



DEPARTMENT OF PLANNING & ZONING  
COMPREHENSIVE PLANNING | LAND PRESERVATION | FOREST CONSERVATION | GIS

April 2021

Case #: RZ-21-003

**Application for Map Amendment  
Staff Report and Analysis**

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Property Owner(s)	:	Mansoor & Janet Shaool
Applicant(s)	:	Morris & Ritchie Associates Inc.
Location	:	N/S of Mt. Aetna Road; approximately 1.5 miles east of Robinwood Drive/Edgewood Drive
Election District	:	#18 – Chewsville
Comprehensive Plan Designation	:	Low Density Residential
Zoning Map	:	50
Parcel(s)	:	309 & 321
Acreage	:	220.11 acres
Existing Zoning	:	RT-PUD (Residential Transition w/ Planned Unit Development Overlay) approved for up to 595 residential dwelling units
Requested Zoning	:	RT-PUD w/proposed 1,148 residential dwelling units
Date of Meeting	:	May 3, 2021

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**Background and Findings Analysis:**

Location and Description of Subject Properties

The subject parcels are located along the north side of Mt. Aetna Road approximately 1.5 miles east of Robinwood Drive and Edgewood Drive. The total acreage of the two parcels that are the subject of this rezoning case is 220.11 acres and is further described as follows:

Subject Parcel #1: Tax Map 50; Parcel 309 – The parcel has an irregular shape consisting of approximately 160 acres and is currently unimproved. The property has a slightly rolling topography with a high point in the northeast corner of the property that slopes downward travelling west along the property. There are a few areas of steep slope on the property, however there are no identified streams, wetlands, floodplains, or threatened or endangered species habitats. The property consists of mostly farmed cropland and heavily forested areas to the west of the property.

Subject Parcel #2: Tax Map 50; Parcel 321 – This parcel also has an irregular shape and consists of approximately 60 and is currently unimproved. The topography is generally flat with a gentle downward slope moving from west to east. There is one small area of steep slope located on the property as well as an intermittent stream. There does not appear to be wetlands or floodplain associated with the stream. There are no threatened or endangered species habitats identified on the property. It is generally flat and consists of primarily farmed cropland with sporadic islands of forest.

Both properties are located within the Urban Growth Area that surrounds the City of Hagerstown and the Towns of Williamsport and Funkstown. These properties form the easternmost boundary of the UGA.

### Population Analysis

To evaluate the change in population, information was compiled from the US Census Bureau over a thirty-year time frame. A thirty-year horizon was picked to show long term population trends both in the election district of the proposed rezoning, as well as the overall trends of the County.

Both of the properties that are the subject of this rezoning are located in the Chewsville Election District, # 18. As shown in Table 1 below, this district has shown large increases in population over the thirty-year time frame between 1980 and 2010. Population increases within this election district have far outpaced the average growth rate compared to the County as a whole during this 30-year time period. This district has increased approximately 122.1% (4.1% per year) while the County has increased in population by 30.37% (1.01% per year) during the same period.

**Table 1: Population Trends 1980 - 2010**

Year	Area	Population	% change from previous decade
1980	District	5,532	
	County	113,086	
1990	District	6,712	21.3%
	County	121,393	7.3%
2000	District	9,098	35.5%
	County	131,932	8.7%
2010	District	12,287	35.1%
	County	147,430	11.7%

Source: US Census Bureau

### Availability of Public Facilities

#### Water and Sewerage

The adopted Water and Sewerage Plan for the County establishes the policies and recommendations for public water and sewer infrastructure to help guide development in a manner



that helps promote healthy and adequate service to citizens. By its own decree, the purpose of the Washington County Water and Sewerage Plan is "...to provide for the continued health and well-being of Washington Countians and our downstream neighbors..."<sup>1</sup> This is achieved through implementing recommendations within the County Comprehensive Plan and the Water and Sewerage Plan to provide for services in a timely and efficient manner and by establishing an inventory of existing and programmed services.

Both properties are located within the County designated Urban Growth Area that surrounds the City of Hagerstown as well as the Towns of Funkstown and Williamsport. Both parcels are currently unimproved.

Water:

Both parcels are delineated as a W-3 Programmed Water Service area in the 2009 Water and Sewerage Plan and service is provided by the City of Hagerstown. In accordance with the City of Hagerstown Water and Wastewater (CHWW) policy, "...the City of Hagerstown will only provide new or expanded water and wastewater service outside of Hagerstown's corporate boundaries to properties that annex into the City or that enter into pre-annexation agreements with the City...". In addition, the CHWW also states, "...the City will not extend water or wastewater services beyond the Hagerstown Medium-Range Growth Areas as defined in the City's Annexation Policy...".

This application was sent to the City of Hagerstown Water Department for review and comment. The following comments have been offered:

*"The future water usage within this PUD will be approximately 229,600 gallons (1148 units x 200 gpd/unit). This PUD is located within the City of Hagerstown's Water System Zone 5. Water Zone 5 has limitations in distribution system pressure and fire flow ability even without the addition of this PUD. These limitations are detailed in the Hagerstown Fire Department comments to this PUD. The existing average water demand within Zone 5, per the 2008 City of Hagerstown Water System Master Plan, was 0.48 MGD. The 2008 Master Plan incorporated a future planning year of 2025 and an average water usage of 0.61 MGD. This PUD will increase the average water demand within this Zone to a rate that exceeds the planned future average water usage. Per the Master Plan, upgrades to the water infrastructure are required when this future flow is approached. The required upgrades are detailed in the 2008 Master Plan but generally the upgrades include improvements to the water pump station #6, the addition of a water storage tank within Zone 5 and water distribution system improvements. The City and their Consultant Engineer will work with the Developer and their Engineer on the final design of these necessary upgrades and additions to the water system infrastructure."*

Both properties are currently located with the City designated Medium Range Growth Area (MRGA) boundary. They also have an executed pre-annexation agreement

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<sup>1</sup> Washington County, Maryland Water and Sewerage Plan 2009 Update, Page I-2

with the City. While this statement alludes to the availability of water resources currently, it is not a guarantee of allocation. Allocation is received on a first come-first served basis until capacity is exhausted.

Furthermore, the City maintains a growth model for the areas within the MRGA in accordance with their adopted Water Resources Element of the City Comprehensive Plan. This model analyzes existing development and estimates new growth based on assumptions derived from existing zoning. Therefore, adjustments to zoning within the MRGA are also evaluated for their impacts upon the City water resources. It has been confirmed by the City that these properties have been included within their water resource model based on the development plan approved by the County for 595 new residential units. The City has confirmed that an increase of units to 1,148 will create an imbalance in the model that will need to be accounted for in another location namely through retraction of the MRGA in other locations.

#### Wastewater:

Both parcels are located within an S-3 Programmed Wastewater Service Area as delineated in the 2009 Water and Sewerage Plan and service is provided by the City of Hagerstown. In accordance with the City of Hagerstown Water and Wastewater (CHWW) policy, “...the City of Hagerstown will only provide new or expanded water and wastewater service outside of Hagerstown’s corporate boundaries to properties that annex into the City or that enter into pre-annexation agreements with the City...”. In addition, the CHWW also states, “...the City will not extend water or wastewater services beyond the Hagerstown Medium-Range Growth Areas as defined in the City’s Annexation Policy...”.

This application was sent to the City of Hagerstown Wastewater Division for review and comment. The following comments have been offered:

*“In regards to the City wastewater collection system infrastructure, the wastewater generated within this PUD would travel through the City owned gravity collection system as well as multiple wastewater pump stations. Depending on the final site grading and proposed sewer collection system layout within this development, upgrades to City Wastewater pump station 19 and possibly the discharge force main will most likely be required. Currently, this pump station was designed for the development in which it is located with limited excess capacity. Pump Station 19 is located near the intersection of Sani Lane and Ayoub Lane. The layout of wastewater collection/conveyance infrastructure within this PUD that avoids wastewater conveyance through Pump Station 19 would be acceptable and can be evaluated as the project progresses.*

*The remaining City wastewater pump stations affected by this PUD appear to have sufficient hydraulic capacity for the anticipated wastewater flow generated within this PUD.*



*The City owned gravity sewers between this PUD and Wastewater Pump Station 8 appear to have sufficient hydraulic capacity however the City reserves the right to require sewer collection system upgrades depending on the final sewer collection system layout within the PUD. City Wastewater Pump Station 8 is located along Robinwood Drive in front of Hagerstown Community College."*

Both properties are currently located with the City designated Medium Range Growth Area (MRGA) boundary. They also have an executed pre-annexation agreement with the City. While this statement alludes to the availability of wastewater resources currently, it is not a guarantee of allocation. Allocation is received on a first come-first served basis until capacity is exhausted.

### Emergency Services

#### Fire:

Subject Parcel #1 is located within the service area of the Smithsburg Volunteer Fire Company (Company #11) and is approximately 5 miles away from the fire station. Subject Parcel #2 is located within the service area of the Funkstown Fire Company (Company #10) and is located approximately 3 miles away from the fire station.

A copy of this application was sent to each volunteer fire company and also forwarded to the City of Hagerstown Fire Department for review and comment. There was no response received from the County volunteer companies, however the City Fire Chief had the following comments to offer:

*"The HFD has had the opportunity to review the revised PUD for the Black Rock development off of Mt Aetna Rd and offer the following comments unique to fire protection in that area of Washington County. Be advised that even though HFD units typically are included on responses in this area, it is the first due area of the Funkstown Volunteer Fire Company to provide comments for this portion of the county. If you have not already done so, I recommend that you reach out to them for their input and guidance.*

#### *HFD comments and concerns:*

*1. This development is located within Hagerstown Water Zone 5 which historically has struggled to meet both domestic and fire protection water flows within the entire zone. These struggles are known issues and well documented over time. This is exasperated by the geography (high elevation, lack of a storage tank or standpipe, and undersized water transmission / distribution lines supplying zone-5). After several large fires in that area of the county in recent years including Doey's House, Woodbridge Dr., and others where fire protection water is limited to successfully deploy large caliber streams, the Funkstown VFD has added multiple tankers (water on wheels) to the assignments to partially compensate for the lack of needed fire flow (NFF).*



2. The city has recently added an automatic swing check valve in the vicinity of the Elk's club on Robinwood Dr. to provide some interim relief by increasing the available water from the main zone 1 when demand exceeds supply. This however is limited.

3. The proposed development and existing construction in zone-5 is primarily comprised of very large single-family homes, townhomes and some extended residence buildings that are of Type-5 light-weight, wood-frame construction that are a challenge for FD's everywhere. The need for additional FF-ing water streams is essential to stopping well advanced fires in these buildings.

4. To achieve effective FF streams, the correct combination of pressure and volume is needed to adequately protect structures like those proposed. I will defer to the technical expertise of the Water Department to recommend a permanent solution(s).

5. In the interim, and without an adequate size storage tank for fire protection water located within zone-5, the HFD strongly recommends that further development does not occur as proposed. There simply is inadequate water necessary to flow two or more large caliber streams necessary to stop fires in well involved attic spaces of the type and size of buildings proposed.

By our understanding, the revised proposal nearly doubles the number of units initially reviewed in 2004. Specifically, the large number of apartments and townhomes clustered together present a real challenge for any FD. This is particularly true in the unsprinklered attic spaces of these buildings with peaked roofs.

Finally, and by the copy of the draft drawings we reviewed, there appears to be a single entrance only off of Mt. Aetna Rd. to the development. This seems problematic for such a large number of dwelling units (1, 148) without some redundancy and access from another point."

These comments were forwarded to the applicant who requested a subsequent meeting with Staff to discuss these concerns. After some discussion, the applicant believes that they will be able to mitigate these concerns either through water line improvements (i.e. looping of lines to create additional pressure) or via a water tower or other facility. The issue of access redundancy will be addressed by the applicant as part of their presentation at the input meeting.

#### Emergency Rescue:

Emergency Rescue services are provided by Community Rescue Service (Company #75). The properties are approximately 3 miles away from the station. A copy

of this application was sent to each of the volunteer companies as well as to the Washington County Division of Emergency Services. No comments have been received.

### Schools

The two properties that comprise this proposed development currently acts as the dividing point between two different school district feeder systems. Subject parcel #1 (P. 309) is in the property is located within Ruth Ann Monroe/Eastern Elementary/Smithsburg Middle/Smithsburg High districts. Subject parcel #2 (P. 321) is in the Greenbrier Elementary/Boonsboro Middle/Boonsboro High school districts. The requested increase of dwelling units would impact both school districts.

To evaluate the impacts of development on public school system resources we first look at existing conditions. In accordance with the adopted Adequate Public Facilities Ordinance (APFO), adequacy is determined based upon the State Rated Capacity (SRC) of each school district. The threshold for adequacy (stated as the Local Rated Capacity) at the elementary school level is 90% of the SRC. Middle and high school thresholds are 100% of the SRC. The tables below show the existing capacity and enrollment figures for each school district affected by this proposed rezoning. It should be noted that enrollment figures are significantly lower in the elementary school levels than in previous years due to impacts from the COVID-19 pandemic. These numbers are expected to rise again as schools return to normal in person operations.

School	State Rated Capacity	Local Rated Capacity	Current Enrollment (Dec 2020)
Ruth Ann Monroe/Eastern Elem.	1264	1138	993
Smithsburg Middle	839	839	566
Smithsburg High	897	897	725

School	State Rated Capacity	Local Rated Capacity	Current Enrollment (Dec 2020)
Greenbrier Elementary	274	247	222
Boonsboro Middle	870	870	623
Boonsboro High	1098	1098	872

In addition to current enrollment figures, the APFO outlines a specific formula that accounts for several variables that can influence changes in school enrollment. These factors include pipeline and background enrollment. Pipeline development equates to approved subdivision lots that have not yet been built upon while background enrollment is an average of enrollment changes within a given district over a 3-year period. The table below shows the adjusted enrollment for the school districts that serve the subject property.



School	Current Enrollment (Dec 2020)	Pipeline Enrollment	Background Enrollment	Adjusted Enrollment
Ruth Ann Monroe/Eastern Elem.	993	110.98	11.7	1115.68
Smithsburg Middle	566	34.98	6.8	607.78
Smithsburg High	725	34.98	-7.5	752.48

School	Current Enrollment (Dec 2020)	Pipeline Enrollment	Background Enrollment	Adjusted Enrollment
Greenbrier Elementary	222	17.63	0.8	240.43
Boonsboro Middle	623	52.36	0.4	675.76
Boonsboro High	872	52.36	9.8	934.16

To determine the impacts of the specific development, the Board of Education has provided the County with pupil generation rates for each level of a school district. These generation rates are used to calculate the potential number of students that may be produced by the development. Generation rates are based on the level of the school and the type of housing unit that may be produced. The table below shows current pupil generations rates.

Pupil Generation Rates			
Type	Elem	Mid	High
Single Family	0.43	0.22	0.22
Townhouse	0.32	0.11	0.14
Multi-Family	0.31	0.12	0.16

Using the number of proposed units multiplied by the pupil generation rate, the estimated number of students that may be generated from this development is summarized in the table below. The figures are estimated based upon the development plan submitted in February 2021. Enrollments can and will vary depending upon the final layout of the development.

Subject Parcel #1 (P.309) Ruth Ann Monroe/Eastern/Smithsburg/Smithsburg								
Unit Type	Number of lots	Pupil Gen Rates			Pupils Generated			
		Elem	Mid	High	Elem	Mid	High	Total
Single Family	182	0.43	0.22	0.22	78.26	40.04	40.04	158.34
Townhouse	447	0.32	0.11	0.14	143.04	49.17	62.58	254.79
Multi-family	300	0.31	0.12	0.16	93.00	36.00	48.00	177.00
Totals	929				314.3	125.21	150.62	590.13



Subject Parcel #2 (P.321) Greenbrier/ Boonsboro/Boonsboro								
Unit Type	Number of lots	Pupil Gen Rates			Pupils Generated			
		Elem	Mid	High	Elem	Mid	High	Total
Single Family	193	0.43	0.22	0.22	82.99	42.46	42.46	167.91
Townhouse	26	0.32	0.11	0.14	8.32	2.86	3.64	14.82
Multi-family	0	0.31	0.12	0.16	0.00	0.00	0.00	0.00
Totals	219				91.31	45.32	46.1	182.73

When added together, the current adjusted enrollment and new pupils generated from the proposed development shows an inadequacy at the elementary school level in both the receiving districts. While the exceedance in the Ruth Ann Monroe/Eastern district is within a mitigatable range, the exceedance in the Greenbrier district far exceeds typical mitigation methods within the County. There are currently no redistricting plans, capital projects or other reasonable mitigation efforts proposed for this district that could offset the magnitude of the exceedance.

Reviewing the middle and high school capacities it appears that the development occurring within the Smithsburg feeder systems will be pushed slightly over Local and State Rated Capacities but well within a mitigatable range. Development within the Boonsboro feeder systems appears to have no negative impact on school capacity. Because the two districts abut one another at this location it may be in the best interest of all parties to investigate the possibility of redistricting middle and high school students from Smithsburg to Boonsboro to help balance student enrollment in each feeder system.

Subject Parcel # 1 (P. 309)					
School	Adjusted Enrollment	New Pupils Generated	Total Impact	Local Rated Capacity	% of LRC
Ruth Ann Monroe/Eastern Elem.	1115.68	158.34	1274.02	1138	112.0%
Smithsburg Middle	607.78	254.79	862.57	839	102.8%
Smithsburg High	752.48	177	929.48	897	103.6%

Subject Parcel #2 (P. 321)					
School	Adjusted Enrollment	New Pupils Generated	Total Impact	Local Rated Capacity	% of LRC
Greenbrier Elementary	240.43	167.91	408.34	247	165.3%
Boonsboro Middle	675.76	14.82	690.58	870	79.4%
Boonsboro High	934.16	0	934.16	1098	85.1%

\*\*Disclaimer – School enrollment calculations are estimated as a snapshot of existing conditions. These figures can and will change over time and are only included as illustrations of potential outcomes based on information available at the time of writing this document.

#### Present and Future Transportation Patterns

##### Highways

While subject parcel # 1 is technically land locked and absent direct access to a public road, the application is being viewed as a whole so that both parcels will construct new road infrastructure that will use Mt. Aetna Road as the developments access point.

In addition to evaluating public access of a parcel for rezoning purposes, it is also important to evaluate traffic generation and existing traffic volumes. This is commonly accomplished through analysis of historic and existing traffic counts as well as any existing traffic impact studies. Mt. Aetna Road is a County owned and maintained highway segment. There is little data available related to County traffic counts due to limited resources. The most recent traffic count data collected in this area was in 2016 and is shown in the chart below. The data shown in the chart is expressed in annual average daily traffic volumes.

**Table 2: Traffic Volumes at Select Locations**

Mt. Aetna Rd. @ Sasha Blvd.	557
Mt. Aetna Rd. @ White Hall Rd.	1622
Mt. Aetna Rd. @ Edgewood Dr.	5553

Source: Washington County Division of Engineering and Construction

A traffic impact analysis was completed by the property owner in 2002 to evaluate the impacts of applying a Planned Unit Development overlay on the property with a density of 595 units (2.7 units per acre). It was estimated that the gross number of vehicle trips per day would 4,592 trips. Conclusions of the analysis indicated that the additional traffic generated from the development would increase delays to the signalized intersections along US Route 40 and Robinwood Drive. Furthermore, the development would add increase traffic volumes along White Hall Road through to its intersection with MD 66. It was noted in the study that several road improvements would need to be completed to offset the traffic generation of the development.

An updated traffic impact study has not been completed but is recommended as part of the development plan phase should the rezoning be approved. While a complete study has not been conducted the developer is estimating that the gross number of vehicle trips per day generated by the proposed increase in density would be approximately 8,109 trips.

A copy of this application was sent to the Division of Plan Review and Permitting and their comments are as follows:

- 1. There have been significant changes to the road networks in the Robinwood corridor since the initial traffic study for Black Rock PUD was prepared. Updated analysis will be necessary at the Development Plan stage to evaluate any possible impact the increased density would have on the adequacy of the roads serving the development.*
- 2. A second connection to another major roadway should be provided.*
- 3. Given the entrance design and the trip generation (8109 ADT) the road near the entrance will resemble a "Major Collector" which would carry a 300-foot access separation requirement under the highway plan. However, the concept includes single family dwellings with direct access through this section. Consideration should be given to limiting*



*access along the main throughfare and/or provide traffic calming to increase safety for vehicles and pedestrians.*

*4. The proposed access to Mount Aetna Road has been consolidated from the previous development plan. The design of this connection will need to be evaluated should the project proceed to confirm adequate intersection sight distance, as well as the need for any accessory lanes.*

*5. Several roads in the conceptual development appear to not meet Washington County geometric criteria (horizontal curve radii too small, cul-de-sac configurations). The design criteria will need to be demonstrated in subsequent review phases should the project move forward.*

### Public Transportation

This specific property is not currently served by public transportation. However, the Washington County Transit Department does have a fixed route in the Robinwood area that passes within 1.5 miles of the site.

### Compatibility with Existing and Proposed Development in the Area:

The area surrounding the subject parcels contain a mixture of residential and farmland uses. Development bordering the west of the property is comprised of moderate to high residential density uses including a mixture of single family, townhouses, and apartment units. Bordering the property to the south is an existing single-family subdivision known as Black Rock Estates. The northern and eastern boundaries of the property abut large areas of active agriculture and forms the westernmost boundary of the Urban Growth Area.

Another important component of compatibility is the location of historic structures on and around the parcels being proposed for rezoning. The following historic sites listed on the Washington County Historic Sites Survey are located within a 0.5 mile radius of the proposed rezoning areas.

WA-I-063 – Snavely (Warvel) Farm, early 19<sup>th</sup> Century stone house, located on subject parcel #1; structure has been demolished.

WA-I-075 – Snavely Farm (Michael Hamilton Farm), late 18<sup>th</sup> century log & brick house, located on subject parcel #1; structure has been demolished.

WA-I-032 – Melrose Manor (Samuel McCauley Farm), constructed in 1850, located approximately 0.75 miles west of subject parcel #2 along Mt. Aetna Rd.

WA-I-441 – Melrose Manor secondary dwelling; Early 20<sup>th</sup> century brick house, located approximately 800' from the subject property; structure has been demolished.

WA-II-137 – Price Farm; Early 20<sup>th</sup> century wood frame & stone house, located approximately 450' west of subject parcel #2.

WA-I-184 – 19<sup>th</sup> century stone house, located approximately 1200' from the subject parcel #2.



WA-I-033 – Par of Carr's Quesy (Query, White Hall); Early 19<sup>th</sup> century stone house covered in stucco, located approximately 1700' from subject parcel #2.

#### Relationship of the Proposed Change to the Adopted Plan for the County:

The purpose of a Comprehensive Plan is to evaluate the needs of the community and balance the different types of growth to create a harmony between different land uses. In general, this is accomplished through evaluation of existing conditions, projections of future conditions, and creation of a generalized land use plan that promotes compatibility while maintaining the health, safety, and welfare of the general public.

Both properties are located in the sub-policy area Low Density Residential. The Comprehensive Plan offers the following policy statements for this policy area:

##### Low Density Residential:

*"This policy area designation would be primarily associated with single-family and to a lesser degree two-family or duplex development."*

*"Typical densities in the policy area range from two to four units per acre unless the property is approved for a planned residential or mixed-use development. If the property is approved for high density development the maximum density should be 12 units per acre."<sup>2</sup>*

#### Change to the approval of an existing Planned Unit Development

Application of floating zones such as a Planned Unit Development (PUD) do not follow the same legal statutes of review and analysis as those used in a piecemeal rezoning of a Euclidian district. Instead of meeting the legal standard of the change or mistake rule, floating zones are analyzed using criteria specified with the zoning ordinance referring to the requested floating zone.

In this particular case, the property has already been assigned a PUD floating zone and approved for total of 595 units (or 2.7 units per acre density). The applicant is requesting a major change in the approved number of units and must therefore comply to the standards of Section 16A.5 of the zoning ordinance.

When evaluating the request for a major change from a previously approved PUD development plan, both the Planning Commission and Board of County Commissioners are required to consider the following criteria:

1. The purpose of the PUD District;
2. The applicable policies of the adopted Comprehensive Plan;
3. The compatibility of the proposed changes of the PUD with neighboring properties;
4. The effect of the proposed changes to the PUD on community infrastructure;
5. Consistency with the intent and purpose for the establishment of the PUD.

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<sup>2</sup> 2002 Washington County, Maryland Comprehensive Plan, Pages 245 and 246

## **Staff Analysis:**

As stated in the previous section, there are 5 stated criteria in the zoning ordinance that are to be evaluated as part of the decision-making process for applying a PUD floating zone. These criteria have been analyzed by Staff below.

### **1. The purpose of the PUD District**

According to the zoning ordinance, the intent of the PUD Article is, “to manage the implementation of regulations for existing approved PUD Developments within the framework of the Urban Growth Area Rezoning of 2012.” As part of the 2012 UGA rezoning the PUD district was effectively replaced by a new district known as the Mixed Use (MX) district. Therefore, any requests to implement a new mixed-use development must follow the guidance and regulation of the MX district. Existing PUDs were not rezoned or converted to the new MX district therefore Section 16A was left in the ordinance to regulate those existing uses. The applicant has submitted this request in accordance with Article 16A.

### **2. The applicable policies of the adopted Comprehensive Plan**

There are numerous policies within the adopted Comprehensive Plan that can apply to any given application in very specific ways. However, Staff believes that the intent of this requirement is to evaluate applications in a broader sense of Countywide land use policies.

The primary goal of the Comprehensive Plan is to manage growth in a way that is safe, reasonable, and efficient for our community. To that end the County promotes an overarching land use policy that directs new development to occur in areas where existing resources and infrastructure are available. These areas are delineated in the Plan as ‘growth areas’. Growth areas contain the existing infrastructure, utilities, and services needed for our citizens. This property’s location within the defined Urban Growth Area meets this overarching policy.

To further refine the policy of directing growth into these areas, the Comprehensive Plan defines sub-policy areas that delineate generalized land use categories based on existing and projected land uses. The purpose of these sub-policy areas is to define broad land use categories such as residential, commercial, industrial, institutional, etc that guide future growth and development decisions such as rezonings and functional plan amendments.

As noted in a previous section, these properties are located within the Low-Density Residential Policy area. While this policy area is usually associated with a lower density of 2-4 units per acre, there is specific reference to increased density being allowable with the application of a PUD floating zone. The requested change is to increase the density within the existing PUD, it is still in accordance with policies outlined in the Comprehensive Plan is therefore compatible with the Plan.



### **3. The compatibility of the proposed changes of the PUD with neighboring properties**

As stated in a previous section the subject properties are surrounded on the south and west by existing residential development while the north and east boundaries are adjacent to active agricultural land. Evident in both the proposed design and subsequent discussion with the developer is the desire to mix the residential development in a manner that is as compatible as possible with existing development in the area.

Single family homes are located along the southern boundary of the development to provide a buffer of similar uses adjacent to the existing Black Rock Estates subdivision. Additional single-family homes are located on the northern edge of the property to provide a transitional area into the more rural land uses. Townhouses are located along the western boundary of the property to be compatible with existing townhouse and multifamily developments along Robinwood Drive (i.e. Kings Crest, Stonecroft Apartments, and Youngstoun Apartments & Townhouses). The apartment portion of the development is centralized to contain and surround the multifamily units internal to the new construction and away from existing non-compatible development.

Additional sections of townhouses are proposed for the eastern boundary of the property which is not compatible with the adjacent farmland uses and low residential density zoning. In addition, slightly higher density uses in the form of duplexes are also located on the eastern boarder adjacent to rural farmland. While these uses may not be wholly compatible with adjacent uses in these two primary areas the developer has provided reasonable support for the layout. The location of the additional townhouse sections on the eastern portion of the property was sited to keep traffic closer to the two primary entrances to the development rather than put higher count uses deeper into the development and impacting a larger portion of the overall development. Furthermore, it is the desire of the developer to distribute the different residential types throughout the development to provide a more integrated neighborhood. The location of the duplexes was intended to be slightly separated from the higher density areas with the anticipation that they may be marketed as age-restricted units.

### **4. The effect of the proposed changes to the PUD on community infrastructure**

This topic has been evaluated in previous sections as well. According to the City of Hagerstown Water Department, there are issues involving water quantity and pressure in this service zone that impacts daily usage as well as fire suppression efforts. This comment was echoed by the City Fire Chief. In subsequent meetings with the developer (and in their response letter dated April 16, 2021), these concerns have been acknowledged and deliberated as part of the plan application. The developer has stated that they are aware that significant upgrades will be needed to the existing water distribution system in this area to serve their proposal.

Concerns regarding water capacity have also been discussed in a comprehensive context as it impacts the availability of water resources within the City MRGA. Per the



City model the additional allocation that will be needed by increasing the density in this development will create a deficit in the overall MRGA allocation indicating a need to likely retract some other area to balance the model.

There will be some impacts upon the transportation network, however, the full effects are unknown at this time due the absence of an updated traffic impact study. The applicant has addressed some of the concerns related to traffic counts and access points for the proposed development in their response letter. They have also indicated that they will provide additional information at the public input meeting detailing additional traffic analysis.

Finally, a snapshot analysis of current school enrollments coupled with additional impacts from this proposal indicate a severe deficiency in capacity of the elementary schools serving this area. It is difficult to predict if these projections will totally come to fruition but there is a high probability that some impact will occur. The developer will be required to act in accordance with adopted Adequate Public Facilities Ordinance in effect at the time of subdivision plat approvals.

**5. Consistency with the intent and purpose for the establishment of the PUD which is to permit flexibility and creativity in the design of residential areas, promote economical and efficient use of the land, provide for a harmonious variety of housing choices, a varied level of community amenities and the promotion of adequate recreation, open space and scenic attractiveness.**

Based upon the analysis already provided in previous section it appears that this plan is consistent with the intent and purpose of establishing a PUD. Once area of weakness in this plan is the discussion of community amenities and the promotion of adequate recreation facilities. This issue can likely be addressed with the existing design; however, specific plans should be provided to ensure the proper type and distribution of said uses.

**Recommendation:**

This request for a major change to an approved development plan for the Black Rock PUD development conforms to the policies and guidance in the adopted Comprehensive Plan and County Zoning Ordinance. While the proposal is consistent with these policies, evaluation of existing infrastructure has shown several deficiencies including water supply and pressure, traffic impacts, lack of recreational areas, and school capacity issues. The developer has acknowledged and provided responses to the majority of these issues and will provide further information as part of their presentation at the public meeting.

The variables of this request make it difficult to render a conclusive recommendation. When weighing the contributions of this new development against its potential impacts, it highlights areas of competing interests. For example, the issue of water resource provision in the area already exists so if the new development is permitted, the upgrades that will be made to the water system could provide a net gain for the overall water zone and its users. This action would meet the goals of both the City and County by providing a better water and fire suppression service

to citizens. Conversely, the increase of density in this development will have a heavy impact to school capacities in an area that doesn't seem to have a definitive solution either from a developer perspective or from a governmental capital perspective. This goes against the goals of the local jurisdictions to provide adequate public educational facilities.

Therefore, Staff's recommendation is not a finding in favor of, or against the proposal. Instead, it is Staff's recommendation that careful consideration of resource deficiencies be evaluated, and appropriate conditions be applied to potential development plan approvals that adequately address/resolve the deficiencies. These conditions should provide direction to the developer that will assist in their deliberation of project feasibility.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Jill Baker", written in a cursive style.

Jill Baker  
Director





Washington County

M A R Y L A N D

FOR PLANNING COMMISSION USE ONLY

Rezoning No. RZ-21-003

Date Filed: 02-16-21

RECEIVED

WASHINGTON COUNTY PLANNING COMMISSION  
ZONING ORDINANCE MAP AMENDMENT APPLICATION

FEB 16 2021

**Morris & Ritchie Assoc.**

Applicant

**1414 Key Highway**

Address

**Baltimore, MD 21230**

Primary Contact

**Sean Davis, RLA**

Address

☐ Property Owner

☐ Attorney

☐ Other: \_\_\_\_\_

☐ Contract Purchaser  
☒ Consultant  
Washington County  
Dept. of Planning & Zoning

**410-935-5050**

Phone Number

**sdavis@mragta.com**

E-mail Address


Property Location: **East side of Hagerstown Growth Area Boundary**

Tax Map: **50** Grid: **0017/0023** Parcel No.: **309/321** Acreage: **220.11**

Current Zoning: **PUD** Requested Zoning: **PUD**

Reason for the Request: ☐ Change in the character of the neighborhood  
☐ Mistake in original zoning

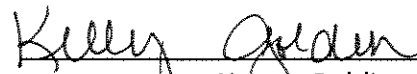
**PLEASE NOTE: A Justification Statement is required for either reason.**

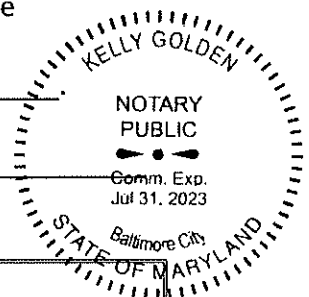


Applicant's Signature

Subscribed and sworn before me this **16** day of **February**, 20**21**

My commission expires on **7-31-23**

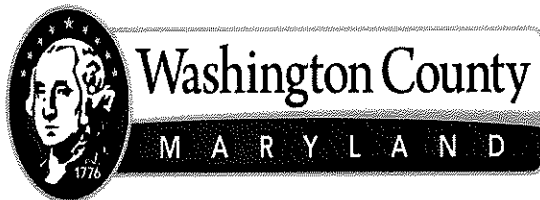
  
Notary Public  
Kelly Golden



FOR PLANNING COMMISSION USE ONLY

- ☒ Application Form
- ☒ Fee Worksheet
- ☒ Application Fee
- ☐ Ownership Verification
- ☐ Boundary Plat (Including Metes & Bounds)

- ☒ Names and Addresses of all Adjoining & Confronting Property Owners
- ☒ Vicinity Map
- ☒ Justification Statement
- ☐ 30 copies of complete Application Package



WASHINGTON COUNTY PLANNING COMMISSION  
ZONING ORDINANCE MAP AMENDMENT

---

REQUIRED APPLICATION MATERIALS CHECKLIST

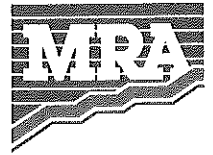
All materials must be clearly labeled  
(Original plus 30 copies of all materials are required)

- X 1. **Application Form**: A completed and signed application form.
- X 2. **Fee Worksheet and Application Fee**: A completed Fee Worksheet and the Application Fee must be submitted at the time application is made. Checks must be made payable to the "Washington County Treasurer".
- X 3. **Ownership Verification**: Proof of ownership interest in the subject property, including a copy of the current deed to the property; OR, if the application is made by a contract purchaser, a copy of the fully-executed Contract of Sale.
- X 4. **Boundary Plat**: A boundary description, including metes and bounds, prepared and sealed by a land surveyor registered in the State of Maryland.
- X 5. **List of the Names and Addresses for all Adjoining and Confronting Property Owners**: A list of the names and addresses, obtained from the latest property tax assessment record, of owners of adjoining or confronting properties, improved or unimproved, including properties separated by streets, railroads, or other rights-of-ways. (Must have house numbers or P.O. box numbers.)
- X 6. **Vicinity Map**: An 8 ½" x 11" page size map showing the zoning of all property within 1,000 feet of the site.
- X 7. **Justification Statement**: A written explanation of the reasons why the map amendment is being sought, setting forth in sufficient detail to properly advise County officials as to the justifications for the rezoning change. Applications for floating zones shall include such information as required by the respective Articles of the Ordinance. Other applications must address the following information:
  - a. A statement as to whether or not there is evidence of mistake in the current zoning, and, if so, the nature of the mistake and the facts to support the allegation.
  - b. A statement as to whether or not there is evidence of a substantial change to the character of the neighborhood subsequent to the most recent comprehensive rezoning including the nature of the change, all facts to support the allegations, and a description of the neighborhood.



# MORRIS & RITCHIE ASSOCIATES, INC.

Architects | Planners | Urban Designers | Landscape Architects | Engineers | Surveyors



February 16, 2021

Ms. Jill Baker  
Director, Planning & Zoning Department  
Washington County, Maryland  
100 West Washington Street  
Hagerstown, Maryland 21740

RECEIVED

FEB 17 2021

Washington County  
Dept. of Planning & Zoning

**RE: Black Rock Planned Unit Development – Major Change Request**

Dear Ms. Baker:

Thank you for all of your assistance in helping our team prepare this request for a Major Change to the current Black Rock Planned Unit Development. Attached please find our completed Application form, list of adjacent property owners (I will also email the Excel file to you for easier use), and 33 copies of the PUD plan set (a total of four pages each). Outlined below is our Justification Statement, as requested in the application requirements. We hope this completes our submission and that we will be placed on the agenda for the May 3, 2021 Planning Commission meeting. Please let us know so we can plan accordingly.

There are several important reasons for this Major Change request. These include:

1. Market demand. The previous PUD had home types that were not indicative of current market demands. The revised PUD provides a variety of homes types for new buyers.
2. Regulatory Compliance. The previous PUD did not take into account certain regulatory requirements that pertain today, mainly stormwater management. The new PUD does.
3. Community Design. We believe the new PUD creates a much stronger overall community design by having a major spine road that services each individual neighborhood.
4. Increased density. The current plan increases the overall density based on the preferred home types and site plan. This increased density is necessary to offset increased costs for regulatory compliance and anticipated amenities.

We look forward to expanding on these justifications during our presentation/discussion with the Commission. If there is anything else you need during your review of our application please call on me at 410-935-5050. Thank you!

Respectfully  
**Morris & Ritchie Associates, Inc.**

A handwritten signature in black ink, appearing to read "Sean D. Davis".

Sean D. Davis  
Principal

Attachments

Cc: The Black Rock Development Team

Adjacent Parcels Table				
Tax Map	Parcel	Owner Name	Owner Address 1	Owner Address 2
50	1690	ARNOLD JODIE C & VICKI L	20525 MOUNT AETNA RD	
50	3	HARVEY CHARLES W & RYAN JANICE IRENE	10941 SASHA BLVD	
50	1343	AKMAL MOHAMMAD	10947 SASHA BLVD	
50	307	TOOTHMAN RONALD G & TOOTHMAN COLLEEN M	PO BOX 185	
50	1343	KENNEDY MICHAEL D & KENNEDY SHERYL K	20513 MT AETNA RD	
50	1727	TARIQ MOHAMMAD	11003 SASHA BLVD	
50	1659	PRYOR JONATHAN W	20617 MOUNT AETNA RD	
50	1577	POTOMAC EDISON CO	TAX DEPT	800 CABIN HILL DR
50	1636	VALLEY VIEW LMTD PARTNERSHIP	C/O DANIEL M SHEEDY	P O BOX 68
50	1727	AKMAL ALI M & RAZI AKMAL RABAIL R	20510 TEHRANI LA	
50	1686	HARR ANN M & HARR TINA L	11403 SUNNY HILL CT	
50	1648	EL MOHANDES ALI EL MOHANDES LAURA	11248 EASTWOOD DR	
50	1731	ATCHLEY BETHANY	11113 SHALOM LN	
50	1727	KURAPATY SAMUEL M & MERCY S	10907 SASSAN LN	
50	1709	GARNER JAMES GREGORY	20541 MT AETNA RD	
50	1727	STIANSEN STEVEN C STIANSEN JENNIFER S	10904 SASSAN LANE	
50	319	LIAO WEIDONG & CHEN MEI	11121 SHALOM LN	
50	1648	MCCLAIN JOSHUA TRAVIS MCCLAIN KEELY	6702 92ND ST CT NW	
50	1731	CRIST CANDACE R & CRIST BRAD W	11133 SHALOM LANE	
50	1686	SHAOOL WOODBRIDGE DEVELOPMENT LLC	1730 EDGEWOOD HILL CIRCLE #101	
50	1686	SHAOOL WOODBRIDGE DEVELOPMENT LLC	1730 EDGEWOOD HILL CIRCLE #101	
50	1727	BOYER JONATHAN L BOYER KASI B	10900 SASSAN LN	
50	1731	STEED LINCOLN E & STEED ROSA DELIA	20415 CHUCK LN	
50	2	STRYKER WILLIAM L STRYKER LISA M	20533 MT AETNA RD	
50	1686	FRANK ROBERT & KATIE	11302 DAY BREAK CT	
50	1674	PRYOR DAVID P & DARLENE F TRUSTEES	20615 MOUNT AETNA RD	
50	1688	SHAOOL BEN & SHAOOL KATHY	1201 DUAL HWY STE 203	
50	1686	STAGG MARY ANNE	11405 SUNNY HILL CT	
50	1686	SOLIMANI IRAJ	7145 BROOKS RD	
50	1686	SHAOOL WOODBRIDGE DEVELOPMENT LLC	1730 EDGEWOOD HILL CIRCLE #101	
50	319	MASOOD SAQIB	11211 SHALOM LN	
50	1648	PARKS STEVEN M PARKS BECKY A	11306 EASTWOOD DR	
50	1727	BONATTI HUGO & BONATTI JANANI KARUNARATNE	20509 SHAHEEN LN	
50	1727	DURELLI ANDREW B & DURELLI MARIA P	20514 TEHRANI LN	
50	319	MARTIN DAVID R & BAILEY JENNIFER G	11125 SHALOM LN	
50	1727	HULL STEVEN G & HULL ARLENE B	20506 SHAHEEN LN	
50	1	PRYOR DAVID ET AL PRYOR KENNETH	20615 MT AETNA RD	
50	1648	REGINATO ANDREW REGINATO FLOYCE	11314 EASTWOOD DR	
50	1686	REED NICOLE WINTER	11303 DAY BREAK CT	
50	1701	SAGBA YAO A	20537 MT AETNA RD	
50	689	STONECROFT ASSOCIATES LP	C/O INTERSTATE REALTY MGMT	3 E STOW ROAD STE 100
50	1648	MIRDAMADI REZA MIRDAMADI DEBORAH	11300 EASTWOOD DR	
50	1727	SPESSARD LORETTA IRENE & SPESSARD NED L	664 TRAFALGAR DR	
50	1731	JOHNSON THEODORE E & JOHNSON SANDRA M	11117 SHALOM LN	
50	1652	EAGLES NEST	C/O VALENTINE ELECTRIC CO	110 WESTERN MARYLAND PKWY
50	322	MILLER JAMES H & MILLER ELAINE K	12290 SCOTT RD	
50	1751	EMRALSHAOOL MANSOOR	72 W WASHINGTON ST	
50	1675	PRYOR STEVEN	20605 MOUNT AETNA RD	
50	1686	LEITER CHRISTOPHER A & LEITER NICOLE	11304 DAY BREAK CT	
50	1686	WASH CO COMMISSIONERS BOARD OF	100 W WASHINGTON ST	
50	1648	BRODY JOHN WILLIAM BRODY KATHLEEN A	11252 EASTWOOD DR	
50	1727	AKHMEDOV IZMIR & FEYZULOVA SABINA	10977 SASSAN LANE	
50	1218	MEADOW VIEW ASSOCIATES LIMITED PARTNERSHIP	1 WATERFORD PROFESSIONAL CTR	
50	1727	UDDIN ZIA & ABID FARAH	10973 SASSAN LN	
50	1688	SHAOOL BEN & SHAOOL KATHY	1201 DUAL HWY STE 203	
50	1727	PETERSON ERIC JONATHAN & PETERSON SHANNON CHRISTINE MARSHAL	20510 SHAHEEN LN	
50	1727	HUNGRIA CARLOS R & HUNGRIA ANA ROSA V CO TRUSTEES	10969 SASSAN LN	
50	1667	KINGS CREST	C/O VALENTINE ELECTRIC CO	110 WESTERN MARYLAND PKWY
50	308	HESSONG EDWARD L	13082 WILLIAMSPORT PIKE	
50	1727	TARIQ MOHAMMAD	11003 SASHA BLVD	
50	1751	EMRALSHAOOL MANSOOR	72 W WASHINGTON ST	
50	1751	EMRALSHAOOL MANSOOR	72 W WASHINGTON ST	
50	1751	EMRALSHAOOL MANSOOR	72 W WASHINGTON ST	
50	1751	EMRALSHAOOL MANSOOR	72 W WASHINGTON ST	





- SITE DATA**
- 1. GROSS ACREAGE: 220.11 AC.
  - 2. EXISTING ZONING: "P.U.D." – RESIDENTIAL PLANNED UNIT DEVELOPMENT
  - 3. PERMITTED UNITS (12 DU/AC.): 2641 UNITS
  - 4. PROPOSED UNITS: 1148 UNITS
  - 5. PROPOSED GROSS DENSITY 5.2 DU/AC.
  - 6. OPEN SPACE (25% OF GROSS ACREAGE): 55.03 AC.
  - 7. PROVIDED OPEN SPACE/RECREATION: 56 AC.

**LOT YIELD TABULATION**

PARCEL	SFD	TOWNS	APTS	DUPLEX	
A				72	
B	34				
C		98			
D		118			
E	20				
F	58				
G		81			
H		99			
I	29				
J	41				
K	34				
L			300		
M		77			
N	47				
O	40				
TOTAL	303	473	300	72	1,148
%	26	41	26	6	

MRA

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, PLANNERS, URBAN DESIGNERS, LANDSCAPE ARCHITECTS, ENGINEERS, AND SURVEYORS

1414 KEY HIGHWAY  
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BALTIMORE, MD 21220  
(443) 450-7175 / (410) 935-5050  
sdevia@mragta.com

DRB

DRB GROUP

WashCo

MANAGEMENT

BLACK ROCK

PUD CONCEPT PLAN

HAGERSTOWN, WASHINGTON COUNTY, MARYLAND

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NO.	REVISION	DATE
1	ISSUED	02/05/21

FEB 16 2021

Washington County  
Dept. of Planning & Zoning

SHEET NUMBER

PUD

1



SITE INVENTORY & ANALYSIS

The subject property is located 10 minutes outside of Hagerstown in Washington County, Maryland, near Hagerstown Community College and across Mt. Aetna Road from Black Rock Golf Course. The eastern portion is surrounded by a mix of residential housing (documented in the photographs below), while the northeast is wrapped by agricultural fields and farms. The property has a large overhead powerline and a few remaining dilapidated farm structures on-site. It is the ridge of the area, draining to the tributaries of Antietam Creek.



NEIGHBORING PROPERTY: FOR RENT TOWNHOUSES



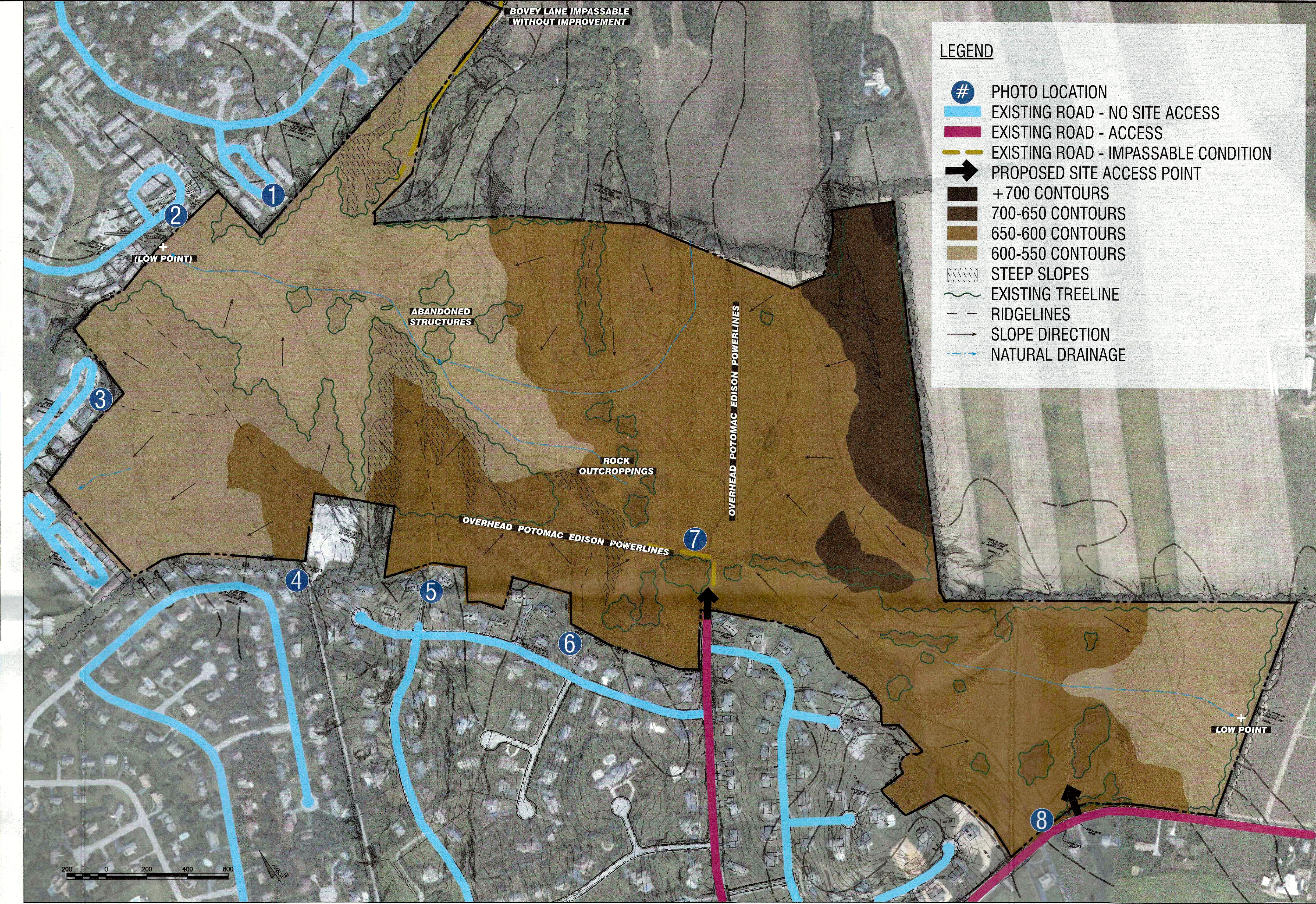
NEIGHBORING PROPERTY: SINGLE-FAMILY DETACHED HOMES



NEIGHBORING PROPERTY: FOR RENT APARTMENTS



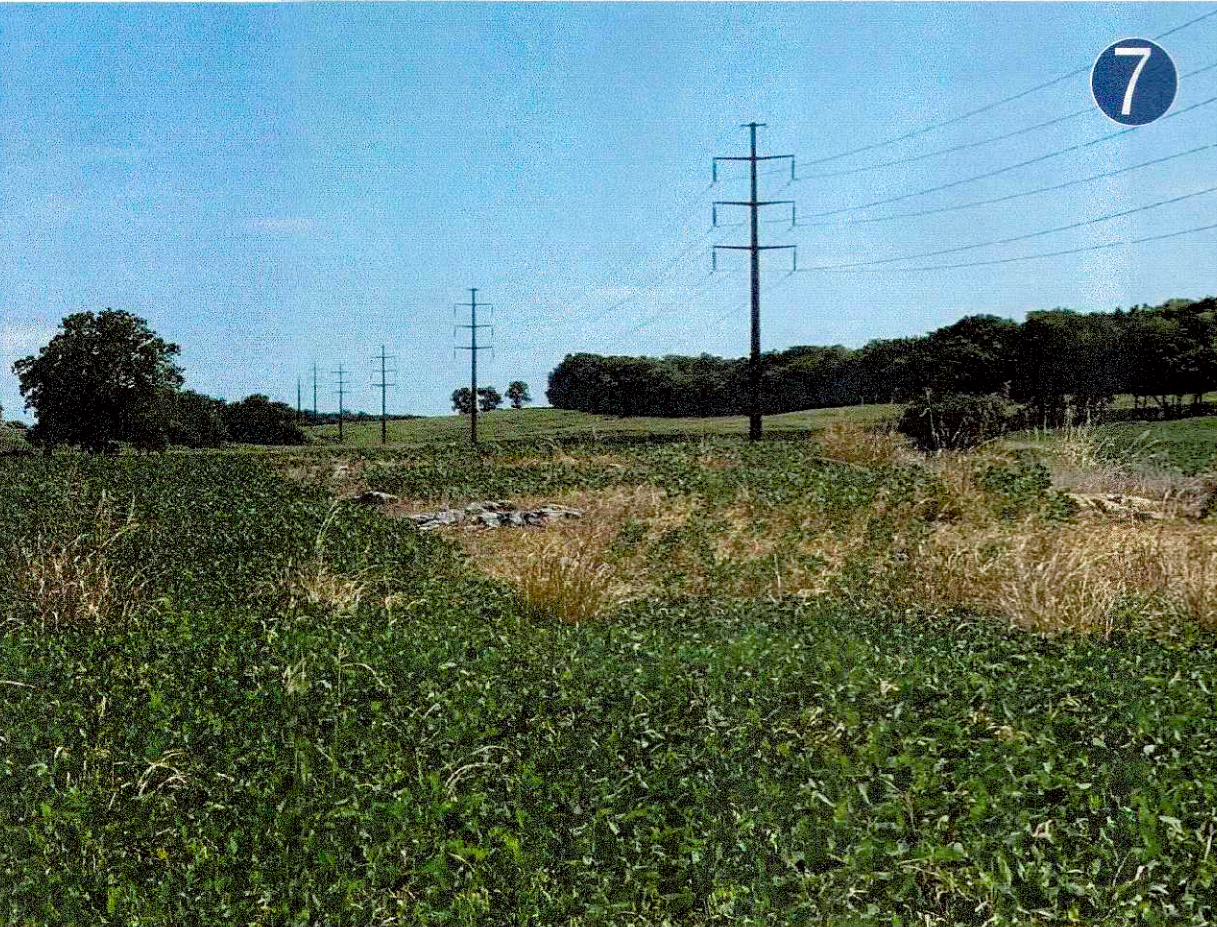
ADJOINING SUBSTATION BETWEEN RESIDENTIAL AND SUBJECT PROPERTY



ADJACENT NEIGHBORHOOD OPEN ROAD SECTION WITH NO PUBLIC ACCESS



NEIGHBORING HOMES WITH REAR TO SUBJECT PROPERTY, NO PUBLIC ACCESS



OVERHEAD ELECTRIC EASEMENT TO SUBSTATION, ROCK OUTCROPPINGS



PUBLIC ACCESS ON EXISTING MT. AETNA ROAD

MRA

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, PLANNERS, URBAN DESIGNERS, LANDSCAPE ARCHITECTS, ENGINEERS, AND SURVEYORS

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adavis@mraa.com

DR3

DRB GROUP

Washco MANAGEMENT

BLACK ROCK

PUD CONCEPT PLAN

HAGERSTOWN, WASHINGTON COUNTY, MARYLAND

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NO.	REVISION	DATE
JOB NO.	SCALE	ISSUED
20935	1"=200'	02/05/21

SHEET TITLE

SHEET NUMBER

PUD 2



[illegible]

50' WIDE x 60' DEEP BUILDING  
2-CAR FRONT GARAGE  
25' MINIMUM FRONT YARD  
7.5' MINIMUM SIDE YARD (15' COMBINED)  
ADDITIONAL 10' MIN. SIDE ON CORNER LOTS  
30' MINIMUM REAR YARD (35' PROVIDED)  
115' MINIMUM LOT DEPTH (120' PROVIDED)

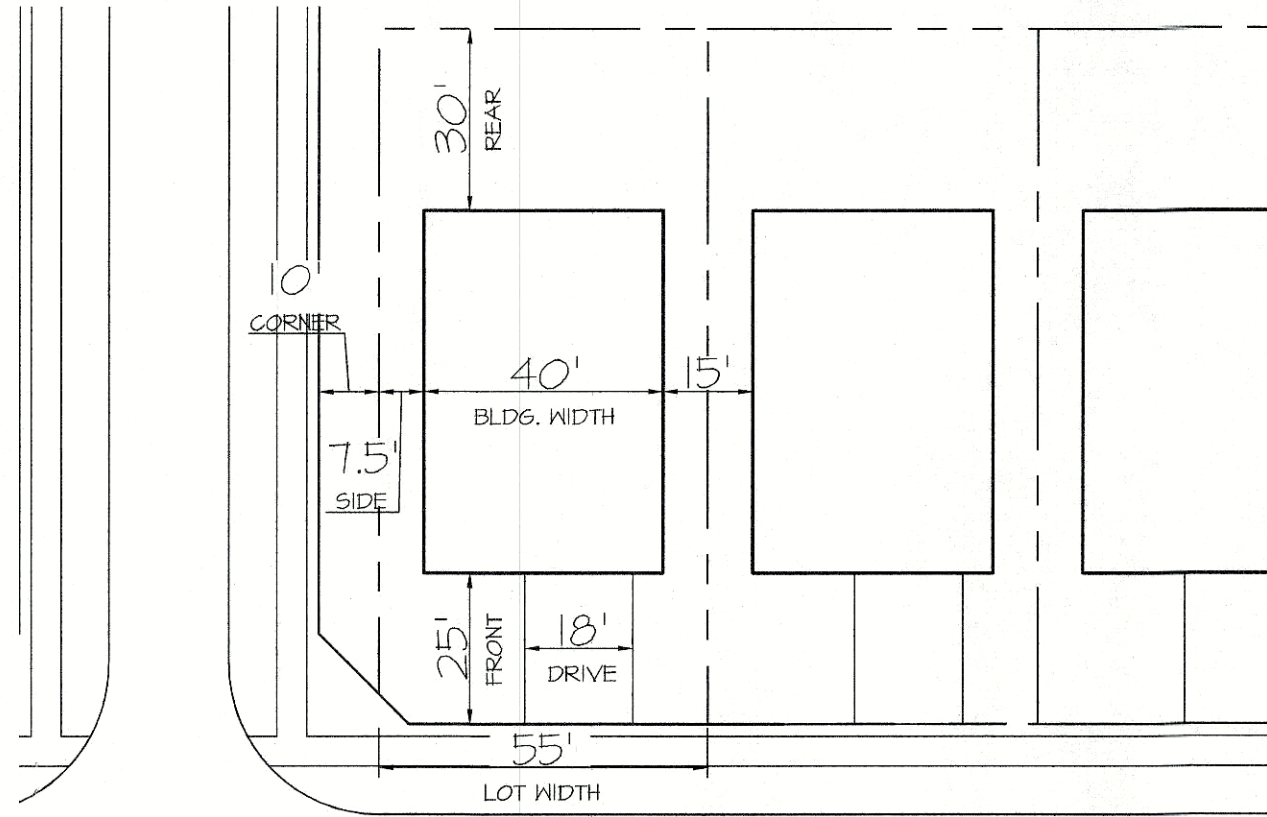
PROPOSED LOT CONFIGURATION (PLAN VIEW)



DAN RYAN CATAWBA HOME ELEVATION RENDERING



DAN RYAN MARION HOME ELEVATION RENDERING



40' WIDE x 60' DEEP BUILDING  
2-CAR FRONT GARAGE  
25' MINIMUM FRONT YARD  
7.5' MINIMUM SIDE YARD (15' COMBINED)  
ADDITIONAL 10' MIN. SIDE ON CORNER LOTS  
30' MINIMUM REAR YARD (35' PROVIDED)  
115' MINIMUM LOT DEPTH (120' PROVIDED)

LOT CONFIGURATION (PLAN VIEW)



DAN RYAN CABERNET HOME ELEVATION RENDERING



DAN RYAN GREGORY HOME ELEVATION RENDERING



DAN RYAN BIRCH HOME ELEVATION RENDERING

LOT SIZES: 24' x 107' CENTERS, 31.5' x 107' ENDS

24' WIDE x 50' DEEP BUILDING  
2-CAR FRONT GARAGE  
25' MINIMUM FRONT YARD  
2' STAGGER ALONG FRONTS  
7.5' MINIMUM SIDE YARD (15' COMBINED)  
ADDITIONAL 10' SIDE ON CORNER LOTS  
20' BUILDING-TO-BUILDING (5' BETWEEN PROPERTY LINES)  
30' REAR YARD (35' PROVIDED)  
107' MINIMUM LOT DEPTH (112' PROVIDED)

Diagram illustrating the lot layout and dimensions for a four-unit residential development. The lot is 107' deep and 24' wide per unit. The layout shows four units, each with a 24' wide building and a 25' front yard. The total front yard depth is 107'. The side yard is 7.5' wide. The rear yard is 30' deep. The lot is divided into four units, each with a 24' wide building and a 25' front yard. The total front yard depth is 107'. The side yard is 7.5' wide. The rear yard is 30' deep. The lot is divided into four units, each with a 24' wide building and a 25' front yard. The total front yard depth is 107'. The side yard is 7.5' wide. The rear yard is 30' deep.

LOT CONFIGURATION (PLAN VIEW)



DAN RYAN KENWOOD HOME ELEVATION RENDERING

30' REAR

10' CORNER

40' BLDG. WIDTH

15'

7.5' SIDE

25' FRONT

18' DRIVE

47.5' LOT WIDTH

40' WIDE x 64' DEEP BUILDING  
2-CAR FRONT GARAGE, 18' x 25' DRIVEWAYS  
25' MINIMUM FRONT YARD  
7.5' MINIMUM SIDE YARD (15' COMBINED)  
ADDITIONAL 10' SIDE ON CORNER LOTS  
30' MINIMUM REAR YARD (31' PROVIDED)  
119' MINIMUM LOT DEPTH (120' PROVIDED)

LOT CONFIGURATION (PLAN VIEW)

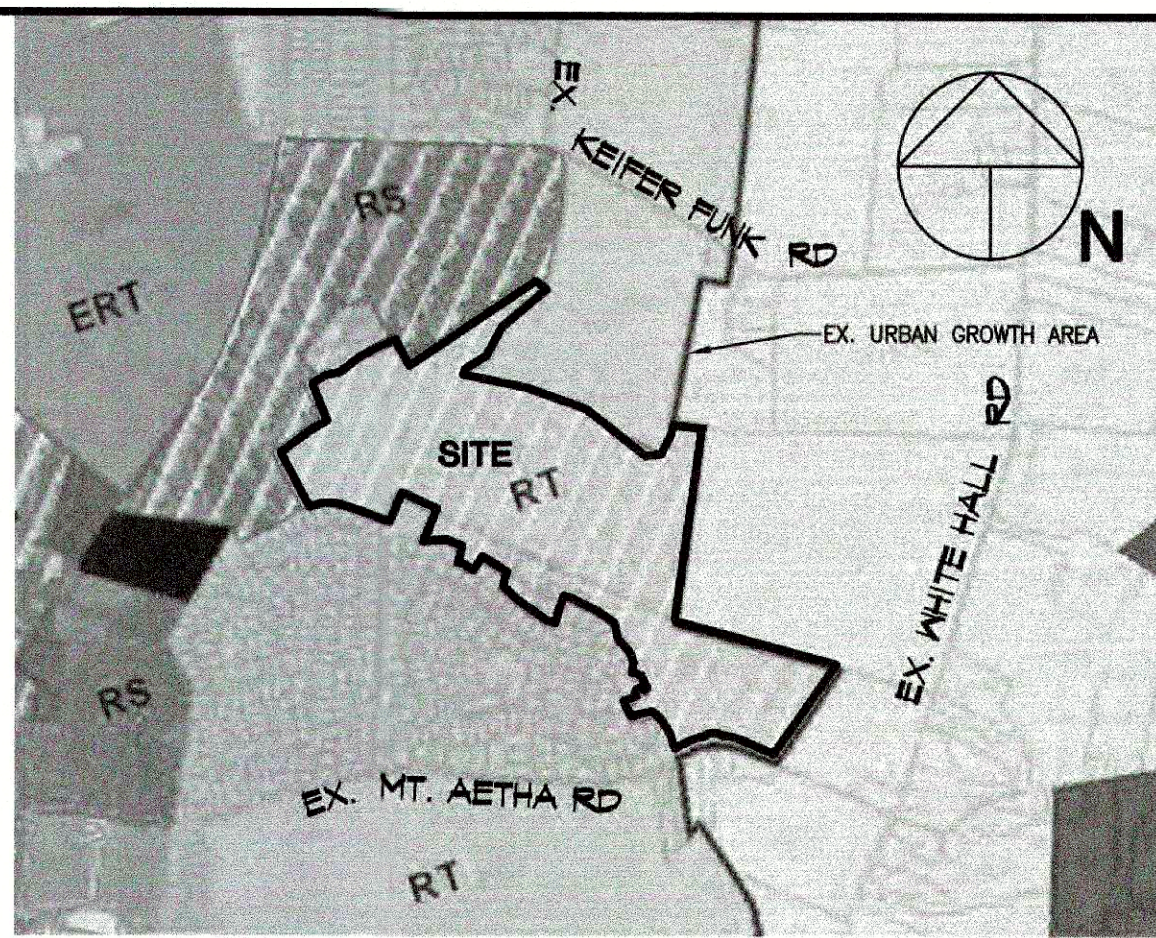
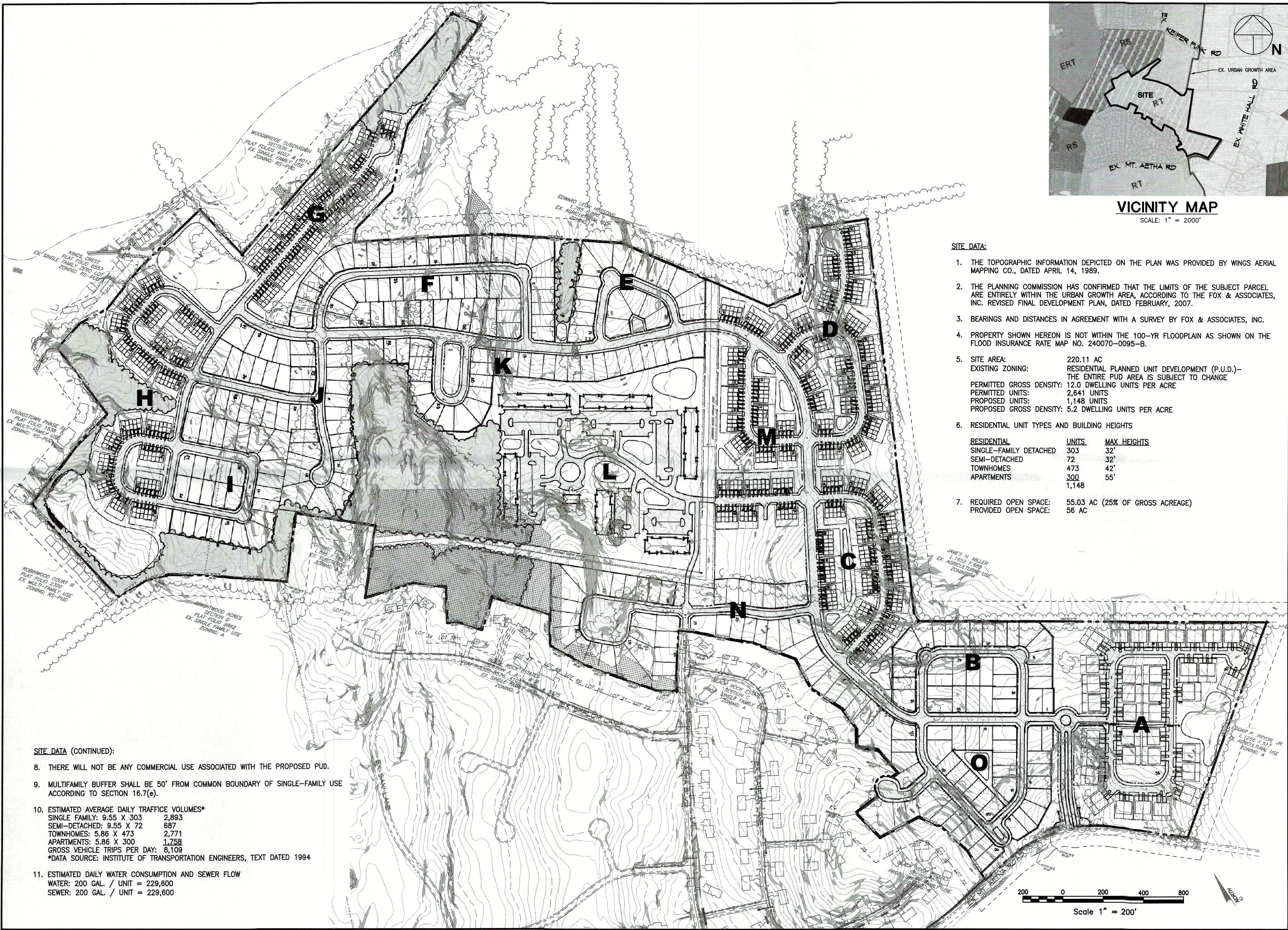


DAN RYAN DEEP CREEK HOME ELEVATION RENDERING



DAN RYAN LONGSTREET HOME ELEVATION RENDERING



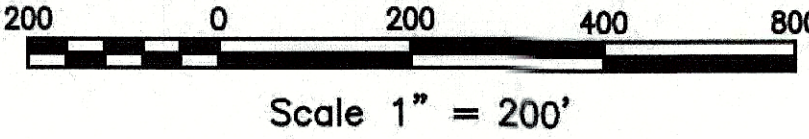


VICINITY MAP  
SCALE: 1" = 2000'

- SITE DATA:**
- THE TOPOGRAPHIC INFORMATION DEPICTED ON THE PLAN WAS PROVIDED BY WINGS AERIAL MAPPING CO., DATED APRIL 14, 1989.
  - THE PLANNING COMMISSION HAS CONFIRMED THAT THE LIMITS OF THE SUBJECT PARCEL ARE ENTIRELY WITHIN THE URBAN GROWTH AREA, ACCORDING TO THE FOX & ASSOCIATES, INC. REVISED FINAL DEVELOPMENT PLAN, DATED FEBRUARY, 2007.
  - BEARINGS AND DISTANCES IN AGREEMENT WITH A SURVEY BY FOX & ASSOCIATES, INC.
  - PROPERTY SHOWN HEREON IS NOT WITHIN THE 100-YR FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 240070-0095-B.
  - |                          |  |
|--------------------------|--|
| SITE AREA:               | 220.11 AC  |
| EXISTING ZONING:         | RESIDENTIAL PLANNED UNIT DEVELOPMENT (P.U.D.)-<br>THE ENTIRE PUD AREA IS SUBJECT TO CHANGE |
| PERMITTED GROSS DENSITY: | 12.0 DWELLING UNITS PER ACRE   |
| PERMITTED UNITS:         | 2,641 UNITS  |
| PROPOSED UNITS:          | 1,148 UNITS  |
| PROPOSED GROSS DENSITY:  | 5.2 DWELLING UNITS PER ACRE  |
  - |   |       |             |
|---|-------|-------------|
| RESIDENTIAL UNIT TYPES AND BUILDING HEIGHTS |       |             |
| RESIDENTIAL                                 | UNITS | MAX HEIGHTS |
| SINGLE-FAMILY DETACHED                      | 303   | 32'         |
| SEMI-DETACHED                               | 72    | 32'         |
| TOWNHOMES                                   | 473   | 42'         |
| APARTMENTS                                  | 300   | 55'         |
|   | 1,148 |             |
  - |                      |                                 |
|----------------------|---------------------------------|
| REQUIRED OPEN SPACE: | 55.03 AC (25% OF GROSS ACREAGE) |
| PROVIDED OPEN SPACE: | 56 AC                           |

- SITE DATA (CONTINUED):**
- THERE WILL NOT BE ANY COMMERCIAL USE ASSOCIATED WITH THE PROPOSED PUD.
  - MULTIFAMILY BUFFER SHALL BE 50' FROM COMMON BOUNDARY OF SINGLE-FAMILY USE ACCORDING TO SECTION 16.7(e).
  - |  |       |
|--|-------|
| ESTIMATED AVERAGE DAILY TRAFFIC VOLUMES* |       |
| SINGLE FAMILY: 9.55 X 303                | 2,893 |
| SEMI-DETACHED: 9.55 X 72                 | 687   |
| TOWNHOMES: 5.86 X 473                    | 2,771 |
| APARTMENTS: 5.86 X 300                   | 1,758 |
| GROSS VEHICLE TRIPS PER DAY:             | 8,109 |

\*DATA SOURCE: INSTITUTE OF TRANSPORTATION ENGINEERS, TEXT DATED 1994
  - |  |         |
|--|---------|
| ESTIMATED DAILY WATER CONSUMPTION AND SEWER FLOW |         |
| WATER: 200 GAL. / UNIT =                         | 229,600 |
| SEWER: 200 GAL. / UNIT =                         | 229,600 |



**MORRIS & RITCHIE ASSOCIATES, INC.**

ARCHITECTS, PLANNERS, URBAN DESIGNERS, LANDSCAPE ARCHITECTS, ENGINEERS, AND SURVEYORS

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**DRB GROUP**

**WashCo MANAGEMENT**

**BLACK ROCK**

PUD CONCEPT PLAN

HAGERSTOWN, WASHINGTON COUNTY, MARYLAND

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NO.	REVISION	DATE
JOB NO.	SCALE	ISSUED
20935	1"=200'	02/05/21

SHEET TITLE

SHEET NUMBER

**PUD 4**



# MORRIS & RITCHIE ASSOCIATES, INC.

Architects | Planners | Urban Designers | Landscape Architects | Engineers | Surveyors



April 16, 2021

Ms. Jill Baker  
Director, Planning & Zoning Department  
Washington County, Maryland  
100 West Washington Street  
Hagerstown, Maryland 21740

RE: Black Rock PUD – Point-by-Point Response to County/HOA Comments

Dear Jill:

Thank you for meeting with our team last Wednesday the 7<sup>th</sup> to discuss our PUD submission and the comments we have received to date. As promised, outlined below is a point-by-point response to these comments. We hope this will provide your team, and the Planning Commission, with more insight into how we plan to continue to work with the County and our neighbors in developing an award-winning community that addresses as many comments as we possible can.

## **Washington County Division of Plan Review and Permitting – comments March 26, 2021**

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1. Land Use Comment 1. New Development will have to meet the requirements of the “PUD” Planned Unit Development District found in Article 16A of the Washington County Zoning Ordinance. Any changes to the existing PUD will require the submittal of a new Preliminary and Final Development Plan. All new site plans shall comply with Article 4, Section 4.11 of the Washington County Zoning Ordinance and new subdivisions shall comply with requirements of the Washington County Subdivision Ordinance.

**Response:** *We understand that this Major Revision to the existing PUD is the first in many steps to bring Black Rock to fruition and are eager to work with the County in addressing issues throughout the Preliminary and Final Engineering approval process.*

2. Engineering Comment 1. There have been significant changes to the road networks in the Robinwood corridor since the initial traffic study for Black Rock PUD was prepared. Updated analysis will be necessary at the Development Plan stage to evaluate any possible impact the increased density would have on the adequacy of the roads serving the development.

**Response:** *A detailed traffic study will be prepared as part of the Preliminary Engineering approval process when the master plan is further developed and more exact unit counts are established. It is also understood that the proposed development must meet the County's Adequate Public Facilities Ordinance (APFO) in order to obtain subsequent approvals. With the mentioned recent significant changes to the connecting road networks, including but not limited to the Robinwood Drive upgrade to four (4) lanes with new signalization and greatly improved capacity for higher traffic volumes, it is anticipated that an updated traffic analysis will indicate major intersection improvements from what was provided in the past.*

3. Engineering Comment 2. A second connection to another major roadway should be provided.

**Response:** *Anticipating this concern, the submitted Revised Master Plan does include two (2)*

*distinct points of access; 1) existing Mt. Aetna Rd, and 2) existing Sasha Boulevard. The proposed primary entrance is proposed to be a direct connection to Mt. Aetna Road and is designed to carry the bulk the community traffic via the spine road running throughout the property and a proposed boulevard-style section and roundabouts to maintain consistent traffic flows. The second access will be via the extension of existing Sasha Boulevard. Although Sasha Blvd has an existing 60' right-of-way and is designed to handle a more significant volume of traffic than it currently does, we have presently designed this as a secondary-type access with an indirect connection into the PUD to minimize impacts to existing Black Rock Estates community. Finally, various access points for potential future development to the undeveloped properties north and east of the site will be provided during the Preliminary engineering process for future connections.*

4. Engineering Comment 3. Given the entrance design and the trip generation (8109 ADT) the road near the entrance will resemble a "Major Collector" which would carry a 300-foot access separation requirement under the highway plan. However, the concept includes single family dwellings with direct access through this section. Consideration should be given to limiting access along the main throughfare and/or provide traffic calming to increase safety for vehicles and pedestrians.

**Response:** *The boulevard entrance off Mt. Aetna Road will have no homes fronting directly on to it. The main community spine road will include traffic calming, such as mini-roundabouts and stop signs to slow traffic down as it travels from the western portion of the PUD to the main access. Finally, we believe that having direct driveway access onto the spine road, which is strictly internal to the community, will also help slow traffic down and make it comfortable for all modes of traffic. We will provide road sections during our Planning Commission presentation to illustrate the nature of these roads.*

5. Engineering Comment 4. The proposed access to Mount Aetna Road has been consolidated from the previous development plan. The design of this connection will need to be evaluated should the project proceed to confirm adequate intersection sight distance, as well as the need for any accessory lanes.

**Response:** *Although there is now one access point onto Mt. Aetna, which has been planned at the correct horizontal and vertical alignment, this is a boulevard street which does provide two separate means of emergency access into the community. In addition, the Sasha Boulevard access will provide additional emergency access.*

6. Engineering Comment 5. Several roads in the conceptual development appear to not meet Washington County geometric criteria (horizontal curve radii too small, cul-de-sac configurations). The design criteria will need to be demonstrated in subsequent review phases should the project move forward.

**Response:** *During the Preliminary engineering process we look forward to working with the County to perfect the internal road design in accordance with County standards.*

7. Engineering Comment 6. Any development shall comply with the current Washington County Stormwater Management, Grading, Soil Erosion and Sediment Control Ordinance. Several large stormwater facilities are shown on the concept drawing – these will likely need broken up into smaller features to meet the current regulations and the "ESD to the MEP" philosophy.

**Response:** *We have dealt with the 2010 stormwater management design criteria extensively and*



*understand the various environmental site design features and their best applicability.*

**City of Hagerstown Utilities Department, Water and Wastewater Division – comments March 29, 2021**

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1. Water Comment 1. The future water usage within this PUD will be approximately 229,600 gallons (1148 units x 200 gpd/unit). This PUD is located within the City of Hagerstown's Water System Zone 5. Water Zone 5 has limitations in distribution system pressure and fire flow ability even without the addition of this PUD. These limitations are detailed in the Hagerstown Fire Department comments to this PUD. The existing average water demand within Zone 5, per the 2008 City of Hagerstown Water System Master Plan, was 0.48 MGD. The 2008 Master Plan incorporated a future planning year of 2025 and an average water usage of 0.61 MGD. This PUD will increase the average water demand within this Zone to a rate that exceeds the planned future average water usage. Per the Master Plan, upgrades to the water infrastructure are required when this future flow is approached. The required upgrades are detailed in the 2008 Master Plan but generally the upgrades include improvements to the water pump station #6, the addition of a water storage tank within Zone 5 and water distribution system improvements. The City and their Consultant Engineer will work with the Developer and their Engineer on the final design of these necessary upgrades and additions to the water system infrastructure.

**Response:** *The applicant will work with the City to resolve water service to the site during the Preliminary engineering process. We believe there are several potential options to explore during the engineering process, including but not limited to the connection to the existing 12" water stub off Kings Crest Boulevard creating a water loop and providing a location within the PUD for a potential future elevated water tower to serve the entire area.*

2. Sewer Comment 1. In regards to the City wastewater collection system infrastructure, the wastewater generated within this PUD would travel through the City owned gravity collection system as well as multiple wastewater pump stations. Depending on the final site grading and proposed sewer collection system layout within this development, upgrades to City Wastewater pump station 19 and possibly the discharge forcemain will most likely be required. Currently, this pump station was designed for the development in which it is located with limited excess capacity. Pump Station 19 is located near the intersection of Sani Lane and Ayoub Lane. The layout of wastewater collection/conveyance infrastructure within this PUD that avoids wastewater conveyance through Pump Station 19 would be acceptable and can be evaluated as the project progresses.

**Response:** *The applicant will work with the City to develop the most appropriate sewer service plan for the PUD, in accordance with the APFO. It is important to remember that this development will be built over a five to ten year period and sewer demands will similarly be phased in over time.*

3. Sewer Comment 2. The remaining City wastewater pump stations affected by this PUD appear to have sufficient hydraulic capacity for the anticipated wastewater flow generated within this PUD.

**Response:** *Please see response above.*

4. Sewer Comment 3. The City owned gravity sewers between this PUD and Wastewater Pump Station 8 appear to have sufficient hydraulic capacity however the City reserves the right to require sewer collection system upgrades depending on the final sewer collection system layout within the PUD. City Wastewater Pump Station 8 is located along Robinwood Drive in front of

Hagerstown Community College.

**Response:** Please see response above.

#### **Hagerstown Fire Department – comments March 25, 2021**

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1. Comment 1. This development is located within Hagerstown Water Zone 5 which historically has struggled to meet both domestic and fire protection water flows within the entire zone. These struggles are known issues and well documented over time. This is exasperated by the geography (high elevation, lack of a storage tank or standpipe, and undersized water transmission / distribution lines supplying zone-5). After several large fires in that area of the county in recent years including Doey's House, Woodbridge Dr., and others where fire protection water is limited to successfully deploy large caliber streams, the Funkstown VFD has added multiple tankers (water on wheels) to the assignments to partially compensate for the lack of needed fire flow (NFF).

**Response:** The applicant will work with the City and Fire Department during the Preliminary engineering process to provide adequate water quantity and pressure in accordance with the APFO. As mentioned above, we believe there are viable means to address this comment.

2. Comment 2. The city has recently added an automatic swing check valve in the vicinity of the Elk's club on Robinwood Dr. to provide some interim relief by increasing the available water from the main zone 1 when demand exceeds supply. This however is limited.

**Response:** This will be included in our Preliminary engineering analysis.

3. Comment 3. The proposed development and existing construction in zone-5 is primarily comprised of very large single family homes, townhomes and some extended residence buildings that are of Type-5 light-weight, wood-frame construction that are a challenge for FD's everywhere. The need for additional FF-ing water streams is essential to stopping well advanced fires in these buildings.

**Response:** Understood and agreed. The applicant wants to make sure the Fire Department has the means necessary to fight fires!

4. Comment 4. To achieve effective FF streams, the correct combination of pressure and volume is needed to adequately protect structures like those proposed. I will defer to the technical expertise of the Water Department to recommend a permanent solution(s).

**Response:** We agree and will work with the City and include the Fire Department so all are comfortable we are meeting the APFO.

5. Comment 5. In the interim, and without an adequate size storage tank for fire protection water located within zone-5, the HFD strongly recommends that further development does not occur as proposed. There simply is inadequate water necessary to flow two or more large caliber streams necessary to stop fires in well involved attic spaces of the type and size of buildings proposed.

**Response:** We believe, and are required to prove, that the proposed water improvements will meet the APFO standards to the City's and County's satisfaction. This will happen during the Preliminary engineering process when we have more detail on exact numbers of homes, grading, and existing water capacity and pressure analyses.

6. Closing Paragraph 1. By our understanding, the revised proposal nearly doubles the number of units initially reviewed in 2004. Specifically, the large number of apartments and townhomes clustered together present a real challenge for any FD. This is particularly true in the unsprinklered attic spaces of these buildings with peaked roofs.

**Response:** *Although the proposed yield has increased from the original 2004 approval, many regulations have also changed and improved over the years. The Revised Master Plan significantly improves upon the existing PUD with regard to traffic circulation, road network layout including boulevard entrances and round-about utilization, improved access for emergency services, and does take all current required County design criteria into consideration. Additionally, since the original Black Rock PUD approval, the County has adopted the requirement for all single family detached and attached homes to be sprinklered, which will subsequently require adequate water line sizing increased hydrant locations and all ancillary requirements necessary to meet the current regulations.*

7. Closing Paragraph 2. Finally, and by the copy of the draft drawings we reviewed, there appears to be a single entrance only off of Mt. Aetna Rd. to the development. This seems problematic for such a large number of dwelling units (1,148) without some redundancy and access from another point.

**Response:** *As previously mentioned, there are two proposed access points and one of these is a boulevard which can provide two separate means of access. In addition, the community has been planned with internal loop roads to provide additional access within the community.*

Additionally, we have reached out to neighboring Black Rock Estates Homeowner's Association (HOA) and have discussed and shared our proposed Master Plan revisions for their input and ideas to take into consideration as we further our design. Although the proposed revisions do increase the overall density of the approved PUD, we strongly feel that much thought and consideration has been invested into the design and preservation of home values for our present and future neighbors. While we may not be able to satisfy every request and desire of the HOA, we have done our best to take their input into consideration and incorporate design concepts in an attempt to mitigate or lessen the impacts of the new development.

Thank you for the opportunity to provide these responses to the comments we have received. We look forward to presenting our plans, along with answers to many of these questions to the Planning Commission on May 3<sup>rd</sup>. Please forward any additional comments you may receive to us so we can also address them in a timely manner.

Respectfully,  
**MORRIS & RITCHIE ASSOCIATES, INC.**

A handwritten signature in dark ink, appearing to read 'Sean Davis', with a stylized flourish at the end.

Sean Davis RLA  
Principal