjacent Knowledge Farms Medical Bldg).

Further, the planned mix of housing types mirror the adjacent Woodlands Development, and will accommodate various income levels, contributing to socioeconomic diversity and inclusivity.

Aesthetic Appeal:

Age restricted residential developments (like the Knowledge Farms Development) are often designed with aesthetics in mind, incorporating landscaping, architectural variety, and other features that enhance the visual appeal of the area (over industrial).

The focus on aesthetics can contribute to a positive living environment and increased property values.

- No impact on schools' capacity/demand.
- Lower Environmental Impact:

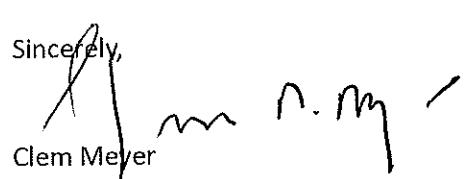
Residential developments (particularly age restricted) generally have a lower environmental impact compared to industrial zones.

- Reduced Traffic and Noise:

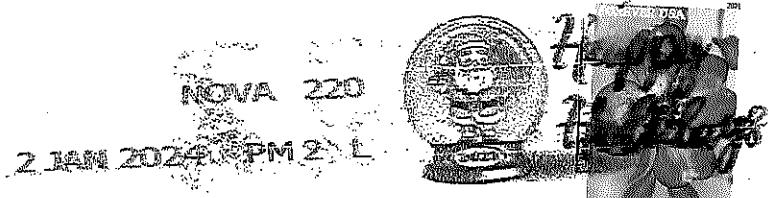
Age-Residential developments generate less traffic and noise pollution compared to industrial zones, contributing to a quieter and more peaceful living environment. In conclusion, with the Council scheduled to hear and decide on this matter on January 16th, I'm encouraging you to vote in favor of it. Thanks in advance for your consideration of my position.

Sincerely,

Clem Meyer

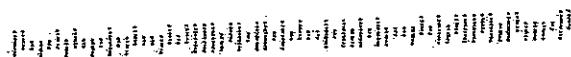
A handwritten signature in black ink, appearing to read "Clem Meyer". The signature is fluid and cursive, with a stylized 'C' and 'M'.

METER
1402 THURSTON RD.
DICKERSON, MD 20842



FREDERICK COUNTY COUNCIL
WINCHESTER HALL
12 EAST CHURCH ST.
FREDERICK, MD 21701

21701-549798



From: DAVID VIA <d_via@msn.com>

Sent: Wednesday, January 10, 2024 8:31 AM

To: Council Members <CouncilMembers@FrederickCountyMD.gov>

Subject: Knowledge Farms Application for Rezoning to Mixed Use Development

Request Council Members consider several conditions to approval of the Knowledge Farms Application for Rezoning to Mixed Use Development.

- 1) Proper storm water drainage and wetlands space is provided / outlined in the final site plan for the property that abuts the Woodland of Urbana
- 2) Proper landscaping along the two properties
- 3) A complete Traffic Plan with timeline for implementation as part of the final approved site plan with limited through access to the Woodlands of Urbana neighborhood from the Knowledge Farms development.
- 4) Embed in the plan an exclusion of 24-hr brightly-lit and busy commercial activity such as a gas station/convenience store
- 5) Ensure walkability and link to trails for other activities like biking

These concerns are the result of the Knowledge Farms Principles sponsored an information and feedback evening session with the residents of the Woodlands of Urbana on 9 Jan 23. We tired of the constant harping on the same issues by some of our neighbors. We understand there are many uncertainties in planning (no matter the plan!), and you're trying to balance optimal use with reasonable return on your investment. We also understand the conceptual illustration of the one topological model the Knowledge Farms Principles presented - folks just seemed not to hear that this was a literal first cut at what would be a possible approved site plan. Our concern in approving the rezoning request is that the Council ensure certain condition for the final site plan are a component of the rezoning approval.

We moved to the Woodlands of Urbana in July 2021, and we walked the property straight back from our house to understand what was back there and got a real sense of the contour. That was long before any of the current active planning discussions were public. We knew all along that the land would not remain idle, but we also recognized there would be severe limits to how much of it could be developed, given the steep drop toward 355 and the wetland/runoff slough roughly dividing the property from the Woodlands. We're very interested in subsequent topo slices for the future development as our property abuts the run-off to the wetlands.

On the attached photo, I've drawn a yellow line roughly where current conceptual illustration shared by the Knowledge Farms Partners runs. Obviously, the more-level part of the property! I've circled what we call the lower back corner of the property, where the proposed villas come almost to the edge. Our villa abuts that corner. We understand the structures would be about 93 ft apart. We'd dare say there are parts of the Woodlands where homes or villas have that little separation. But we truly wonder about the feasibility of building that far down the steep slope. Our back yard elevation drops off some 26 ft from villa to property line, and the slough is probably another 20 ft down. That slope will be challenging to build, to say the least. The topo view from that property corner straight over to 355 will be very interesting!

Our final concern is getting rid of those invasive trees currently at the edge of the KF property. They're the horrible Chinese Tree of Heaven, very brittle and a favorite of the spotted lantern fly,

which has started appearing here. If you examine those trees (assuming no more have fallen in the day's winds), you'll see entire trunks perforated by woodpecker holes! Building a berm here will not be feasible without affecting the runoff, but we would hope there's a plan for a mix of shrubs and trees that will provide some screening as well as protect the soil from erosion.

We would also ask that they embed in your plan an exclusion of 24-hr brightly-lit and busy commercial activity such as a gas station/convenience store. Limiting the building height would be desirable, and any lighting should be of the type that focuses down, not up into the sky. The stadium lights from the high school are annoyance enough, but they're generally off by midnight, the few nights/week that they're on. Worse, the Criswell development several miles down 355 has forever ruined whatever dark sky we might have hoped to preserve, and we don't want that here. We know that the project will take years once it starts - even this development didn't happen overnight, which some neighbors seem to have forgotten. The fears over amenities are ridiculous and soluble; if good sidewalks are put in, those should be open to all. Access to everything else can be controlled, if not negotiated for a fee for use by new neighbors. We don't expect to use the amenities up in Urban Green, and they had some nice ones long before ours were available. That's one of the best things about this area - so walkable and we would like to see more of that activity and development. There's also a senior bus service we see occasionally - surely that's a leverage point as well with the county and any development of a senior living facility.

We look forward to your session at the Planning Commission. Wanda and Dave

David L. Via

3047 Herb Garden Drive
Urbana, MD 21704-1701
301-717-9468

d_via@msn.com



From: Loriann <lhoberlin@gmail.com>
Sent: Tuesday, January 9, 2024 5:16 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Knowledge Farms Problems with the Woodlands

Dear Council Members:

I am a resident of the Woodlands of Urbana, adjacent to Knowledge Farms and sharing an entrance.

I, along with many of my neighbors, believe that this area is already densely populated. I believe that adding many homes, a storage facility or an assisted living would create way too much traffic in an already busy intersection and entrance. These should not be considered or allowed.

If there is a traffic light added at Thornapple Drive and Rt 355, it would be welcomed because of the cars flying up and down the hill. This is a concern for our 55+ community as well as the high school campus.

Townhomes or condos similar to the work/life dwellings on Main Street in the Kentlands/Gaithersburg would be fine. This would add some shopping that residents could walk to perhaps -- bakery, coffee, sandwich shop, postal store, barber -- amenities on the first floor/ground level, that workers at KF offices/medical practices and the residents nearby as well as the students would be able to patronize.

Barring this, perhaps one restaurant such as a Silver Diner (local chain), Eat N Park (a chain in Western PA that may expand to Maryland) or Cracker Barrel would be good, as well.

Whatever is added should cause the least amount of traffic and disruption as well as negative impact (sound, traffic, bad elements) especially as it sits right next to a community with 55+ residents and is near a school campus.

Thank you so much for reading citizen input.

Loriann Laurenzano
The Woodlands

From: Mike Kalinock <mike.kalinock@jpbpartners.com>
Sent: Thursday, January 11, 2024 6:36 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: Cherney, Ragen <RCherney@FrederickCountyMD.gov>; Superczynski, Denis <DSuperczynski@FrederickCountyMD.gov>; Gaines, Kimberly <KGaines@FrederickCountyMD.gov>; Chris Thomas <chris.thomas@jpbpartners.com>; Chad Tyler <chad@tylerco.com>
Subject: RE: Knowledge Farms - R-21-02

Attached,

Please find a copy of an email from a Woodlands community resident who wishes to stay anonymous. They did approve sending this, but without including their names.

Mike Kalinock
Co-Managing Partner
Knowledge Farms Partners, LLC

(Copy of email dated January 10, 2024 from residents of the Woodlands who wish to remain anonymous)

Thank you for offering the session last evening. We tired of the constant harping on the same issues by some of our neighbors. We understand there are many uncertainties in planning (no matter the plan!), and you're trying to balance optimal use with reasonable return on your investment. We also understand the conceptual illustration of the one topological model you presented - folks just seemed not to hear that this was a literal first cut at what would be generated. Not unlike the successive "slices" of a CT scan or MRI. One in isolation reveals little unless you happen to grab the "right" slice!

We moved in here in July 2021, and we walked the property straight back from our house to understand what was back there and get a real sense of the contour. That was long before any of the current active planning discussions were public. We knew all along that the land would not remain idle, but we also recognized there would be severe limits to how much of it could be developed, given the steep drop toward 355 and the wetland/runoff slough roughly dividing the property from the Woodlands. We're very interested in subsequent topo slices!

On the attached photo, I've drawn a yellow line roughly where the slice you shared last night seems to run. Obviously, the more-level part of the property! I've circled what we call the lower back corner of the property, where the proposed villas come almost to the edge. We understand the structures would be about 93 ft apart. We'd dare say there are parts of the Woodlands where homes or villas have that little separation. But we truly wonder about the feasibility of building that far down the steep slope. Our back yard elevation drops off some 26 ft from villa to property line, and the slough is probably another 20 ft down. That slope will be challenging to build, to say the least. The topo view from that property corner straight over to 355 will be very interesting!

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We would also ask that you embed in your plan an exclusion of 24-hr brightly-lit and busy commercial activity such as a gas station/convenience store. Limiting the building height would be desirable, and any lighting should be of the type that focuses down, not up into the sky. The stadium lights from the high school are annoyance enough, but they're generally off by midnight, the few nights/week that they're on. Worse, the Criswell development several miles down 355 has forever ruined whatever dark sky we might have hoped to preserve, and we don't want that here. We know that the project will take years once it starts - even this development didn't happen overnight, which some neighbors seem to have forgotten. The fears over amenities are ridiculous and soluble; if good sidewalks are put in, those should be open to all. Access to everything else can be controlled, if not negotiated for a fee for use by new neighbors. We don't expect to use the amenities up in Urban Green, and they had some nice ones long before ours were available. That's one of the best things about this area - so walkable. There's also a senior bus service we see occasionally - surely that's a leverage point as well with the county and any development of a senior living facility.

Thank you again for your time with us last night. We look forward to your session at the Planning Commission.

From: Susan <spmcannon@gmail.com>
Sent: Friday, January 12, 2024 9:06 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Knowledge Farms R-21-02

January 11, 2024

TO: Frederick County Council
FROM: Susan Peck McCannon 3011 Herb Garden Dr, Frederick, MD
RE: Knowledge Farms R-21-02, Amended Application

Please accept this opposition letter to Knowledge Farms application R-21-02, amended. In September 2023, I submitted a lengthy response on public record with detailed information on this proposal, but I offer a shorter summary below.

Nobody denies the developer's right to profit, and on paper, the KF proposal appears to check several key boxes. Frederick County is an aging population, and well-planned, compact MXD projects could be key to our rapid growth. MXD developments are ideal for revitalizing and redeveloping underutilized spaces, and they reduce our carbon footprint by limiting auto use. MXD zoning is best served in existing, high traffic, vibrant urban areas with adequate public transit to provide a diverse tenant pool, bringing affordable city living back to the cities.

This poorly planned proposal, however, falls short of those goals. Suburban Urbana does not meet any of those descriptions, nor does the county master plan intend it to do so. The six hundred acre property known as the Southern Employment District, with direct access to the I-270 corridor, has no similarities to this 35 acre site. Affordable, mixed use commercial projects in Urbana have already struggled to be successful. This isolated acreage does not meet the American Bar Association walkability criteria nor does it have the optimal MXD size of 50 to 100 buildable acres.

The applicant is requesting a high density, retail focused zoning on land surrounded by a two hundred acre, low density, private residential community, next to an even lower density, small village, effectively changing, not complementing, the neighborhood design. A few private amenities and developer owned businesses crammed into an isolated, thirty five acre lot that is burdened by only one obvious egress and further plagued by steep slope, forestry, and stream beds, does nothing to help the greater community or meet the goals of a county 55+ exemption. The site's inherent lack of retail and commercial possibilities limits redevelopment options while restricted walkability, poor parking, and dangerous traffic patterns on overcrowded roads negatively affect the entire community. Small business owners receive no benefit from expensive, poorly planned developments and housing is not affordable.

All misleading or inaccurate references must be removed from the application before the process continues. As testified by Mr. Michael Natelli at the October planning commission, the Woodlands project was never dependent on Knowledge Farms partners. There was no right of way given to the Woodlands. Other than the signage agreement and the easement for water and sewage to KF, there are no relationships, understandings, or agreements between the two developments. The only green space proposed by KF includes their significant unbuildable acreage, far from being a concession in good faith. Testimony by both council members and KF partners at the June 2022 council meeting and in the original rezoning application stated that the second SR 355 egress was "unlikely, if not impossible." That egress was even denied by the state on the property's plat map in 2004, far from being a ready asset to the safety and efficiency requirements in their amended application. This property is not part of the I-270 growth corridor, and their current

transportation easement will not receive additional development or funding nor is it part of the county's master plan. Thirty percent of all assisted living facilities report they are in danger of closing due to staffing shortages, and key elder care developers have already declined the property due to lack of public transportation for their employees. KF has no funds pending in any highway improvement escrow accounts and no current responsibility or obligation with the Natelli organization to make road improvements to SR 355, making their concept maps inaccurate. The isolated, awkward property has no "seamless integration" with the rest of Urbana. In fact, their proposed trails and walkways begin and end within their property borders. KF has failed to meet regularly with their neighbors to discuss the project, instead, they've offered public ridicule and hostility, even earning admonishment from the planning committee's chair.

Rezoning is a significant step that changes the county master plan due to the vision of a single developer, and the MXD option limits government oversight. The county holds discretionary approval at phase one, making developer promises to mitigate millions of dollars in shortfalls at phase two irrelevant. The property limitations are apparent, and therefore, restrictions should be included at rezoning to warn potential buyers of the property's challenges. Most importantly, attach the second SR 355 egress/ingress approval to the rezoning to advise any future owners of the property's many challenges.

Other restrictions must be considered before site plan approval and council options are limited. County regulations give the council the power to adjust land use mixes now to allow an increase in residential living and reduce commercial or institutional uses. Ban 24 hour businesses on the property. Prohibit left turns on Thornapple Drive to protect the residential neighborhood from commercial and institutional living shortcuts to I-270. Insist on a building setback along the entire property line at the transition from residential to MXD. ALL residential homes in the Woodlands should have an acceptable buffer between the two developments, and the current build of just 26 feet from their closest point is not acceptable.

The Woodlands was designed in 2017 to be compatible with the 2004 KF county approved site plan, and now it is the responsibility of KF to design a project that is compatible with their neighbors. Density numbers should support both the existing Woodlands and the surrounding Villages of Urbana, yet the current KF plan has a square foot density per acre that is 73% bigger than the Woodlands, 68% larger than the entire Southern Employment District, and 91% higher than the Villages of Urbana, all with one egress onto a residential street. The KF condos should not be 30% bigger than the Woodlands condos, yet that's the current proposal. No building should be more than three stories to complement the actual site line of the property and disallow the weak attempt to model the five story Woodlands buildings located almost a mile away.

This project is an attempt by a developer to maximize his personal profits at the expense of his neighbors. Attach the necessary restrictions now, or withhold your approval until a plan is provided that shows the development will be a success rather than adding vacant buildings to Frederick County. Wait for a proposal that accurately describes the property, its past relationships, and future commitments. I urge the county council to protect not only the residential community who surround this land, but all of Urbana and Frederick County as well.

From: Diane Rifkin <d.rifkin05@gmail.com>
Sent: Thursday, January 11, 2024 8:40 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: County Council Meeting, 1/16/2024- Knowledge Farms

[EXTERNAL EMAIL]

1/11/24

Dear Frederick County Council
Members,

We are residents of the Woodlands at Urbana and have great concerns regarding the anticipated increase in traffic and safety hazards with the development of Knowledge Farms whether left as ORI or if it is changed to MXD zoning. We ask your assistance, now and in the future, to mitigate the effect of the increased traffic on our community.

While there is some discussion regarding a second ingress/egress from the Knowledge Farms development, few details have been provided about this. We also have serious concerns about the back up of traffic on Thornapple Drive, even if a traffic light is installed at the intersection of Thornapple Drive and Rt 355. There is also the potential traffic back up out of Knowledge Farms Drive onto Thornapple Drive. Without careful planning, drivers to and from the Knowledge Farms property will utilize the roads through our community as they drive between Knowledge Farms Drive and Fingerboard Rd to avoid the traffic and traffic lights on Rt. 355 and Fingerboard Rd as vehicles travel to or from Interstate 270. We are aware that there is little that we can do to mitigate the traffic going through our neighborhood from I-270 to Knowledge Farms. However, we do believe that the impact on our community can be greatly mitigated regarding traffic traveling from Knowledge Farms to I-270. We highly suspect that drivers will attempt to avoid the left turn onto Rt. 355 (at Thornapple & 355) and at the intersection of Rt. 355 and Fingerboard Rd by driving through our community as they navigate to I-270 (going from Knowledge Farms Drive, taking a left on Thornapple Drive, right on Herb Garden Drive, right onto Ivy Meadow Drive, left onto Urbana Parkway, and finally, left (via the traffic circle) onto Fingerboard Road to I-270). The increased traffic and speeding of cars and trucks through our 55+ residential community will pose significant potential harm to the safety and wellbeing of the residents, grandchildren, and pets of our community.

In addition, a letter petition was sent to the Division of Public Works Staff requesting a traffic calming investigation along Urbana Parkway and Ivy Meadow Drive in the Woodlands community. The Division of Public Works deployed Speed Display Signs to collect data along Urbana Parkway and Ivy Meadow Drive. In reviewing the data, it was determined that Urbana Parkway meets the minimum speed and volume criteria for physical traffic calming implementation, however the road is ineligible for physical traffic calming due to its primary emergency response route status. Unless, there are some traffic mitigation conditions put in place by you regarding the development of

Knowledge Farms, the increase in the flow of traffic and speeding through our development will only intensify.

We are not aware if any of the traffic studies have commented regarding our concern of what we anticipate the true flow of much of the traffic will be as drivers leave the Knowledge Farms property. Due to this serious concern to the safety and livability of our community, we strongly request that any discussion of further development of the Knowledge Farms property, be it for rezoning or future site plan approval, mandate a physical barrier which forces a right turn only option for traffic leaving the Knowledge Farms property. The construction of a forced right turn only lane (with a constructed barrier) would force all traffic to turn right as it exits the Knowledge Farms property and would also not allow a vehicle to legally or illegally turn left onto Thornapple Drive. Please note that we sincerely believe that having only a "no left turn" sign without a physical barrier will have negligible effect on driver behavior.

We also want to confirm that any study or discussion of the anticipated traffic at the Route 355 and Thornapple Drive intersection consider the traffic at rush hour which would include the contribution of the traffic utilizing this intersection as traffic enters and leaves the Urbana High School campus along with the residents of the 581 units of the Woodlands at Urbana.

Lastly, can signs be placed on Ivy Meadow drive not allowing trucks traveling to or from Knowledge Farms, ie., non-local traffic, to limit the heavy truck and construction vehicle traffic on Ivy Meadow Dr., Thornapple Dr, and Herb Garden Dr?

Thank you for your consideration of our concerns,

Diane and Michael Rifkin
3313 Ivy Meadow Dr.
Frederick, MD 21704

From: John Robie <jrobie1188@outlook.com>
Sent: Thursday, January 11, 2024 5:00 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: John Robie <jrobie1188@outlook.com>; Smart Growth Urbana <smartgrowthurbana@gmail.com>
Subject: RE: Knowledge Farms Zoning Change PC Zoning Condition #6

[EXTERNAL EMAIL]

The attached document was recently sent to me and adds to the concern that the Knowledge Farms “purposed” plans may never be realized. The developer is opposed to an hour’s restriction because it would limit potential tenants considering the site. The developer specifically states that an hour’s restriction might prohibit Hospitality/Restaurants from considering the site because they typically have operating hours beyond 10pm. In layman’s terms, this might read as ***Hotels/Restaurants/Bars and Nightclubs***. PC Zoning Condition #6 speaks to this clearly. None of these businesses have been suggested to Woodland’s residents until this document was sent just a few days prior to the Zoning Meeting. This further points to the possibility...to the probability that the property might be sold to the highest bidder after the more favorable zoning is received and the value of the property inflated because of the change.

Please require restriction that protect the Woodland neighborhood that are attached to the zoning change. We do not want an all-night dance club or other undesirable neighbor on this property. Please limit this developer’s ability negatively affect our neighborhood.

John Robie
3002 Herb Garden Mews South
Frederick, Maryland 21704

1-419-787-1188
jrobie1188@outlook.com

KNOWLEDGE FARMS PARTNERS

January 9, 2024

RE: Knowledge Farms – Zoning Map Amendment - R-21-02

Dear Council Members -
Jerry Donald – District 1
Steve McKay – District 2
M.C. Keegan-Ayer – District 3
Vice-President Kavonte Duckett – District 4
Mason Carter – District 5
President Brad Young – At-Large
Renee Knapp – At-Large:

Knowledge Farms Partners, LLC (“KFP”) is writing this letter in anticipation of our public hearing scheduled for January 16th, 2024. Attached is the Planning Commission Transmittal memorandum (“Memo”) dated October 30th, 2023. The Memo includes the recommendations for certain conditions of rezoning approval made by the Planning Commission (“PC”). For your consideration, below we’ve addressed related points of clarification, as well as a few comments and areas of concern related to the PC’s proposed conditions:

PC Proposed Condition 1.

This proposed condition addresses density limitations for age restricted dwellings and assisted living beds. As part of the rezoning application, KFP is pursuing approval for up to 150 age restricted (active adult) dwellings, in addition to a combined 150 beds for assisted living, independent living and/or memory care living (collectively “Senior Living”). Under MXD related text, the active adult portion falls under “residential” use and Senior Living under “institutional”. Although we understand and believe this was the intent of the Planning Commission, we feel it’s important for these two specific uses to be clearly delineated.

PC Proposed Condition 2.

No comments.

PC Proposed Condition 3.

These proposed conditions include a two-story height limit (current zoning permits 50’ which can translate to as many as 5 stories) for any residential, commercial or institutional structure located within a 200’ distance of single-family attached dwellings fronting Thornapple Drive and Herb Garden Drive (“Woodlands”). Regarding the proposed “commercial” designation adjacent to the existing medical office building, the natural grade of the property will provide for two (2) stories facing the Woodlands, but grading down naturally to three (3) stories as you approach Urbana Pike/Rt 355. In the event that the Council would require a two-story height restriction along the Woodlands boundary, we respectfully request confirmation that the building be permitted to have a third story below the grade of the property facing the Woodlands and that the portion facing Urbana Pike (Route 355) be permitted to consist of three (3) stories above grade. The commercial building in question is reflected on a separate attachment (“Concept Plan 010924” - Building #2 shown in aqua color). An additional, separate attachment (“Cross

Section 010924") is provided to illustrate the grading concept and site lines from the adjacent Woodlands villas to the commercial building, as well as related images of similar concepts.

Further, KFP requests the two-story height restriction for single family attached dwellings along the Woodlands boundary be changed to a thirty-foot (30') height restriction, measuring from the floor of the main level. "Level" restrictions impede a builder's ability to incorporate design and style enhancements preferred by the end user.

PC Proposed Condition 4.

This proposed condition suggests a requirement for a traffic signal warrant analysis at Thornapple Drive and Urbana Pike, prior to development of the Institutional or Commercial designations. KFP requests that this proposed condition not be required for the following reasons:

1. As future development progresses, a traffic signal is likely to be installed at Thornapple Drive and Urbana Pike. However, the Maryland State Highway Administration commissions the suggested warrant study, so the developer has no control over this process.
2. Traffic concurrency plans will be required as part of the adequate public facility ordinance process addressed during site plan review.
3. KFP is approved for 140,000 sq. ft. of commercial development (which includes the existing 36,000 sq. ft. building) for which no additional traffic concurrency is required. **Based off the June 16, 2023 traffic study prepared by Wells & Associates, the proposed concept plan is expected to generate fewer AM and PM peak hour trips than the existing, vested site plan.**
4. The proposed residential development portion of the project is subject to market demands which can be volatile. By placing this burden on the zoning approval process, while KFP is at the mercy of the MD State Highway Administration, the project could potentially sit idly for years, further delaying delivery of much needed housing.

PC Proposed Condition 5.

No comments.

PC Proposed Condition 6.

This proposed condition would include a limitation of operating hours for commercial uses to no later than 10:00 P.M. The current zoning (Office/Research & Industrial) for Knowledge Farms is not encumbered by operating hour restrictions, nor would it be typical that Frederick County commercial establishments, including shopping centers adjacent to neighborhoods, have similar operating restrictions. The following should be considered as reasons to avoid implementation of a condition on operating hour restrictions:

- Traditional office/medical office uses could potentially include urgent care providers and any number of general office users. Our experience developing, leasing, and managing commercial real estate for over 30 years concludes that a limitation on operating hours will deter prospective tenants, regardless of their typical hours of operation.
- Hospitality/Restaurants traditionally have operating hours that extend beyond 10:00 P.M. This provision would either eliminate the users considering the park or hamper their ability to maximize revenues in a challenging economy.
- Flexible/increased operating hours may contribute to increased job creation.

- Some industries, particularly those in technology and innovation, require flexible operating hours to accommodate research, development, and global collaborations that span different time zones.
- Extended business hours can lead to increased economic activity, which in turn generates increased revenues and the resulting taxes and fees. This revenue can be reinvested into community services and infrastructure.
- Implementing restrictions, including reduced operating hours, places Frederick County at a disadvantage against neighboring counties for attracting entrepreneurs and businesses.
- All users will be required to comply with state and local noise regulations.

Thank you for your review and consideration of our concerns regarding the PC's proposed conditions.

Regards,



Michael Kalinock
Co-Managing Partner – KFP



Chad Tyler
Co-Managing Partner - KFP

Cc: Denis Superczynski: Livable Frederick Planning Manager
Kimberly Gaines: Livable Frederick Director
Ragen Cherney: Chief of Staff/Legislative Director
Anne-Herbert Rollins: Miles & Stockbridge – Counsel for KFP

From: Susan Sherer <sasherer@gmail.com>
Sent: Thursday, January 11, 2024 4:24 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Knowledge Farms Proposal

[EXTERNAL EMAIL]

To: Frederick County Planning Commission

From: Susan and Howard Sherer, 3009 Herb Garden Drive

Subject: Concerns regarding Knowledge Farms application

Knowledge Farms has put forth a new proposal for development that is inappropriate for the size and features of the proposed development area. They have tried to throw a lot of potential revenue producing components into a small area that has only a single egress onto a residential street and whose planned components are incompatible with the surrounding community. This proposal will put too much traffic and congestion into an area with very limited access, surrounded by a quiet residential community.

TRAFFIC

We strongly urge that MXD development not even be considered unless and until a second egress to Knowledge Farms is approved. One single ingress/egress is dangerous particularly for public safety, for example, ambulances (which will be more than average since this is senior housing) and fire safety equipment.

KF has stated that approval of a second egress is subject to future state and county reviews. However, if a second egress is not approved, the traffic will be a nightmare. Moreover, we question whether a second egress is even feasible. If you have not already done so, please drive down Rt. 355 and look at the slope, limited site line and the natural features on this curvy, narrow part of Rt. 355. It looks like this would be exceptionally dangerous and add to further traffic backup on Rt. 355.

KF has produced a new traffic study that shows minimal left turns out onto Thornapple. We question whether this assumption is reasonable. When traffic backs up coming out onto Thornapple to Rt. 355, what will drivers do? Probably make a left through the Woodlands to bypass the traffic.

If KF's application is approved and a second egress is later denied, then we will have a traffic nightmare, unwanted cars through the Woodlands development, and safety issues.

COMPATABILITY

The Knowledge Farms proposal suggests that their proposed condos are compatible with the surrounding Woodlands. First, the Woodlands condos are not visible from most of the single family and villa housing whereas the KF condos will tower over the Woodlands homes. Second, the KF condos are estimated to be one-third bigger than the Woodlands condos. The high density is not consistent with the surrounding areas. Their density is five times greater than the Woodlands. We strongly urge you to consider limiting the density of their housing and putting height restrictions to insure consistency with the surrounding neighborhood.

A storage unit is not compatible with the residential area either. It will create excessive traffic, noise, and light pollution. We strongly urge you to ensure that any commercial development be limited and compatible with the surrounding community.

The problem is that the Knowledge Farms developers are trying to get as much revenue as possible from this parcel of land. We accept that they want to make a profit on their investment and applaud them for trying to add senior housing to Frederick County. However, this parcel of land, whose topology seems to restrict it to one point of ingress/egress onto a quiet residential street, is not best suited for high density housing, particularly for citizens with higher than average requirements for emergency access. We would suggest that they consider alternate uses for this land. The MXD categorization, without restrictions on access and density, would enable them to change the face of this community to the detriment of their neighbors. We implore you to please make sure that this overly dense project will not disrupt and negatively impact the neighborhood.

From: Christy Mager <cemager@gmail.com>

Sent: Thursday, January 11, 2024 12:04 PM

To: Planning Commission <PlanningCommission@FrederickCountyMD.gov>

Subject: Knowledge Farms

To whom it may concern:

I live in the Woodlands at Urbana. As many of the other residents, I have great reservations regarding the rezoning of R-21-02, Knowledge Farms(amended).

I live on Starlight St, so I will not be impacted by my site lines being interfered with. I do have great concerns regarding how the traffic flow is going to impact our streets, if living space is increased. We are an over 55 community, lots of walkers-many slower than we used to be-and already have enough traffic that we have to worry about.

Please make it mandatory if you approve it, to oblige them to create a second entrance off 355. Also to make it a “no left turn” coming out of Knowledge Farms, on to Thornapple.

Sincerely,
Christy Mager

From: Patricia CRAWFORD <almma@comcast.net>
Sent: Thursday, January 11, 2024 3:50 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Meeting on Jan 16th - Knowledge Farms

Council Members of Frederick County,

I am writing in reference to address two concerns with the upcoming Knowledge Farms project in Urbana, Maryland.

We live at 3211 Thornapple Dr which is the street in which traffic comes into Knowledge Farms and will continue once project is completed. Currently we have cars driving way too fast down our streets. We have a kiddie lot, pickleball courts and picnic areas across the street. We are a residential community. On numerous occasions I have been nearly run over by drivers while on my bike or walking to the park. People are in a hurry. A major safety concern is whether there will be second entrance required by the Knowledge Farm Project. I am requesting that this be considered a requirement for safety reasons for our neighborhood. Our residents are 55 years and older and frequently have grandchildren present. Knowing the population of this neighborhood and allowing dozens of cars down our streets is problematic and hazardous. Please request a right turn only out of Knowledge Farms Project or require a second entrance prior to approval of this project.

Next, I am concerned with the possible mix of a storage facility with new residential housing and a memory care center. Does it make sense to have a storage facility in a residential area? This storage facility would be in our backyard, close to our property line with bright lights for security.

We support Knowledge Farms in development of their property. We are requesting that the project be required to have a second entrance for safety. We also do not believe a storage facility belongs in a residential community with homes valued at \$600K+.

Thank you,

Patricia and Jeff Crawford
3211 Thornapple Dr
Frederick MD. 21704

From: marjerking@aol.com <marjerking@aol.com>
Sent: Thursday, January 11, 2024 10:34 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Knowledge Farms Application R-21-02, as amended

[EXTERNAL EMAIL]

RE: Opposition to Knowledge Farms Application R-21-02, submitted to Frederick County in February 2022 and amended in July 2023.

To Members of the Frederick County Council:

I am a resident of the Woodlands of Urbana and I am opposed to the proposed change in zoning to MXD from ORI by Knowledge Farms (“KF”) Partners, LLC (“Applicant”) as laid out in their Amended Justification Statement noted above in support of its request for rezoning the +/- 34.64 acres located at 3280 Urbana Pike, across from Campus Drive, in Urbana, Maryland. I. In the course of the application period, the Applicant has made a number of changes to their proposal, as a result of input from residents of The Woodlands. In addition, the Frederick County Planning Commission reviewed the Application and suggested many constructive conditions to the Proposal. However, I remain opposed to the proposed change in zoning for the following reasons:

- A viable second egress road is a necessary PRECONDITION to any development and any change in zoning in the KF property. As of now, all visitors to KF must enter and leave by Thornapple Drive. More development simply means more traffic which will flood the road across from the high school entrance and cause a backup throughout the day, but especially before and after school is in session when the roads are already dramatically backed up. No traffic light will ameliorate this problem. Traffic will also back up into the streets of the Woodlands and this is not, therefore, a compatible proposal. Furthermore, construction traffic will be heavy, noisy and damaging to the Woodlands by ways for years to come. Unfortunately, the Planning Commission did not require a second egress as a condition to the change in zoning, so this problem remains unsolved and unaddressed.
- While the Applicant says they have contacted Frederick County and State of Maryland officials to discuss a second road, at no time has any official come forward to say that the idea is practical or possible. The KF property that abuts Route 355 where the second egress is proposed, is wetlands, and opens up to a flood plain on 355. Furthermore, the twists and turns on 355 in that area would leave the cars entering and leaving the proposed road with unacceptable risk. When I sat through previous hearings on this development proposal, the State of Maryland did not say that this egress would be likely. They only said that consideration of such a road would require further study and would be complicated in this site. Therefore, it’s my opinion, that such egress is being proposed simply to appease the residents of the Woodlands of Urbana and isn’t credible at this time. If the Council approves the change in zoning, and the second road isn’t possible, there is nothing to stop KF from building anyway.
- The Applicant proposes a storage facility and claims the storage facility will be attractive. Simply put, no storage facility, no matter what it looks like, belongs embedded with, or is compatible with residential properties – either the new residences proposed by KF, or next to the Woodlands of Urbana. Even with a height limitation of 2 stories, no storage facility belongs in this location.

- The proposed height of the multifamily buildings is said by KF to be in proportion to those in the Woodlands. However, it is not clear if the 5 story buildings proposed are in addition to a parking level. The 5 story buildings in the Woodlands do include parking garages for individual units. In contrast, please note that the prototype multistory buildings just approved by the Planning Commission for the Cromwell Active Adult Community are only 3 stories high.
- The density of the proposed residential units proposed by KF is not compatible with that of the Woodlands next door, nor with other 55+ developments in Frederick County. KF proposes to build 150 residential units total on 6.71 acres. This is 1 household per .0456 acres – a density way out of line with the Woodlands, and even with Cromwell Active Adult Community, which proposed 488 units on 161 acres, or 1 household per .33 acres.
- Similarly, the density of the multifamily buildings within the KF development is not compatible with the Woodlands. The multifamily buildings in the Woodlands house 16 units on 4 floors plus one floor of individual garages. The 5 story multifamily buildings proposed by KF, in contrast, will house an average of 26 units per building, plus they will need additional parking.

For all these reasons, I am opposed to the rezoning of KF from ORI to MXD. Thank you for considering my input. In the event that the County Council should feel otherwise, however, I would suggest that making a second egress, at a minimum, a necessary condition to that approval.

Sincerely,

Marcia King

From: Janice Spagnola <janspagnola@gmail.com>
Sent: Wednesday, January 10, 2024 3:54 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: KF rezoning

[EXTERNAL EMAIL]

[Download full resolution images](#)

[Available until Feb 9, 2024](#)

Vincent and Janice Spagnola
3215 Thornapple Dr.

Dear Councilmembers,

As residents of The Woodlands we would like to voice our concerns about the KF property that is going to be developed next to The Woodlands.

1. Five years ago when the Boxwood development was started in The Villages of Urbana, residents were told that the council said that the construction vehicles had to use Tabler Rd. and not go thru the residential streets. My daughter lives there and we watched 4,5,6 heavy trucks sit on Bealls Farm Rd. for hours in the hot summer sun waiting for their turn to proceed to the construction site. The truck's tires sunk into the asphalt and left huge holes and ripples as they moved down to the construction site. This fall using taxpayers money the county had to come and remove all the asphalt and lay a new road because patching was not an option since there was so much damage to the road.

Where are the heavy construction vehicles going to line up for work on the KF development? I can not believe that 4 or 5 trucks will be allowed to sit for 3-4-5 hours on Rt.355. Will they be sitting on our roads tires sinking into our top layer of asphalt? Will we have to live with the holes and ripples for 5 years?

You need to address this now so that the people of The Woodlands can know that their elected officials are looking out for them.

2. The need for a traffic light at Thornapple Rd. and Campus Dr. where they meet Rt.355. Not only will there be added traffic from the KF development but the traffic coming from the high school and its athletic fields that are used all weekend long and many nights. It is nothing to see the entire road from the high school down to 355 filled on both sides with cars that are at some sporting event. All that traffic along with the speeding that comes from both directions of 355 is a real concern. Once a car gets thru the traffic light at Rt. 80 (Fingerboard Rd.) it is a speedway until you get to the traffic light at Green Valley Rd. (Rt.75) approximately 8 miles. Safety is not just about the number of cars that travel on a road but also the SPEED at which they travel and the danger that it posses for drivers trying to get out onto 355 when you have cars speeding in both directions.

Here are some pictures I took today of the damage on Mackall St. from the construction vehicles working on Boxwood 5 years ago.

This street was not damaged as much as Bealls Farm so I guess these residents will just have to live with it. I would be very upset if this was the condition of the road in front of my house..... I bet you would be also.



Thank you for your attention to our concerns.

Sent from my iPad

From: Hupfamily <hupfamily@comcast.net>
Sent: Thursday, January 11, 2024 12:48 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: cch <hupfamily@yahoo.com>
Subject: Comment in reference to Knowledge Farms application R-21-02

Please accept this letter as public comment in reference to Knowledge Farms application R-21-02, submitted to the county in February 2022 and amended in July 2023.

We wish to express our serious concerns to the Frederick County Council regarding the proposed request for rezoning of the Knowledge Farms property and the planned development of this parcel of land.

We live in the Woodlands community on Purple Sage Mews, which is very close to the entrance of the current Knowledge Farms building from Thornapple Drive, as well as to the intersection of Thornapple with Route 355 (Urbana Pike). We are extremely concerned about safety. The proposed development would greatly increase traffic through our community that would result from having only one entry/exit into a huge new development, a development that would be overwhelmingly dense and incompatible with the Woodlands with a density at least five times greater than the current Woodlands on a much smaller parcel of land (11 buildable acres for Knowledge Farms versus about 200 acres for the Woodlands).

From our daily experience, currently there is already a large amount of traffic using Thornapple Drive, even now before building of the remainder of the Woodlands 55+ community is completed. The proposal to add a large development in Knowledge Farms and to have all of that additional traffic exiting onto only one egress, Thornapple Drive, would create a significant problem in our residential area. Traffic congestion will occur along Thornapple Drive as an excessive number of vehicles for that amount of space on the road wait to turn onto Route 355. This will cause delays to residents, safety concerns to motor vehicles, cyclists and pedestrians, and increased pollution from the exhaust emissions from multiple idling motor vehicles. We realize that the county plans to install a traffic light at the intersection of Route 355 and Thornapple sometime to be determined in the future. While this should improve safety, it will not change the total amount of additional traffic that will still be trying to use Thornapple to get to Route 355.

Further, we fully support the Planning Commission's requirement that "The warrant analysis for the traffic signalization of the Urbana Pike/Thornapple Drive/Campus Drive intersection shall be completed prior to buildout of any commercial or institutional uses on the Subject Site" in order to adequately address this aspect of traffic issues.

We encourage the County Council to carefully consider the effects of routing a huge increase of traffic through existing neighborhood streets. As you are likely aware, currently serious efforts are being made at all levels of government from national to local to reduce the number of traffic fatalities that occur throughout our country. There have been shocking increases to the number of pedestrian fatalities in recent years. Many such efforts involve the need to fix problems with existing roads/traffic flow patterns in order to reduce the danger to pedestrians.

However, in the case of the proposed Knowledge Farms project, you have an opportunity to be proactive about allowing for the development of property while protecting the safety of current and future residents of both the Woodlands and future Knowledge Farms residents.

While Thornapple Drive and most other streets in the Woodlands belong to the county, rather than being privately owned, they were designed, approved and built to be neighborhood streets, not as thoroughfares for a large volume of traffic to reach I-270 by cutting through the Woodlands. We have heard the argument from the developer that "these are county roads", and "people are allowed to use them", but just because something is legal does not make it smart to set up a situation that creates extremely unsafe conditions. Speed limit signs can help (but are currently nonexistent on Woodlands streets), but they absolutely do not prevent motorists from speeding through neighborhood streets, especially when they are using it as a shortcut rather than going to a destination in the neighborhood itself. We regularly observe very fast moving traffic in excess of expected residential speed limits of 25 or 30 miles per hour along Thornapple Drive. To allow a huge increase in the volume of this traffic, when the Woodlands is a 55+ community by design with aging residents, many with limited mobility, would be extremely reckless and will invite accidents/fatalities to occur. Therefore, we strongly encourage the County Council to absolutely require a right-turn only exit from Knowledge Farms to Thornapple (that is, prohibiting a left turn from Knowledge Farms onto Thornapple into the Woodlands residential area), as well as require a second ingress/egress be built onto Route 355. These requirements should be firm as a condition if the zoning change is approved, such that they would carry over to any future owner of the Knowledge Farms property as well.

Further, we are also extremely concerned about the proposed multistory condo/apartment/Assisted Living and self-storage building heights. We request that the County Council seriously consider height limits to all buildings in the proposed development, since they will all border very closely onto the Woodlands single family and Villa buildings and are not at all compatible with the existing housing. At a minimum, we urge the Council to move all proposed residential and commercial buildings away from the existing Woodlands development and to require a very significant open space and landscape buffer to minimize sight, lighting and noise concerns.

Additionally, we are concerned about the proposed construction of a multistory public self-storage unit building as part of the Knowledge Farms development. We feel that this is not at all compatible with a residential area, neither for us who are already in the Woodlands community nor for the future residents of new housing units planned to be part of Knowledge Farms. A multistory storage unit would add excessive traffic from customers from outside of the residential community, as well as noise and security concerns, and we request it not be approved as part of the proposed development.

While we realize that some professional offices have legitimate uses late in the evening, due to the proposed extremely close proximity to the already existing Woodlands residences, we fully concur with the Planning Commission's requirement that "The business hours for any commercial uses or activities on the Subject Site shall not extend beyond 10 PM."

Therefore, we urge the County Council to deny the rezoning application, at least until the developer provides clear specific details as to how they would fix the very real traffic, safety and compatibility issues. If the County Council does choose to recommend allowing the project to go forward, this should be done with strict conditions requiring the correction of those problems. Please do not give them a "blank check" to build a development that would create traffic hazards and is totally incompatible with the existing Woodlands residential development.

Thank you for your consideration of our input.
Christopher and Dorothy Hupfeld
3310 Purple Sage Mews, Frederick, MD 21704
hupfamily@comcast.net

From: John Robie <jrobie1188@outlook.com>
Sent: Thursday, January 11, 2024 3:00 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: John Robie <jrobie1188@outlook.com>; Smart Growth Urbana <smartgrowthurbana@gmail.com>
Subject: RE: Knowledge Farms Rezoning Hearing 1/16/24

I am writing to express my issues and desires concerning the Change of Zoning application being considered on January 16, 2024.

As a resident and property owner in The Woodlands Development I am opposed to a change of zoning. Almost 600 families purchased hundreds of millions of dollars in real estate in the past two years based on the current zoning. Changing zoning now is inappropriate in my opinion. I understand there is a possibility that the change will be approved and ask that some additional concerns be considered if that occurs.

I am just one of hundreds of non-adjacent property owners who have similar concerns. The most significant concerns are traffic and crime. Our Woodland neighborhood is exclusively older (age 55 to 100+), most don't work and confine much of their activity to the neighborhood itself. There are close to 200-250 dog owners, who are avid dog walkers. Residents frequently walk for exercise. They walk to our many amenities for recreation and companionship. Residents frequently walk to our Community Building and to each other's homes. There are residents with walkers, canes and wheelchairs that cross our roads daily. There are residents with balance issues and some with mental deficiencies. The safety of each and every one of our neighbors is our major concern. An increase in traffic especially from people who are not residents is especially dangerous for us. Even today there are many incidences of our neighborhood being used as a cut through/short cut. Speeding is also a problem that we are currently addressing internally.

If a zoning change is approved, I encourage you to attach conditions to the approval that will guarantee control measures in the design that must be included in any development of the Knowledge Farms Property. Mandating a second access road that feeds to and from Route 355 would be highly appropriate. Regulating the existing access at Thornapple Dr. so a left turn onto Thornapple Dr. is prohibited is also an appropriate safety measure for our residents.

We ask that these measures be included as a condition of rezoning because we have been made aware that all discussions, prints and plans shown or discussed by the developer are nothing more than "sell sheets" and "talking points". None of what has been presented is etched in stone or required by law. It is all subject to change based on the whim of current developer or future owners. Woodlands residents are especially fearful because there have been discussions with the Tyler Group that the property could and likely will be sold after the zoning approval is secured. Knowing the history of Tylers long ownership and fits and starts that have been attached to the property there is no guarantee that these plans being discussed now will come to fruition. Past failure to develop is a good predictor of future failure to develop the property. Because of this, the potential sale of the property is a major concern. Most recently, as 1/9/24, at a meeting of residents, Tylers Group spoke of the likely NEW owners, and they would have rights to make changes. We know the value of the land will increase with a change in zoning. The temptation to sell and harvest profits brought on by the zoning change might be difficult to ignore for any developer with a struggling piece of property. We are just trying to protect our property values and lifestyle and the safety of 600 families

of The Woodlands. Please help us protect our neighborhood and most of all our safety as you consider this zoning change. Conditions that are attached to the property are critical to us.

*John Robie
3002 Herb Garden Mews South
Frederick, Maryland 21704*

*1-419-787-1188
Jrobie1188@outlook.com*

From: Mike Kalinock <mike.kalinock@jpbpartners.com>
Sent: Wednesday, January 10, 2024 3:19 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>; County Council Staff <CountyCouncilStaff@FrederickCountyMD.gov>
Cc: Cherney, Ragen <RCherney@FrederickCountyMD.gov>; Superczynski, Denis <DSuperczynski@FrederickCountyMD.gov>; Gaines, Kimberly <KGaines@FrederickCountyMD.gov>; Chris Thomas <chris.thomas@jpbpartners.com>; Chad Tyler <chad@tylerco.com>; Rollins, Anne-Herbert <AROLLINS@MilesStockbridge.com>
Subject: Knowledge Farms - R-21-02

[EXTERNAL EMAIL]

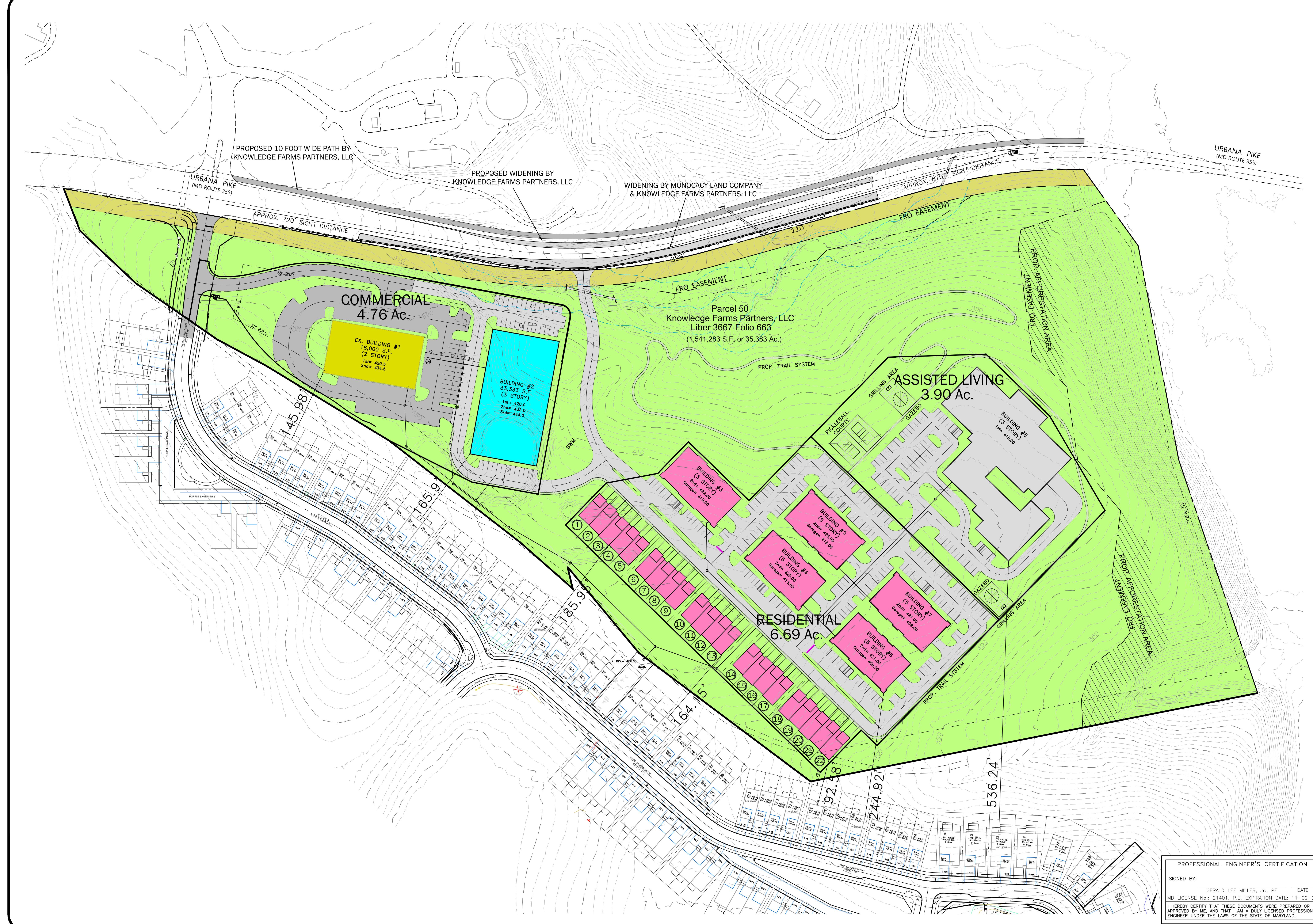
Good afternoon Council Members and Staff. Please find attached for your review the following materials related to the subject zoning case:

- County Council Staff Memo Comments 010824 – Addressing Frederick County Planning Commission memorandum dated October 30, 2023 (also attached as “Planning Commission MXD Conditions 103023”)
- Concept Plan 010924 – Exhibit to the staff memorandum
- Cross Section 010924 – Exhibit to the staff memorandum

We look forward to discussing related questions/thoughts during next week's scheduled hearing.

Regards,

Mike Kalinock
Co-Managing Partner
Knowledge Farms Partners, LLC



<h1>KNOWLEDGE FARMS</h1> <p>Tax Map 096, Parcel 50 Liber 3667, Folio 663 Situated 3280 Urbana Pike (MD Route 355) Urbana Election District No. 7 Frederick County, Maryland</p> <p>CONCEPT DEVELOPMENT PLAN #9</p>	
<p>Not for CONSTRUCTION</p> <p>Seal & Signature</p>	
<p>PROJECT No.: 179</p>	
<p>DATE: OCTOBER 2023</p>	
<p>SCALE: 1" = 80'</p>	
<p>SHEET No. 1 of 1</p>	
NO.	DATE
DESCRIPTION	
BY	

KNOWLEDGE FARMS PARTNERS

January 9, 2024

RE: Knowledge Farms – Zoning Map Amendment - R-21-02

Dear Council Members -
Jerry Donald – District 1
Steve McKay – District 2
M.C. Keegan-Ayer – District 3
Vice-President Kavonte Duckett – District 4
Mason Carter – District 5
President Brad Young – At-Large
Renee Knapp – At-Large:

Knowledge Farms Partners, LLC (“KFP”) is writing this letter in anticipation of our public hearing scheduled for January 16th, 2024. Attached is the Planning Commission Transmittal memorandum (“Memo”) dated October 30th, 2023. The Memo includes the recommendations for certain conditions of rezoning approval made by the Planning Commission (“PC”). For your consideration, below we’ve addressed related points of clarification, as well as a few comments and areas of concern related to the PC’s proposed conditions:

PC Proposed Condition 1.

This proposed condition addresses density limitations for age restricted dwellings and assisted living beds. As part of the rezoning application, KFP is pursuing approval for up to 150 age restricted (active adult) dwellings, in addition to a combined 150 beds for assisted living, independent living and/or memory care living (collectively “Senior Living”). Under MXD related text, the active adult portion falls under “residential” use and Senior Living under “institutional”. Although we understand and believe this was the intent of the Planning Commission, we feel it’s important for these two specific uses to be clearly delineated.

PC Proposed Condition 2.

No comments.

PC Proposed Condition 3.

These proposed conditions include a two-story height limit (current zoning permits 50’ which can translate to as many as 5 stories) for any residential, commercial or institutional structure located within a 200’ distance of single-family attached dwellings fronting Thornapple Drive and Herb Garden Drive (“Woodlands”). Regarding the proposed “commercial” designation adjacent to the existing medical office building, the natural grade of the property will provide for two (2) stories facing the Woodlands, but grading down naturally to three (3) stories as you approach Urbana Pike/Rt 355. In the event that the Council would require a two-story height restriction along the Woodlands boundary, we respectfully request confirmation that the building be permitted to have a third story below the grade of the property facing the Woodlands and that the portion facing Urbana Pike (Route 355) be permitted to consist of three (3) stories above grade. The commercial building in question is reflected on a separate attachment (“Concept Plan 010924” - Building #2 shown in aqua color). An additional, separate attachment (“Cross

Section 010924") is provided to illustrate the grading concept and site lines from the adjacent Woodlands villas to the commercial building, as well as related images of similar concepts.

Further, KFP requests the two-story height restriction for single family attached dwellings along the Woodlands boundary be changed to a thirty-foot (30') height restriction, measuring from the floor of the main level. "Level" restrictions impede a builder's ability to incorporate design and style enhancements preferred by the end user.

PC Proposed Condition 4.

This proposed condition suggests a requirement for a traffic signal warrant analysis at Thornapple Drive and Urbana Pike, prior to development of the Institutional or Commercial designations. KFP requests that this proposed condition not be required for the following reasons:

1. As future development progresses, a traffic signal is likely to be installed at Thornapple Drive and Urbana Pike. However, the Maryland State Highway Administration commissions the suggested warrant study, so the developer has no control over this process.
2. Traffic concurrency plans will be required as part of the adequate public facility ordinance process addressed during site plan review.
3. KFP is approved for 140,000 sq. ft. of commercial development (which includes the existing 36,000 sq. ft. building) for which no additional traffic concurrency is required. **Based off the June 16, 2023 traffic study prepared by Wells & Associates, the proposed concept plan is expected to generate fewer AM and PM peak hour trips than the existing, vested site plan.**
4. The proposed residential development portion of the project is subject to market demands which can be volatile. By placing this burden on the zoning approval process, while KFP is at the mercy of the MD State Highway Administration, the project could potentially sit idly for years, further delaying delivery of much needed housing.

PC Proposed Condition 5.

No comments.

PC Proposed Condition 6.

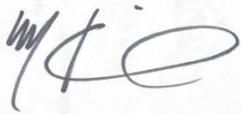
This proposed condition would include a limitation of operating hours for commercial uses to no later than 10:00 P.M. The current zoning (Office/Research & Industrial) for Knowledge Farms is not encumbered by operating hour restrictions, nor would it be typical that Frederick County commercial establishments, including shopping centers adjacent to neighborhoods, have similar operating restrictions. The following should be considered as reasons to avoid implementation of a condition on operating hour restrictions:

- Traditional office/medical office uses could potentially include urgent care providers and any number of general office users. Our experience developing, leasing, and managing commercial real estate for over 30 years concludes that a limitation on operating hours will deter prospective tenants, regardless of their typical hours of operation.
- Hospitality/Restaurants traditionally have operating hours that extend beyond 10:00 P.M. This provision would either eliminate the users considering the park or hamper their ability to maximize revenues in a challenging economy.
- Flexible/increased operating hours may contribute to increased job creation.

- Some industries, particularly those in technology and innovation, require flexible operating hours to accommodate research, development, and global collaborations that span different time zones.
- Extended business hours can lead to increased economic activity, which in turn generates increased revenues and the resulting taxes and fees. This revenue can be reinvested into community services and infrastructure.
- Implementing restrictions, including reduced operating hours, places Frederick County at a disadvantage against neighboring counties for attracting entrepreneurs and businesses.
- All users will be required to comply with state and local noise regulations.

Thank you for your review and consideration of our concerns regarding the PC's proposed conditions.

Regards,



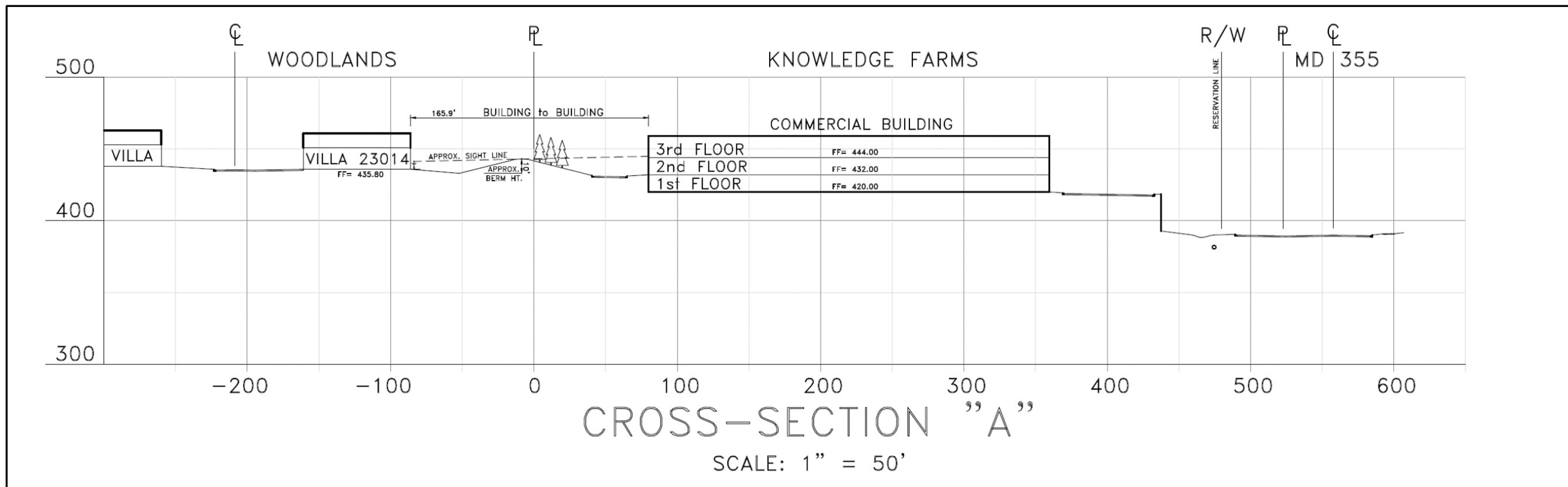
Michael Kalinock
Co-Managing Partner – KFP



Chad Tyler
Co-Managing Partner - KFP

Cc: Denis Superczynski: Livable Frederick Planning Manager
Kimberly Gaines: Livable Frederick Director
Ragen Cherney: Chief of Staff/Legislative Director
Anne-Herbert Rollins: Miles & Stockbridge – Counsel for KFP

CROSS SECTION
FROM THE WOODLANDS VILLAS TO THE PROPOSED KNOWLEDGE FARMS COMMERCIAL BUILDING



SAMPLE IMAGES
BUILDING INTO NATURAL GRADE





FREDERICK COUNTY PLANNING COMMISSION

Division of Planning & Permitting

30 North Market Street

Frederick, Maryland 21701

(301) 600-1138

FcPc Transmittal Memorandum

To: County Council

FROM: Frederick County Planning Commission

THROUGH: Deborah A. Carpenter, AICP, Division Director

DATE: October 30, 2023

RE: Knowledge Farms MXD Rezoning (Amended Application, July 2023) – R-21-02

The Planning Commission held a public hearing on October 19, 2023 to consider the application (amended July 2023) from Knowledge Farms Partners LLC to rezone 34.99 acres from Office/Research/Industrial (ORI) to Mixed Use Development (MXD) in order to accommodate a proposed land use mixture of residential, employment, commercial, and institutional land uses.

The Commission voted on the following recommendation to the County Council:

It was moved by Ms. Sepe to recommend APPROVAL of the application as presented by the Applicant and with Conditions as stated in the Staff Report, and as added by the Motioner. The Motion was seconded by Mr. White. The Motion was amended by Mr. Hicks to: clarify the location and standards of the recommended signage on Thornapple Drive. This amendment was accepted by Ms. Sepe. The amended Motion was then seconded by Mr. White.

Vote: **4 – 1 – 0 – 1**
For: Rensberger, Sepe, Tressler, White
Against: Hicks
Abstain:
Absent: Davis

The Commission's recommendation of APPROVAL of the Application by the County Council included the following recommendations:

That the County Council place the following conditions on any approval of the proposed rezoning:

1. The Applicant shall develop no more than 147 age-restricted dwellings and 150 assisted living beds, cumulatively, on the Subject Site;

2. Covenants shall restrict 100% of the dwelling units in the Knowledge Farms MXD project to be age-restricted per the Federal Fair Housing Act and the Housing for Older Persons Act of 1995. There shall be a further limitation on the minimum age of permanent residents being 19 years of age in order to qualify for an APFO exemption. These covenants shall be recorded prior to the recording of the first subdivision plat. The covenants shall be recorded and made part of the title for each dwelling unit. Every property owner within the age-restricted development (and HOA) shall be beneficiaries of the covenants with the ability to enforce them through administrative or judicial proceedings. These covenants are to be reviewed by the County Attorney's Office to ensure that the MXD zoning district will be invalid if these covenants are not recorded and do not restrict age as proffered in a binding and enforceable manner. The required biannual federal surveys by the HOA (24 CFR¹ 100.307) shall be made available to the County for its review and records;
3. Any single-family attached (villa-style) dwelling units shall be limited to no more than 2-stories (or 30 feet) in height. Multi-family structures shall be limited to no more than 5-stories in height (4 levels of occupied residential space plus 1 level of above-ground structured parking). Any institutional structures shall be limited to no more than 3-stories in height. Any residential, commercial, or institutional structures located within 200 feet of any portion of a single-family attached dwelling unit fronting upon Thornapple Drive or Herb Garden Drive shall be limited in height to no more than 2-stories (or 30 feet);
4. The warrant analysis for the traffic signalization of the Urbana Pike/Thornapple Drive/Campus Drive intersection shall be completed prior to buildout of any commercial or institutional uses on the Subject Site;
5. Signage shall be installed by the Applicant, in accordance with the Maryland Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) and the rules and standards established by Frederick County's Division of Public Works, on Thornapple Drive (west of its intersection with the access drive serving the existing Knowledge Farms office building at 3280 Urbana Pike) that indicates 'No Through Traffic'; and
6. The business hours for any commercial uses or activities on the Subject Site shall not extend beyond 10 PM.

¹ Code of Federal Regulations