

From: [Manalo, Noel](#)
To: [Planning Commission](#)
Cc: [James, Karen](#); [Gaines, Kimberly](#); [Flom, Karin](#); [Superczynski, Denis](#); [Mitchell, Kathy \(Legal\)](#); [Brewster, Joshua](#)
Subject: Housing Element - Letter from Cromwell Investments, L.C.
Date: Tuesday, October 21, 2025 11:04:21 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[Cromwell Ltr to County PC re Housing Element 102125.pdf](#)

[EXTERNAL EMAIL]

Honorable Commissioners: On behalf of Cromwell Investments, L.C., attached please find a letter constituting my client's comments to the above-referenced matter.

As I understand you have this matter on your agenda for tomorrow, I will also bring hard copies to your meeting.

Thank you for your consideration – Regards, Noel



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October 21, 2025

Planning Commission
Frederick County, Maryland
12 East Church Street
Frederick, Maryland 21701

RE: Livable Frederick Housing Element – Opposition to Change 16

Honorable Planning Commissioners:

I am writing on behalf of Cromwell Investments, L.C. (“Cromwell”), the owner and developer of the Cromwell Planned Unit Development (the “PUD”), with regard to the Housing Element document you are considering on your October 22, 2025 agenda (the “Plan”). Cromwell provisionally opposes the Plan’s “Change 16” which seeks to comprehensively rezone a 2.47 acre portion of the PUD from PUD to Mixed Use (See Map 11 & pp. 33-34 of the Plan “Redline”).

The PUD is a 600-unit age restricted residential project. Cromwell sought rezoning in 2019 (Case No. R-19-01) and later amended the rezoning to address certain conditions (Case No. R-22-02). The subject of Change 16 is a public use site *within* the PUD. Release of the draft Plan was the first that my client was made aware that the County was seeking Change 16; it is unclear to me why the County would not have first reached out to my client about Change 16. Even though the County owns the parcel, it is still properly considered part of the PUD.

Cromwell opposes Change 16 because it disrupts the overall PUD and may contravene the intended use of the parcel in question, which is designated a “Public Use Site” (the “Public Use Site”). The intention for the Public Use Site was always . . . “public use”. The original source agreement that later resulted in the dedication of the Public Use Site by my client to the County was explicit:

“The County shall have all rights and sole discretion as to the development and future use of all aspects of the Library Site, except that the Library Site shall only be used as a public site for a Frederick County public library (and not for any other use, unless with written approval by Owner).” (Para. 6 of Memorandum of Understanding, Dec. 15, 2016, emphasis added).

As the PUD proceeded, there was discussion about the possibility of a “senior center” in conjunction with a library site, but still consistent with all previous approvals, plans, and expectations, this conceptual senior center was always contemplated for a public use site (such as the Public Use Site that is subject of Change 16).

The Mixed Use zoning of the Public Use Site creates the possibility that a fee developer or for profit entity could purchase and/or develop the property for uses outside the realm of “public

use”; such uses might be “for sale” residential development, commercial development, or any other host of uses permitted in the zone that are not public or institutional in nature.

This falls outside of what was originally contemplated when my client dedicated the Public Use Site; had the full range of uses allowed in mixed use zoning been conceivable for the parcel, it should not have been designated a “Public Use Site”, my client should have sought additional compensation for the parcel, and the County should not have asked for the parcel to be excluded from covenants, architectural guidelines, and other agreements typical of parcels within an overall PUD.

Based on what little information we have about the rationale for Change 16, it appears rash (it with the stroke of a pen guts a portion of a PUD and series of agreements dating back to 2019), and it runs counter to what my client understood was the intention of the Public Use Site. It would also run counter to the expectations any future residents of the PUD might have had for the Public Use Site.

Without additional information, Cromwell opposes Change 16 and urges the parcel remain in its current land use and zoning. We look forward to your consideration; my client reserves all rights.

Sincerely,



NOEL S. MANALO

cc: Kathy L. Mitchell, Esquire
 Ian Bartman, Esquire
 Cromwell Investments, L.C.

4922-7888-3956, v. 1