

PROPERTY TIMELINE



EUGENE B. CASEY FOUNDATION PROPERTY HISTORY DEVELOPMENT TIMELINE

The Eugene B. Casey Foundation (“Charitable Foundation”) is a non-profit charitable trust created by Eugene B. Casey, a Maryland builder, policy advisor and philanthropist, who served as an agricultural advisor to the Franklin D. Roosevelt administration and provided the federal government with the property and buildings for the research facility that developed the Salk polio vaccine. Mr. Casey and his wife, Betty Brown Casey, established the Charitable Foundation on September 9, 1981, and it has since become one of the largest philanthropic organizations in the Washington Metropolitan Region, having donated in excess of \$200 million dollars to an array of medical facilities, environmental organizations, educational institutions, and cultural arts programs throughout the Region. The Caseys funded the Charitable Foundation, in large part, with substantial landholdings that they acquired throughout Montgomery and Frederick counties.

The property that is the subject of this application for Sketch Plan Review is one such property that the Charitable Foundation acquired (the “Charitable Foundation Property” or the “Property”). The Charitable Foundation Property consists of approximately six hundred and thirty-four (634) acres of land located on Crickenberger Road between MD Route 75 and Boyers Mill Road, in the New Market Planning Region. The Property adjoins the Westwinds residential community to the north, and is north of the Town of New Market.

From 1973 until 2008, the Property had Phase II PUD approval for nearly 1,900 dwelling units, and in the early 2000’s the Property was under contract to a reputable developer/builder who proposed to develop a residential subdivision on the Property (and the adjoining Blentlinger property/Gordon Mill development) consistent with the approved PUD (Phase II) and the County’s Comprehensive Plan for the New Market Planning Region. In 2007, a newly elected Board of County Commissioners for Frederick County (“BOCC”) undertook a whole-scale reconsideration of the then recently-adopted 2006 New Market Region Plan in order to fulfill slow growth campaign promises. In 2008, the BOCC adopted a revised New Market Region Plan which re-designated the Property from the low density residential (“LDR”) land use designation to agricultural, and eliminated the PUD zoning on the Property in favor of Agricultural zoning. This same BOCC confirmed the Property’s downzoning in a comprehensive County-wide downzoning codified in the 2010 County-wide Comprehensive Plan and Zoning Map.

The obvious devaluation of the Charitable Trust Property that resulted from this down zoning was a substantial blow to the mission of the Charitable Foundation. In order to begin restoring the value to this important asset of the Charitable Foundation, in July of 2011, the Charitable Foundation took its first step towards restoring the Property’s development rights by requesting that the current BOCC, as part of its 2011 County-wide Comprehensive Plan review, restore the residential land use designation that the Property had for more than thirty (30) years, thereby allowing the Charitable Foundation to also seek to restore PUD zoning of the Property. On September 13, 2012, the BOCC voted to restore the LDR land use designation to the Property, and the Charitable Foundation. In 2013, The Charitable Foundation submitted application to restore the Property’s development rights and entitlements (and therefore its market value), so that the Charitable Foundation could continue to pursue its charitable mission by, at some undetermined point in the future, selling the Property to a reputable developer/builder and devoting the proceeds of the sale to the Charitable Foundation’s charitable work throughout the Region. The rezoning was approved followed by an approval of a DRRA and an APFO.

Together the Rezoning, DRRA and APFO included a number of conditions of approval. One of those was the initial timing of development that restricted any permits until after January 2020. To that end, the Charitable Foundation did not until recently pursue a purchaser for the property. Elm Street Development, now the contract purchaser of the property will shepherd the property through the site development approval process with the team at Rodgers Consulting.

1970

ORIGINAL PUD ZONING 1972

Casey Property Part of initial vision for Lake Linganore Community Zoned PUD with Approval for 1,796 Dwelling Units.

1980

1990

2000

2010

DEVELOPMENT PLANS PREPARED 2005 -'08

Casey Foundation under contract with national builder to develop Casey along with the adjoining Blentlinger Property as one community

ZONING RESTORED & APFO APPROVED 2014

Following the land use restoration, the Casey Foundation applied for and received zoning approval for the PUD to be restored as it was in 1972.

APFO (Adequate Public Facilities) and DRRA Approved, capping density to 1,010 dwelling units.

MANDATORY DEVELOPMENT DELAY 2014 -'20

Rezoning Condition established no building permits to be issued prior to 2020

2020

DEVELOPMENT PLANNING COMMENCES 2023

Eugene B. Casey Foundation contracts with Elm Street Development to prepare and submit preliminary and final site plans

SKETCH PLAN 2023

PRELIMINARY PLAN 2023 - '24

IMPROVEMENT PLAN 2023 - '28

SITE WORK / UTILITIES 2024 - '30

LOT RECORDATION/ BUILDING PERMITS 2025 - '30

2030

PAST PHASES

FUTURE PHASES



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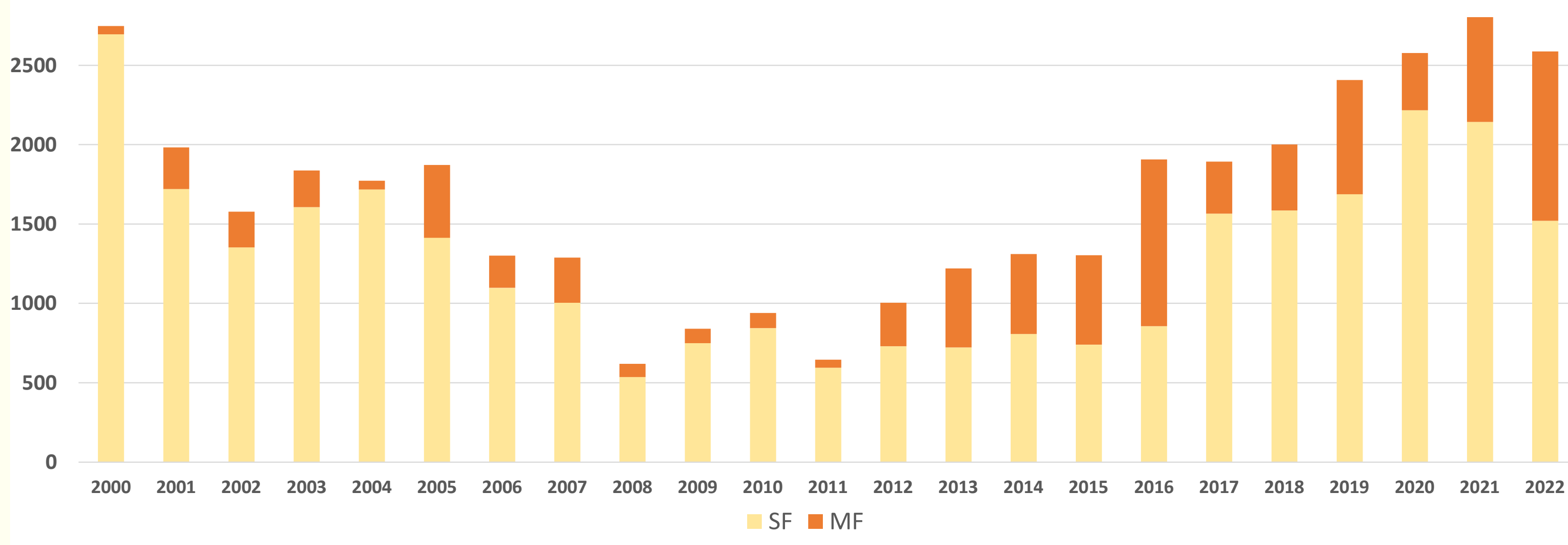


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NEW HOUSING PIPELINE, IMPACT, & MITIGATION

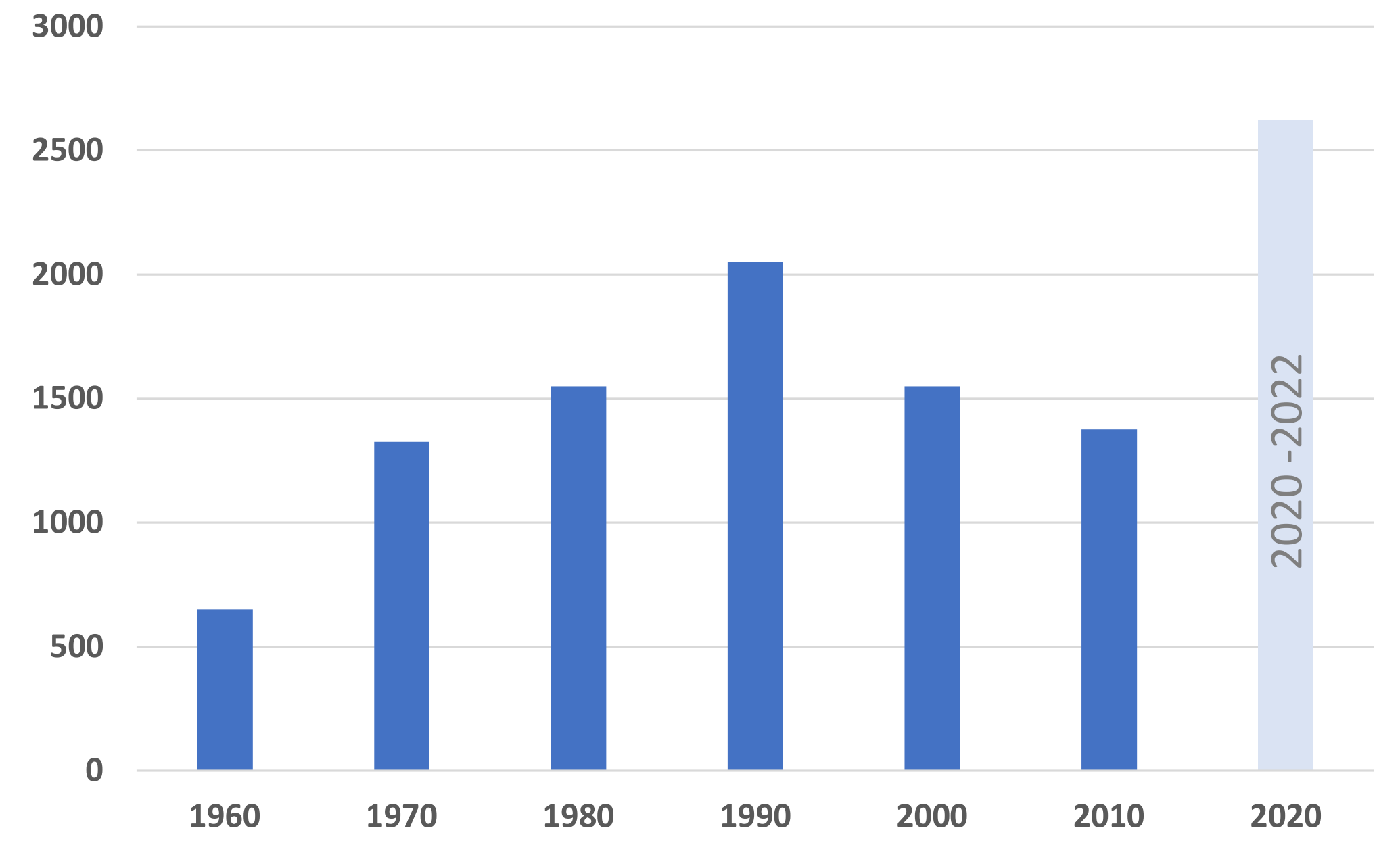
Do we need more development approved to meet the demand for housing?

Frederick County Average Annual New Dwelling Units Over 20 Years

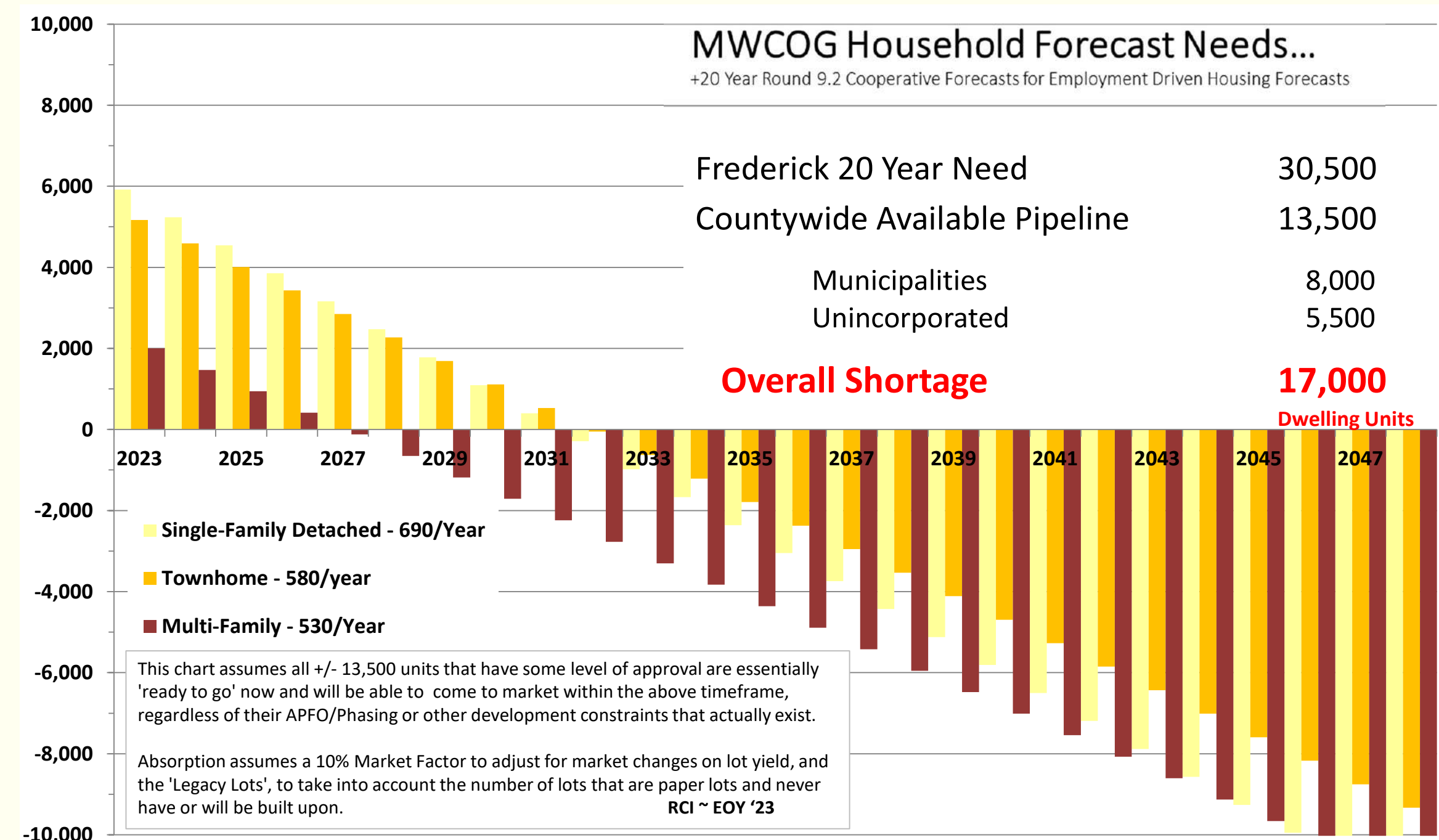


Source: Development data produced from a combination of Frederick County Planning and Permitting reports and publications.

Average Annual Permitted Dwelling Units By Decade

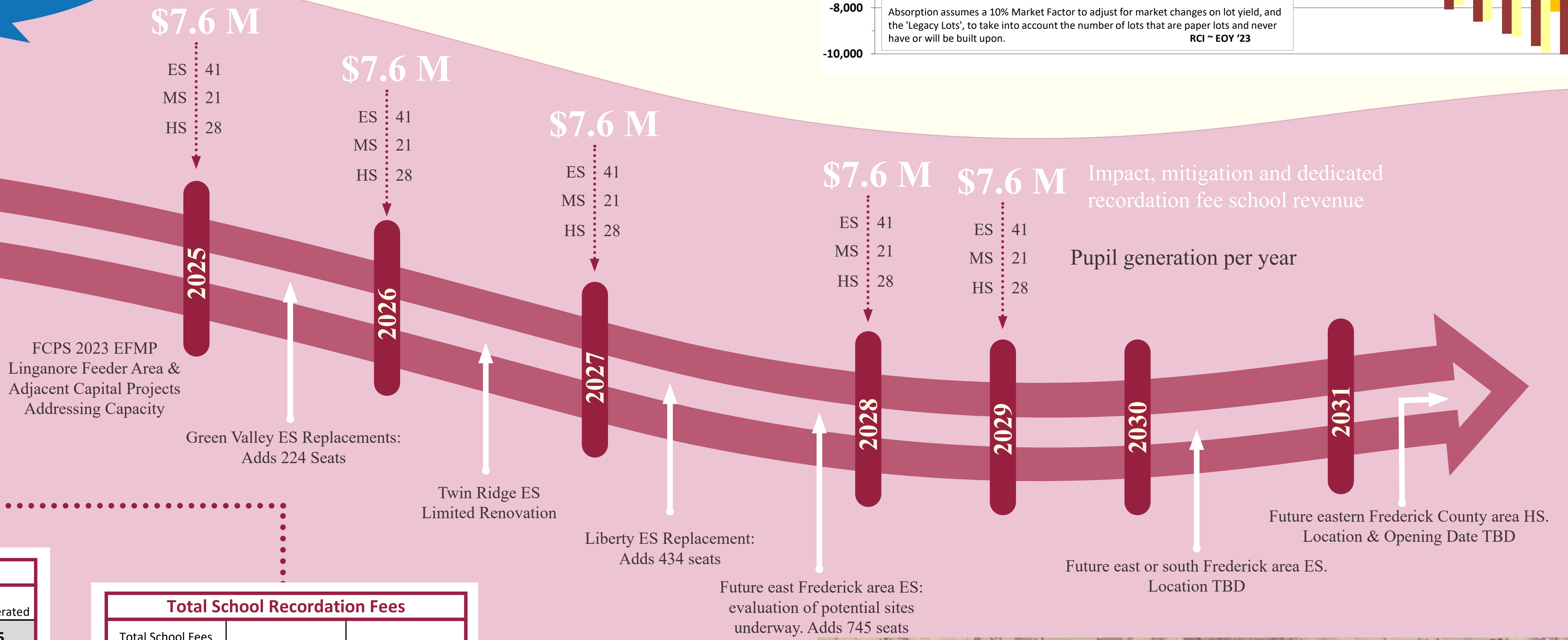


Frederick County Pipeline Absorption By Unit Type 1,800 Dwellings Per Year



What are the expected school impacts & potential mitigation measures?

\$78,404 total school contribution per pupil



Total School Fees	Per Unit Constructed	Per Pupil Generated
\$36,241,600	\$35,883	\$74,725

* Based on build out of 1,010 Units, using current FCPS/County Planning Pupil Generation Rates

Total School Fees	Per Unit Constructed	Per Pupil Generated
\$1,784,283	\$1,767	\$3,679

What other revenue will be generated by the community to offset impacts & aid in public infrastructure needs?

Annual Property Tax Estimate	Annual Total	Annual/Unit
County	\$6,734,160	\$6,667
State	\$789,600	\$782
Total Property Tax	\$7,523,760	\$7,449

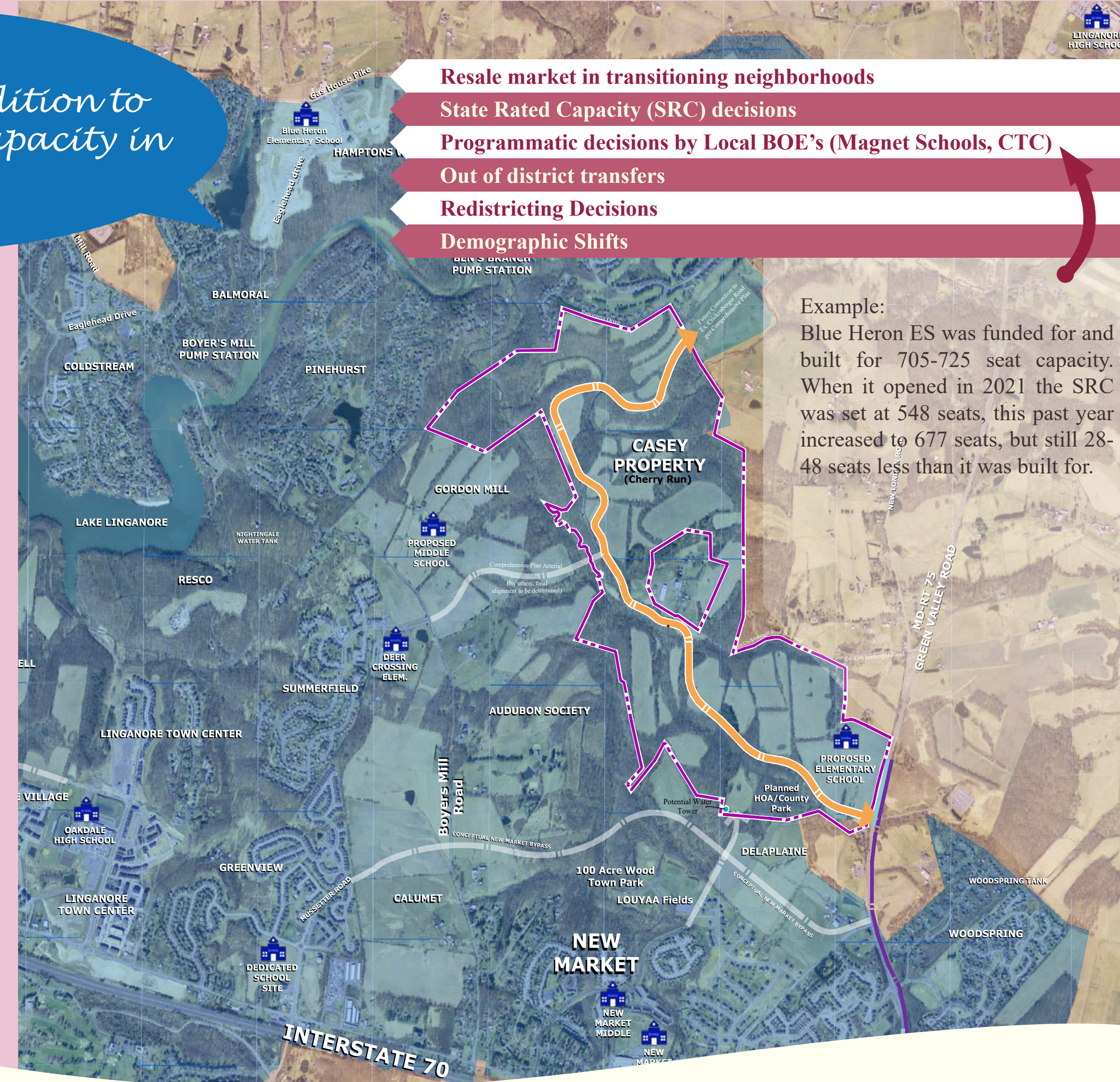
* Based on \$500K TH/ \$800K SFD @ \$1.06/100 County and \$0.112/100 State Tax Rates
** Excludes income tax generated per household

Summary of Total Fees	One Time Total	Avg/Unit
Developer-Builder Recordation	\$2,607,500	\$2,582
Builder-Homebuyer Recordation	\$9,870,000	\$9,772
Library Impact Fee	\$882,310	\$874
School Impact Fee	\$17,778,680	\$17,603
School Construction Fee	\$18,462,920	\$18,280
MPDU Fee-In-Lieu	\$2,205,000	\$2,183
Water/Sewer Connection Fee	\$11,842,250	\$11,725
Road Escrow-Direct Payments	\$3,094,640	\$3,064
Other	\$0	\$0
Total One Time Fees	\$66,743,300	\$66,082

* Based on Build out of 1,010 Units at 80% SFD/20% TH, using current Frederick County Fee Rates, DRRA and APFO required contributions
** Fees do not include cost to construct master planned infrastructure or APFO required improvements

What actions in addition to new housing affect capacity in schools?






- Resale market in transitioning neighborhoods
- State Rated Capacity (SRC) decisions
- Programmatic decisions by Local BOE's (Magnet Schools, CTC)
- Out of district transfers
- Redistricting Decisions
- Demographic Shifts

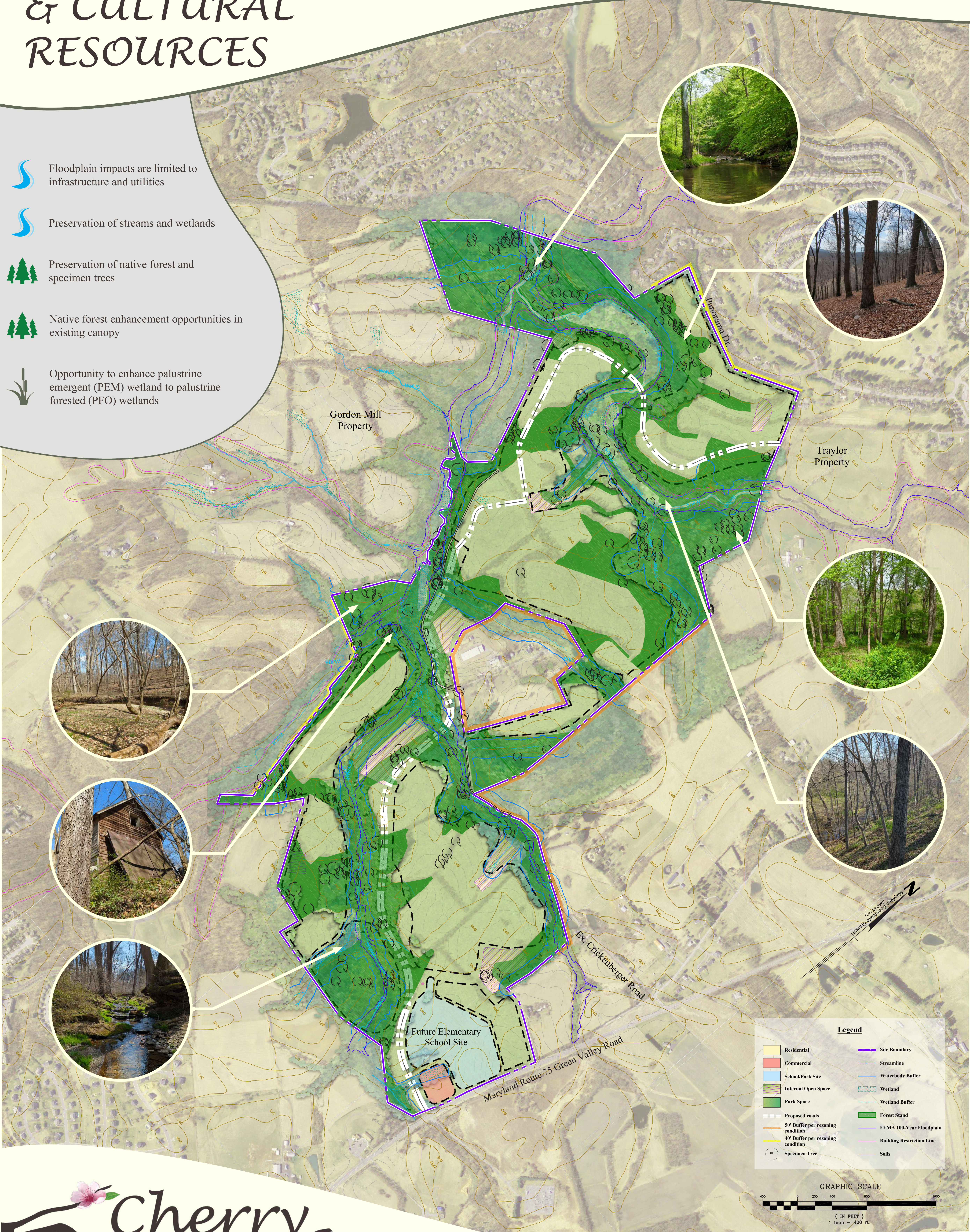


Cherry Run

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ENVIRONMENTAL & CULTURAL RESOURCES

-  Floodplain impacts are limited to infrastructure and utilities
-  Preservation of streams and wetlands
-  Preservation of native forest and specimen trees
-  Native forest enhancement opportunities in existing canopy
-  Opportunity to enhance palustrine emergent (PEM) wetland to palustrine forested (PFO) wetlands



Cherry Run

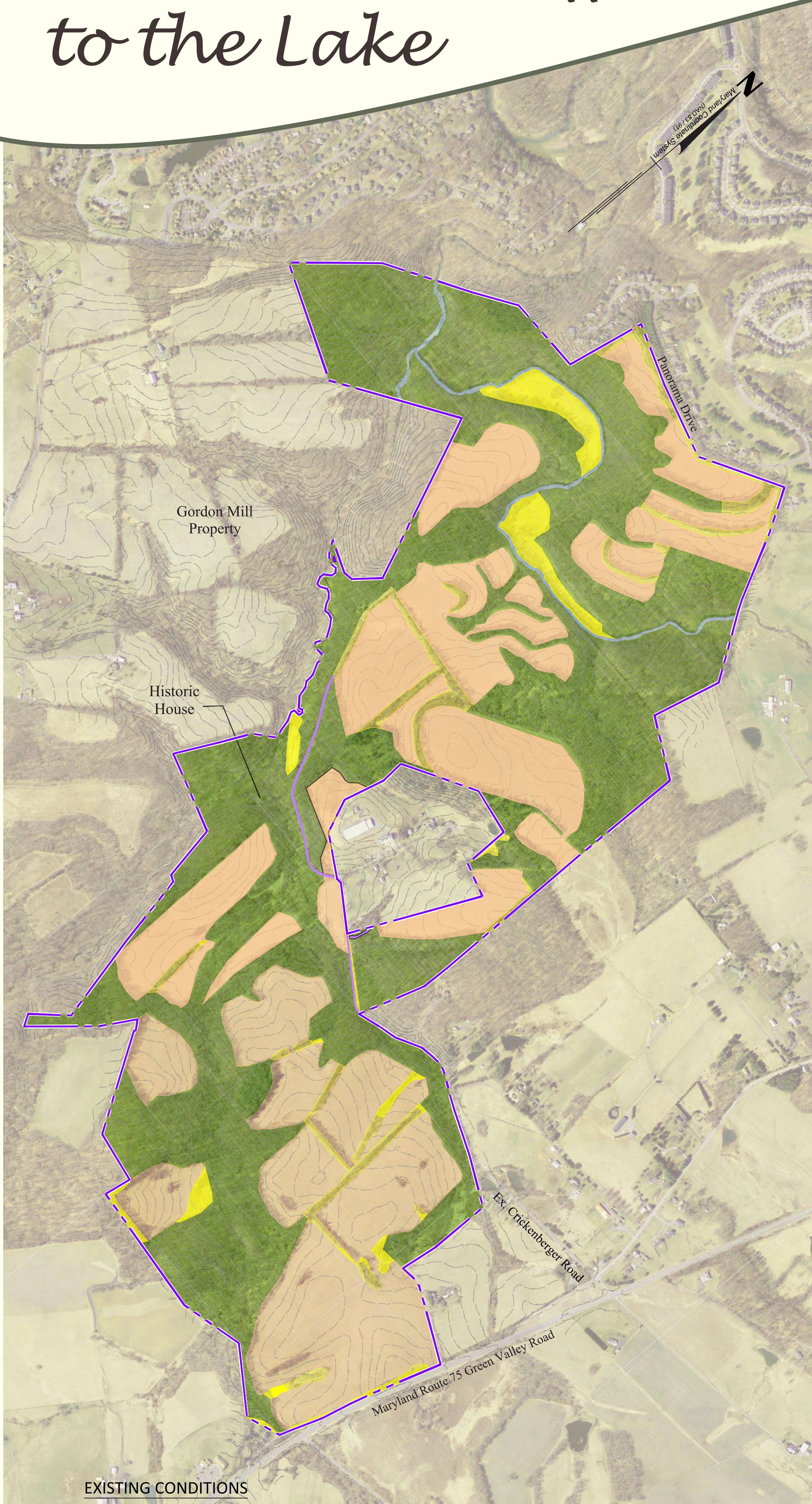


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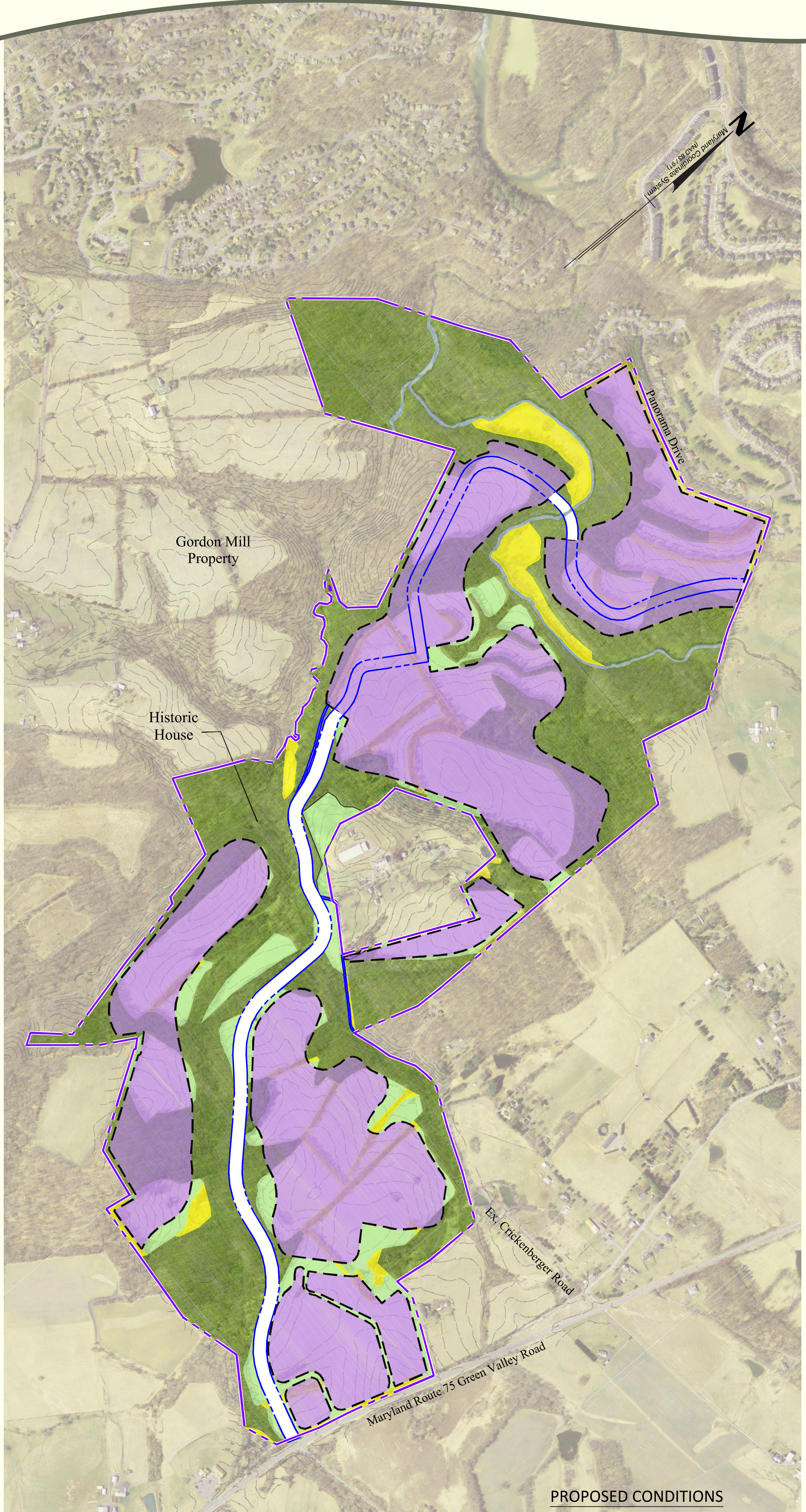
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Reducing Nutrient Runoff to the Lake



EXISTING CONDITIONS



PROPOSED CONDITIONS

LEGEND

- SITE LIMITS
- EXISTING FOREST (330 acres)
- AGRICULTURAL/CROP
- MIXED OPEN AREA
- EXISTING CONTOURS
- EXISTING STREAM
- CRICKENBERGER ROAD

Nutrient Loading Analysis derived from developable areas identified through sketch plan dated July 2023 and subject to change through final engineering.

Nitrogen		Existing **		Proposed **	
Land Use	Acres	TN ESD Unit Load (lb/ac/yr)	Load	Acres	TN ESD Unit Load (lb/ac/yr) Treated with ESD* Load
Forest/Natural	336	1.84	618	292	1.84 N/A 537
Agricultural-Crops	257	38.22	9811	0	38.22 N/A 0
Mixed Use	41	2.45	100	23	11.22 N/A 263
Developed	1	13.90	16	319	13.90 7 2217
Total	634	N/A	10545	634	N/A N/A 3018

Phosphorus		Existing **		Proposed **	
Land Use	Acres	TP ESD Unit Load (lb/ac/yr)	Load	Acres	TP ESD Unit Load (lb/ac/yr) Treated with ESD* Load
Forest/Natural	336	0.09	30	292	0.09 N/A 26
Agricultural-Crops	257	1.87	480	0	1.87 N/A 0
Mixed Use	41	2.45	100	23	2.45 N/A 58
Developed	1	0.85	1	319	0.85 0.43 115
Total	634	N/A	611	634	N/A N/A 219

Source: The Chesapeake Bay Program- Chesapeake Bay Program Phase 6 Model for the Chesapeake Bay Watershed.

TN Reduced (lbs/year)	
Existing Load	10545
Proposed Load	3018
Total	7528
71% Reduction	

TP Reduced (lbs/year)	
Existing Load	611
Proposed Load	219
Total	392
64% Reduction	

Reducing Nutrient Loading for Receiving Waters of Lake Linganore

Lake Linganore has an Environmental Protection Agency (EPA) approved Total Maximum Daily Load (TMDL) for phosphorous and sediment.

Per the approved TMDL for Lake Linganore, "The Lake Linganore watershed land use is primarily agricultural. The Libertytown Wastewater Treatment Plant (WWTP) is the only point source in the watershed. The WWTP has a capacity of 50,000 gallons per day (GPD) and treats an average flow of 30,000 GPD. However, the contribution of the WWTP to the overall phosphorous and sediment loadings to Lake Linganore are negligible compared to nonpoint sources."

A TMDL is a regulatory term in the U.S. Clean Water Act that sets the maximum amount of a pollutant that a waterbody can receive while still meeting water quality standards. When the Environmental Protection Agency (EPA) established the Chesapeake Bay Total Maximum Daily Load (TMDL) on December 29, 2010 they identified Nitrogen, Phosphorous, and Sediment as the three pollutants that, if reduced, will improve the health of the bay. The work completed by the Chesapeake Bay Program that has gone into monitoring, modeling, and developing watershed implementation plans in support of the TMDL has given us a better understanding on how different land uses load pollutants into adjacent waterbodies and how best management practices such as Environmental Site Design (ESD) can reduce nutrient loads into receiving waterbodies.

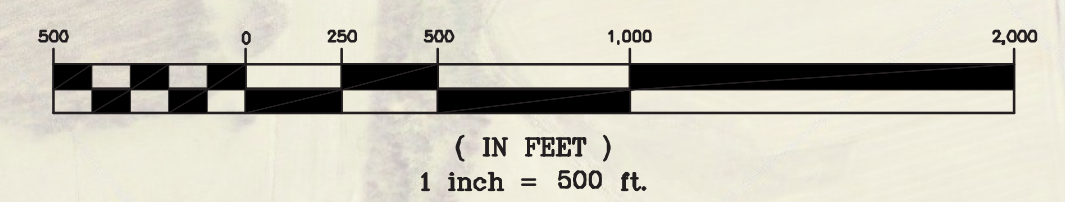
Based on the proposed preservation of forest in combination with the rezoning to a PUD treated to modern stormwater management standards, a nutrient loading study was conducted for the Cromwell Property. Based on the results of the study, the total phosphorous is expected to be reduced by up to 392 lbs/acre/year, a 64% reduction from current levels.

Additionally, total nitrogen is calculated to be reduced by up to 7,528 lbs/acre/year, a 71% reduction for current levels. To address sediment, during construction the site will be in compliance with Maryland State Erosion and Sediment Control Regulations and upon construction will be stabilized.

LEGEND

- SITE LIMITS
- EXISTING FOREST (330 acres)
- AFFORESTATION
- MIXED OPEN AREA
- DEVELOPMENT TREATED WITH ESD
- PROPOSED ROADWAY
- EXISTING CONTOURS
- EXISTING STREAM
- CRICKENBERGER ROAD

GRAPHIC SCALE



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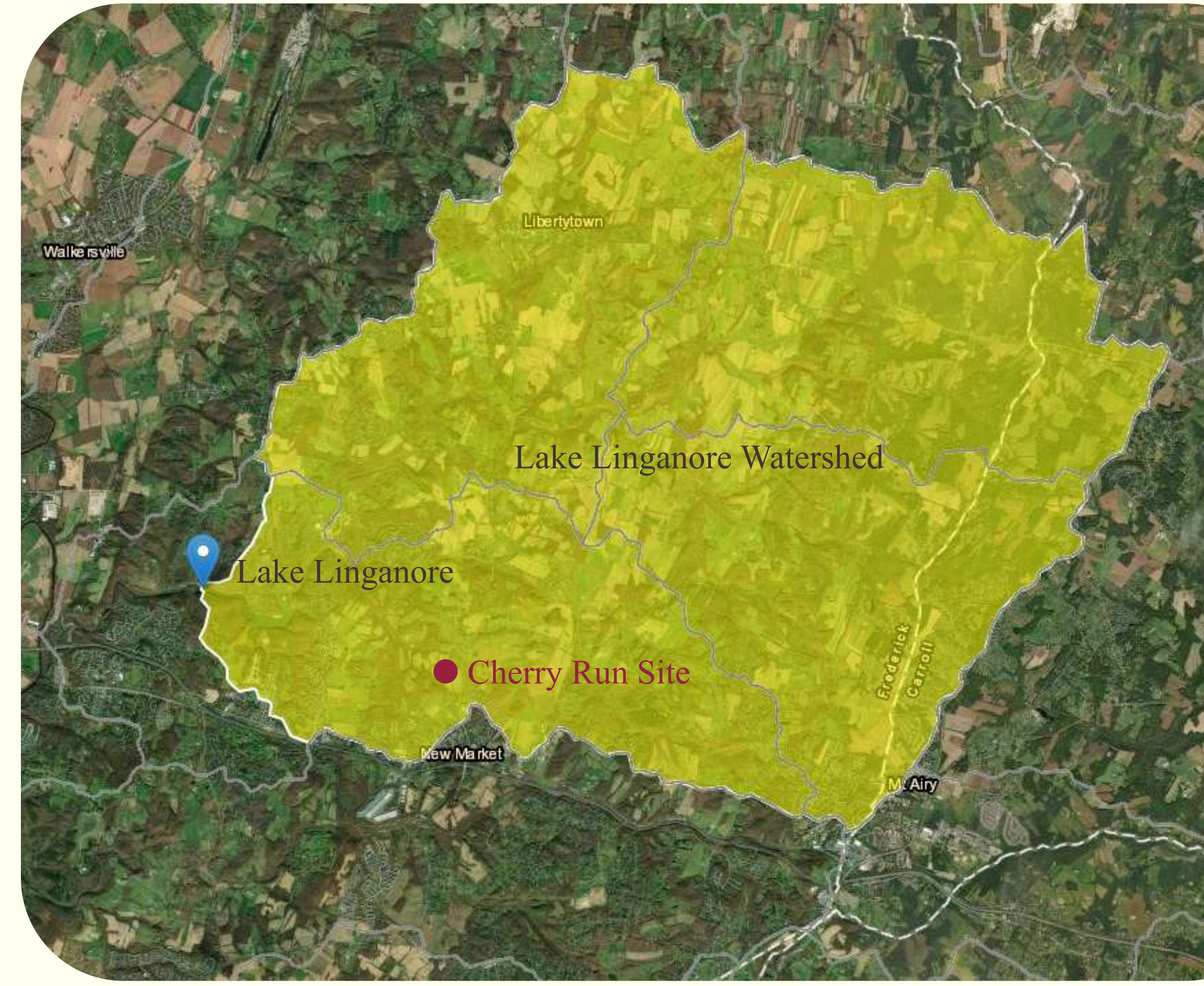
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STORMWATER QUALITY & QUANTITY

Will development of the 634-acre property dramatically change the Lake Lingore watershed?

Approximately 330 acres of the 634-acre property are planned for development, meaning nearly 50% of the property will remain undeveloped. The plan will also preserve much of the existing stream valleys and forests.

The 330 acres slated for development makes up only 0.6% of the total 51,840 acres in the Lake Lingore watershed. The majority of land within the watershed is active farmland with uncontrolled runoff that contributes a higher level of sediment, nitrogen, and phosphorus than a residential development with stormwater management facilities.



Lake Lingore Watershed Source: USGS Streamstats

Will development of the property result in increased sedimentation of Lake Lingore?

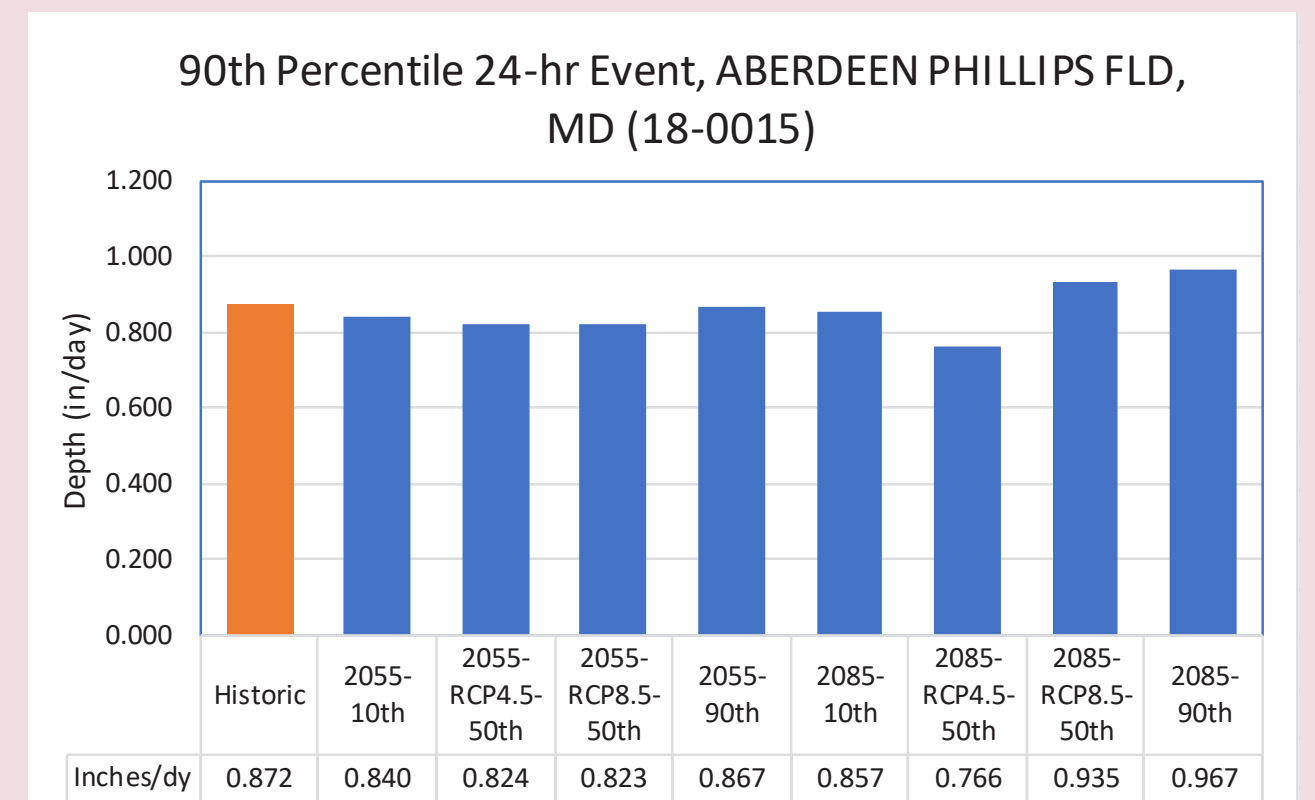
The site's current use as active farm fields with its continuous tilling and earth disturbance contributes more sediment-laden runoff than a residential neighborhood with proper stormwater management facilities.

Will development of the property worsen the water quality of Lake Lingore?

Active agricultural fields contribute a much higher rate of nitrogen and phosphorus than a developed residential site with stormwater practices implemented. In fact, runoff from a residential development with stormwater management facilities will contain **71%** and **64%** less nitrogen and phosphorus, respectively.

Are storms in our region becoming more intense?

Storms in our region are becoming more intense over shorter durations. Current stormwater management guidelines from the Maryland Department of the Environment reference outdated rainfall tables and focus on treatment of water quality. Stormwater management for this community will reference the most up-to-date rainfall rates from NOAA and will provide both water quality treatment to reduce pollutants in the runoff as well as quantity control to reduce any increase in runoff resulting from increased impervious area.



For analysis of the 90th percentile 24 hr event, the 10th percentile (low), median, and 90th percentile (high) GCM categories are based on relative projected change in total precipitation volume above the historical 90th-percentile 24-hr event. This approach does not guarantee that the change in magnitude of the estimated 90th-percentile 24-hr events will scale in the same order as the low, median, and high impact GCMs as the change in volume may be focused in more extreme, low-recurrence events; however, it does ensure that the selected GCMs span a range of different projected characteristics for future climate conditions. Future climate projects are based on 30-year periods centered at 2055 and 2085.

Figure 4-3. Projected Results for 90th Percentile 24-hour Precipitation Event, Aberdeen-Phillips Field

Source: Climate Impacts to Restoration Practices- Project Report

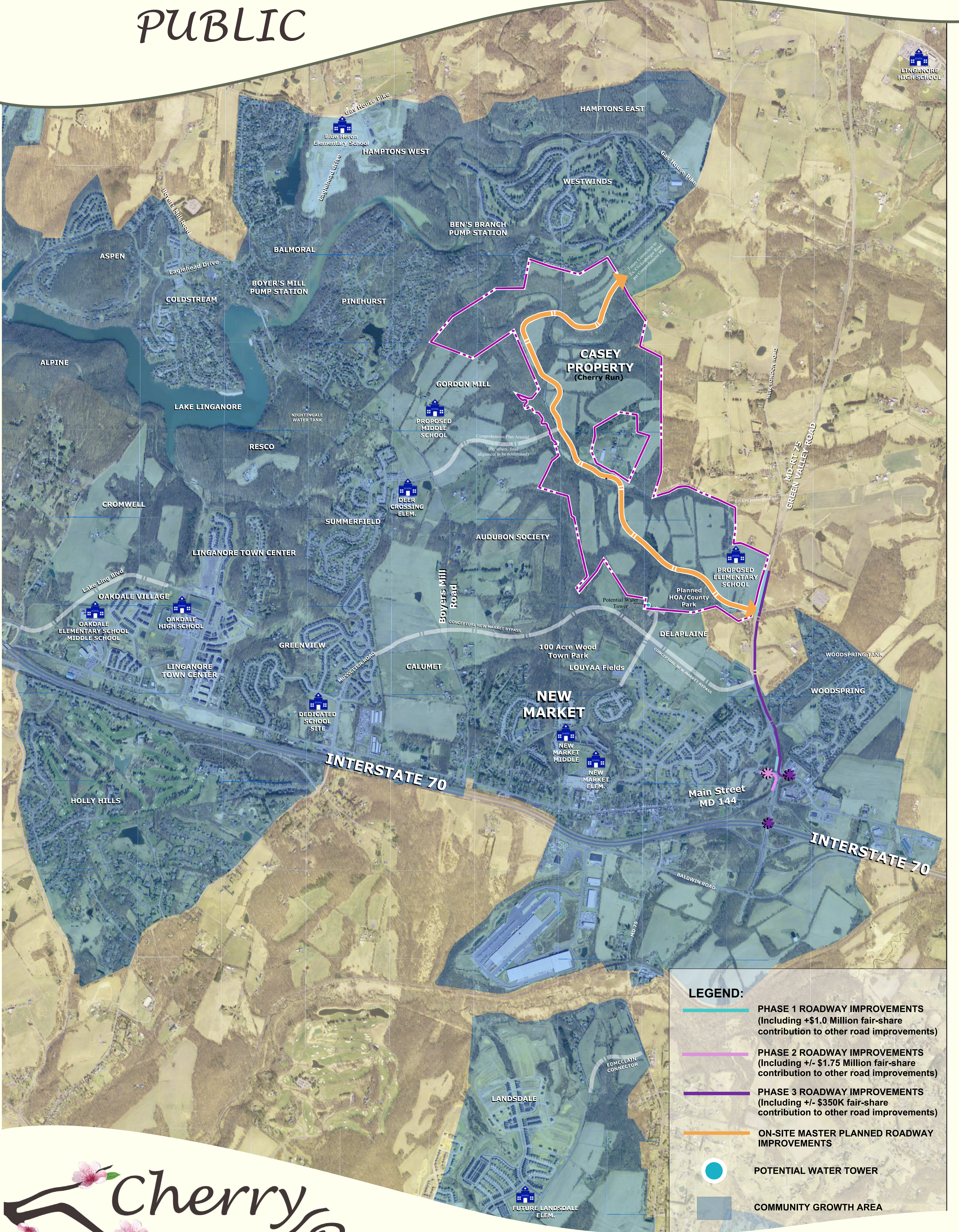


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INFRASTRUCTURE PUBLIC



Cherry Run

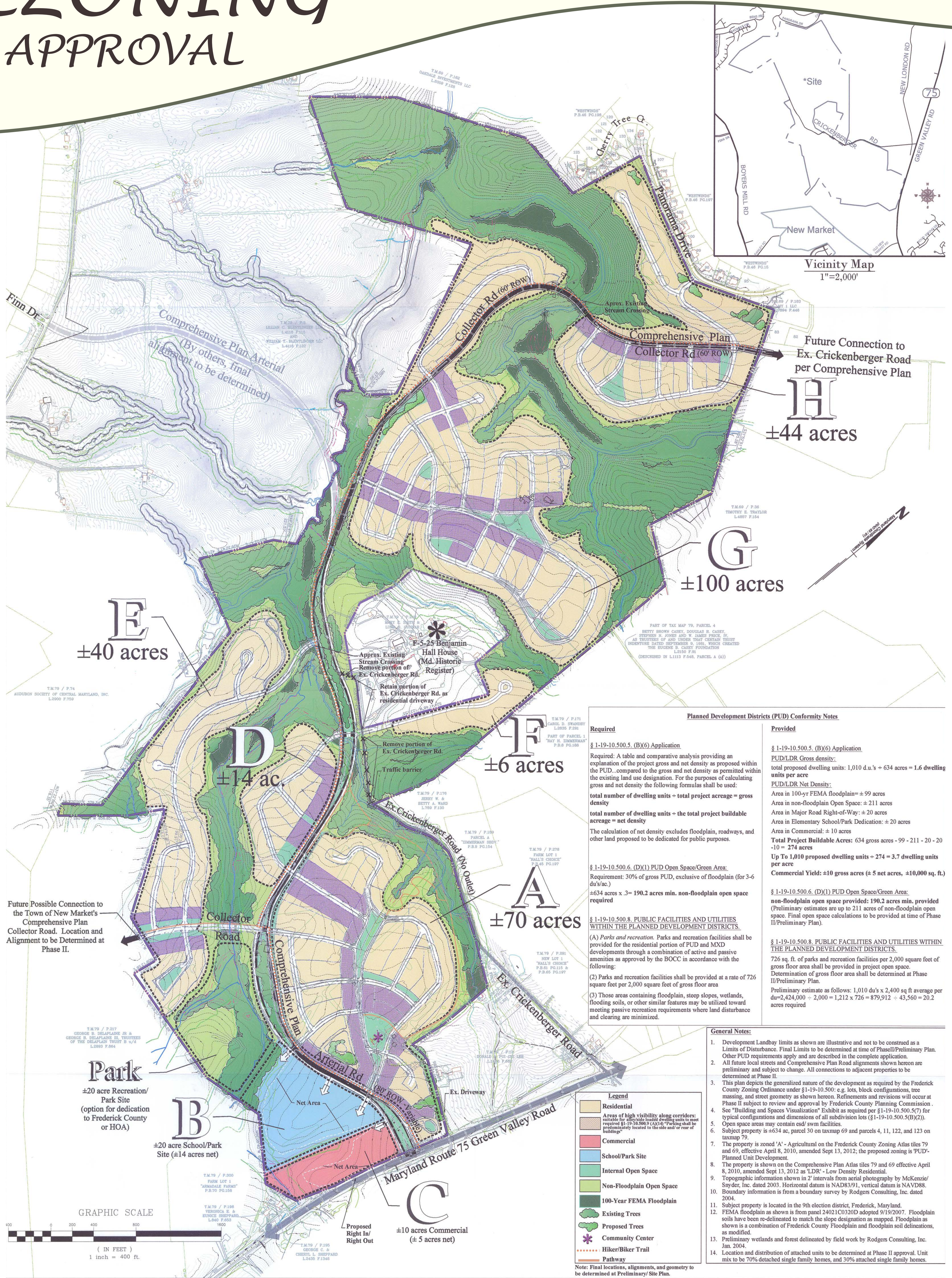


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REZONING APPROVAL



E
±40 acres

D
±14 ac

F
±6 acres

A
±70 acres

G
±100 acres

H
±44 acres

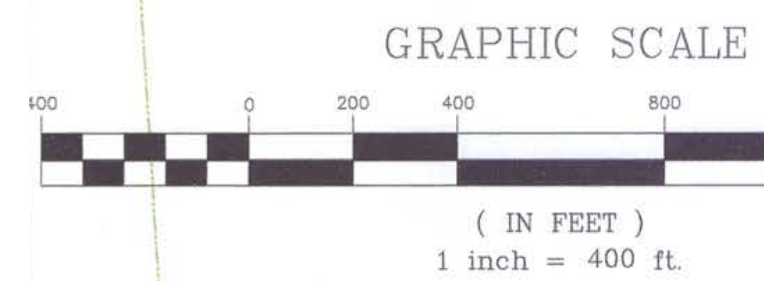
Park
±20 acre Recreation/
Park Site
(option for dedication to
Frederick County
or HOA)

B
±20 acre School/Park
Site (±14 acres net)

C
±10 acres Commercial
(± 5 acres net)

Planned Development Districts (PUD) Conformity Notes	
Required	Provided
<p>§ 1-19-10.500.5. (B)(6) Application Required: A table and comparative analysis providing an explanation of the project gross and net density as proposed within the PUD, compared to the gross and net density as permitted within the existing land use designation. For the purposes of calculating gross and net density the following formulas shall be used: $\text{total number of dwelling units} + \text{total project acreage} = \text{gross density}$ $\text{total number of dwelling units} + \text{total project buildable acreage} = \text{net density}$ The calculation of net density excludes floodplain, roadways, and other land proposed to be dedicated for public purposes.</p>	<p>§ 1-19-10.500.5. (B)(6) Application PUD/LDR Gross density: total proposed dwelling units: 1,010 d.u.'s + 634 acres = 1.6 dwelling units per acre PUD/LDR Net Density: Area in 100-yr FEMA floodplain = ± 99 acres Area in non-floodplain Open Space = ± 211 acres Area in Major Road Right-of-Way = ± 20 acres Area in Elementary School/Park Dedication = ± 20 acres Area in Commercial = ± 10 acres Total Project Buildable Acres: 634 gross acres - 99 - 211 - 20 - 10 = 274 acres Up To 1,010 proposed dwelling units = 274 = 3.7 dwelling units per acre Commercial Yield: ±10 gross acres (± 5 net acres, ±10,000 sq. ft.)</p>
<p>§ 1-19-10.500.6. (D)(1) PUD Open Space/Green Area Requirement: 30% of gross PUD, exclusive of floodplain (for 3-6 d.u./ac) ±634 acres x .3 = 190.2 acres min. non-floodplain open space required</p>	<p>§ 1-19-10.500.6. (D)(1) PUD Open Space/Green Area non-floodplain open space provided: 190.2 acres min. provided (Preliminary estimates are up to 211 acres of non-floodplain open space. Final open space calculations to be provided at time of Phase II/Preliminary Plan.)</p>
<p>§ 1-19-10.500.8. PUBLIC FACILITIES AND UTILITIES WITHIN THE PLANNED DEVELOPMENT DISTRICTS (A) Parks and recreation. Parks and recreation facilities shall be provided for the residential portion of PUD and MXD developments through a combination of active and passive amenities as approved by the BOCC in accordance with the following: (2) Parks and recreation facilities shall be provided at a rate of 726 square feet per 2,000 square feet of gross floor area (3) Those areas containing floodplain, steep slopes, wetlands, flooding soils, or other similar features may be utilized toward meeting passive recreation requirements where land disturbance and clearing are minimized.</p>	<p>§ 1-19-10.500.8. PUBLIC FACILITIES AND UTILITIES WITHIN THE PLANNED DEVELOPMENT DISTRICTS 726 sq. ft. of parks and recreation facilities per 2,000 square feet of gross floor area shall be provided in project open space. Determination of gross floor area shall be determined at Phase II/Preliminary Plan. Preliminary estimate as follows: 1,010 d.u.'s x 2,400 sq ft average per d.u. = 2,424,000 - 2,000 = 1,212 x 726 = 879,912 ÷ 43,500 = 20.2 acres required</p>

- General Notes:**
- Development Landbay limits as shown are illustrative and not to be construed as a Limits of Disturbance. Final Limits to be determined at time of Phase II/Preliminary Plan. Other PUD requirements apply and are described in the complete application.
 - All future local streets and Comprehensive Plan Road alignments shown hereon are preliminary and subject to change. All connections to adjacent properties to be determined at Phase II.
 - This plan depicts the generalized nature of the development as required by the Frederick County Zoning Ordinance under § 1-19-10.500: e.g. lots, block configurations, tree massing, and street geometry as shown hereon. Refinements and revisions will occur at Phase II subject to review and approval by Frederick County Planning Commission.
 - See "Building and Spaces Visualization" Exhibit as required per § 1-19-10.500.5(7) for typical configurations and dimensions of all subdivision lots (§ 1-19-10.500.5(B)(2)).
 - Open space areas may contain esd/ swm facilities.
 - Subject property is ±634 ac, parcel 30 on taxmap 69 and parcels 4, 11, 122, and 123 on taxmap 79.
 - The property is zoned 'A' - Agricultural on the Frederick County Zoning Atlas tiles 79 and 69, effective April 8, 2010, amended Sept 13, 2012; the proposed zoning is 'PUD'- Planned Unit Development.
 - The property is shown on the Comprehensive Plan Atlas tiles 79 and 69 effective April 8, 2010, amended Sept 13, 2012 as 'LDR' - Low Density Residential.
 - Topographic information shown in 2' intervals from aerial photography by McKenzie/Snyder, Inc. dated 2003. Horizontal datum is NAD83/91, vertical datum is NAVD88.
 - Boundary information is from a boundary survey by Rodgers Consulting, Inc. dated 2004.
 - Subject property is located in the 9th election district, Frederick, Maryland.
 - FEMA floodplain as shown is from panel 24021 C0320D adopted 9/19/2007. Floodplain soils have been re-delineated to match the slope designation as mapped. Floodplain as shown is a combination of Frederick County Floodplain and floodplain soil delineations, as modified.
 - Preliminary wetlands and forest delineated by field work by Rodgers Consulting, Inc. Jan. 2004.
 - Location and distribution of attached units to be determined at Phase II approval. Unit mix to be 70% detached single family homes, and 30% attached single family homes.



Legend

- Residential
- Area of high visibility along corridors suitable for appropriate level of development
- Commercial
- School/Park Site
- Internal Open Space
- Non-Floodplain Open Space
- 100-Year FEMA Floodplain
- Existing Trees
- Proposed Trees
- Community Center
- Hiker/Biker Trail
- Pathway

Note: Final locations, alignments, and geometry to be determined at Preliminary/Site Plan.

Concept Plan

CASEY FOUNDATION PROPERTY

Prepared for:
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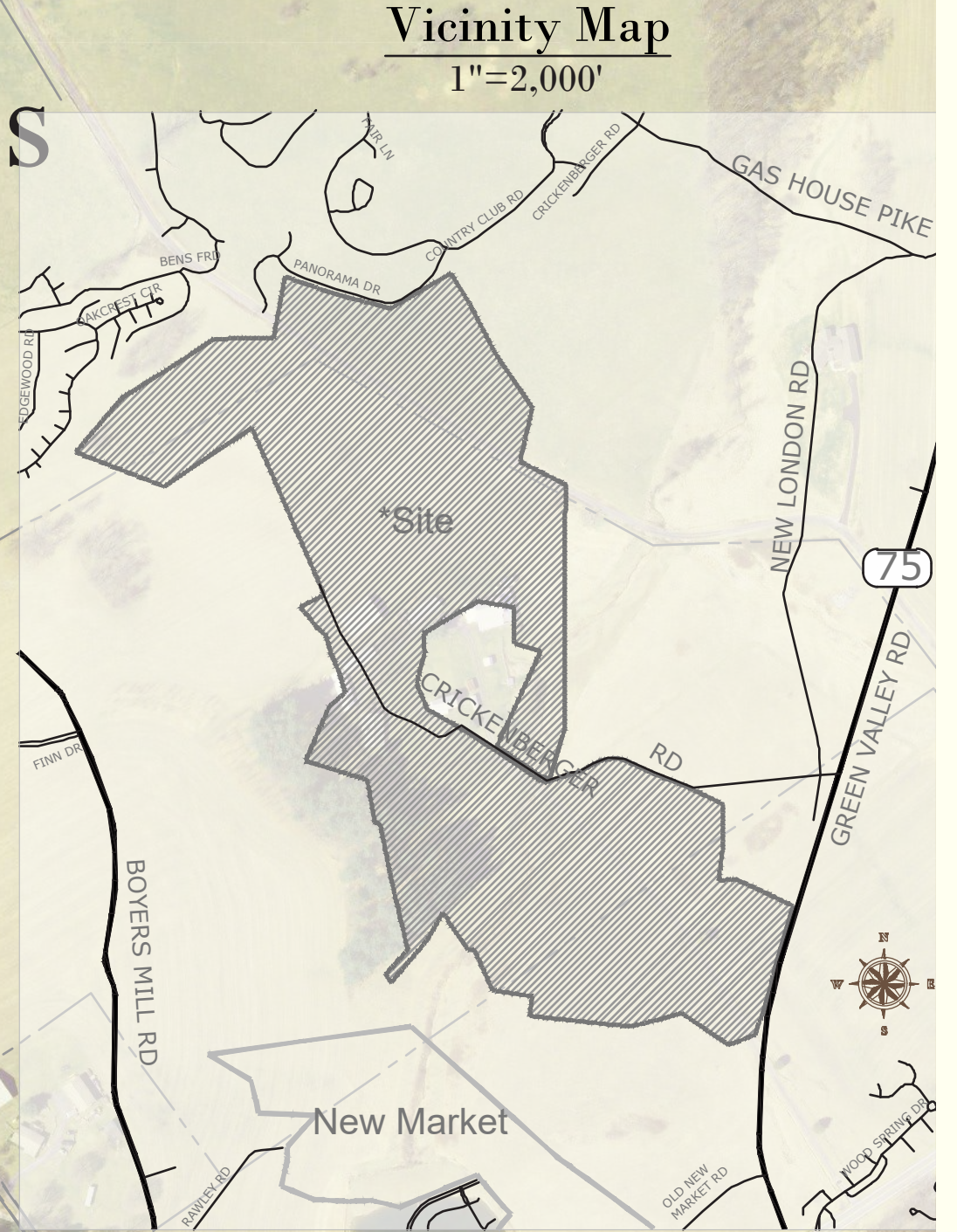
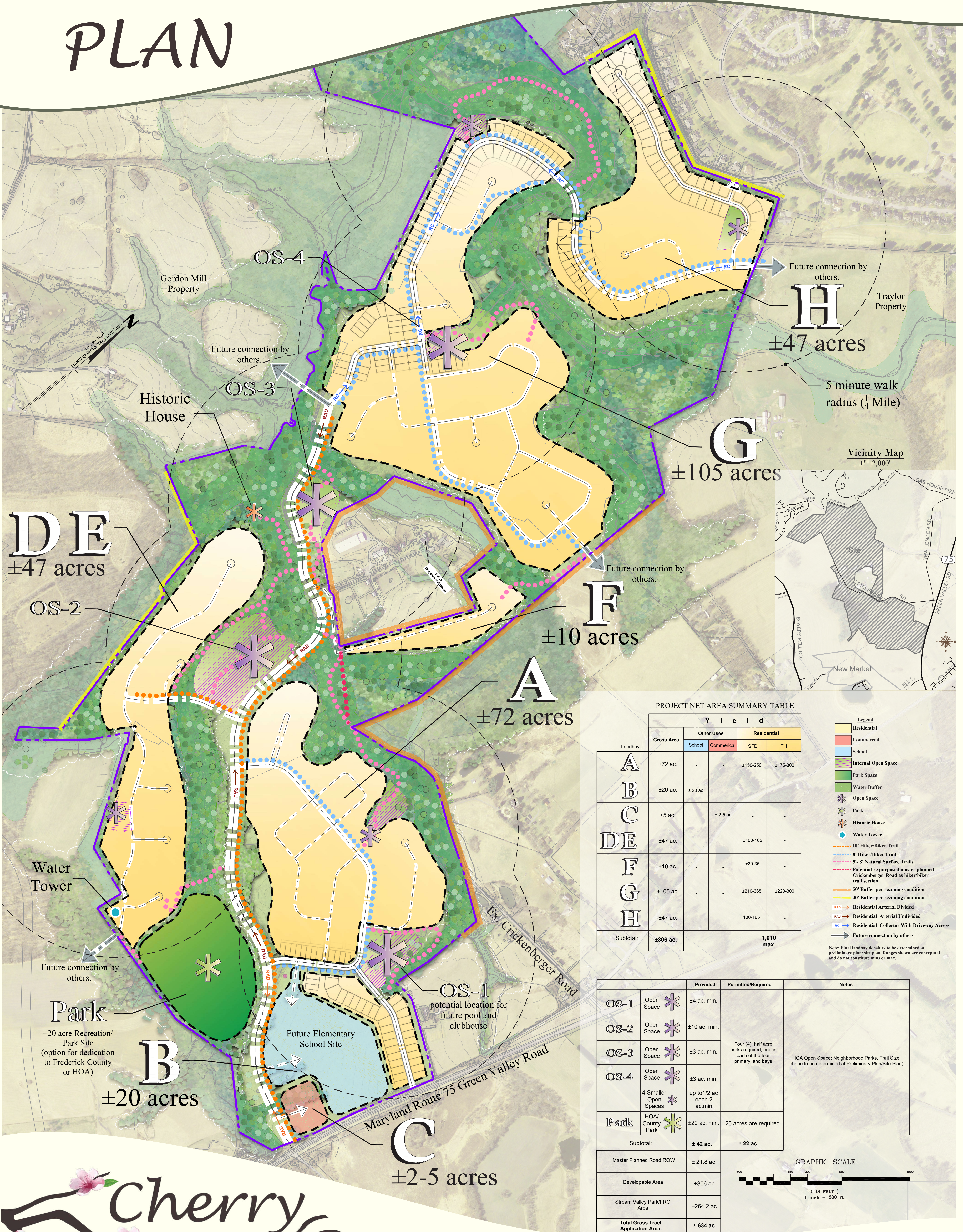


Eugene B. Casey Foundation

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SKETCH PLAN

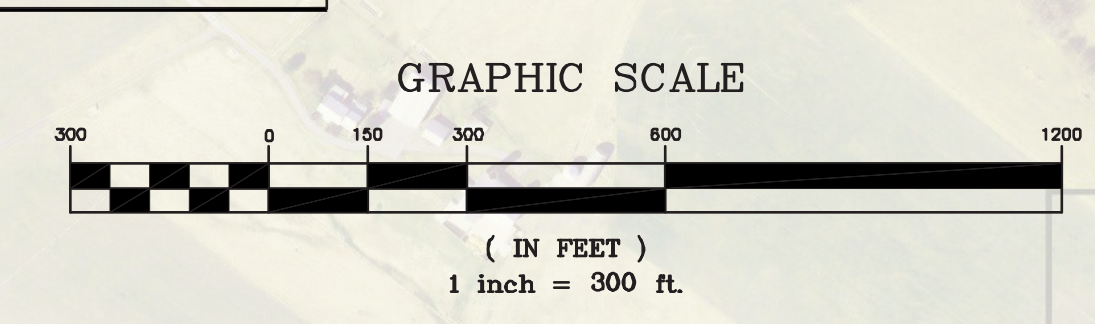


PROJECT NET AREA SUMMARY TABLE

Landbay	Gross Area	Yield			
		Other Uses		Residential	
		School	Commercial	SFD	TH
A	±72 ac.	-	-	±150-250	±175-300
B	±20 ac.	±20 ac.	-	-	-
C	±5 ac.	-	±2-5 ac.	-	-
DE	±47 ac.	-	-	±100-165	-
F	±10 ac.	-	-	±20-35	-
G	±105 ac.	-	-	±210-365	±220-300
H	±47 ac.	-	-	100-165	-
Subtotal:	±306 ac.				1,010 max.

- Legend**
- Residential
 - Commercial
 - School
 - Internal Open Space
 - Park Space
 - Water Buffer
 - Open Space
 - Park
 - Historic House
 - Water Tower
 - 10' Hiker/Biker Trail
 - 8' Hiker/Biker Trail
 - 5'-8' Natural Surface Trails
 - Potential re-purposed master planned Crickenberger Road as hiker/biker trail section.
 - 50' Buffer per rezoning condition
 - 40' Buffer per rezoning condition
 - RAD → Residential Arterial Divided
 - RAU → Residential Arterial Undivided
 - RC → Residential Collector With Driveway Access
 - Future connection by others
- Note: Final landbay densities to be determined at preliminary plan site plan. Ranges shown are conceptual and do not constitute mins or max.

	Provided	Permitted/Required	Notes
OS-1	Open Space * ±4 ac. min.		Four (4) half acre parks required, one in each of the four primary land bays HOA Open Space; Neighborhood Parks, Trail Size, shape to be determined at Preliminary Plan/Site Plan)
OS-2	Open Space * ±10 ac. min.		
OS-3	Open Space * ±3 ac. min.		
OS-4	Open Space * ±3 ac. min.		
Park	4 Smaller Open Spaces * up to 1/2 ac each 2 ac. min.		
Park	HOA/County Park * ±20 ac. min.	20 acres are required	
Subtotal:	±42 ac.	±22 ac	
Master Planned Road ROW	±21.8 ac.		
Developable Area	±306 ac.		
Stream Valley Park/FRO Area	±264.2 ac.		
Total Gross Tract Application Area:	±634 ac		



Cherry Run

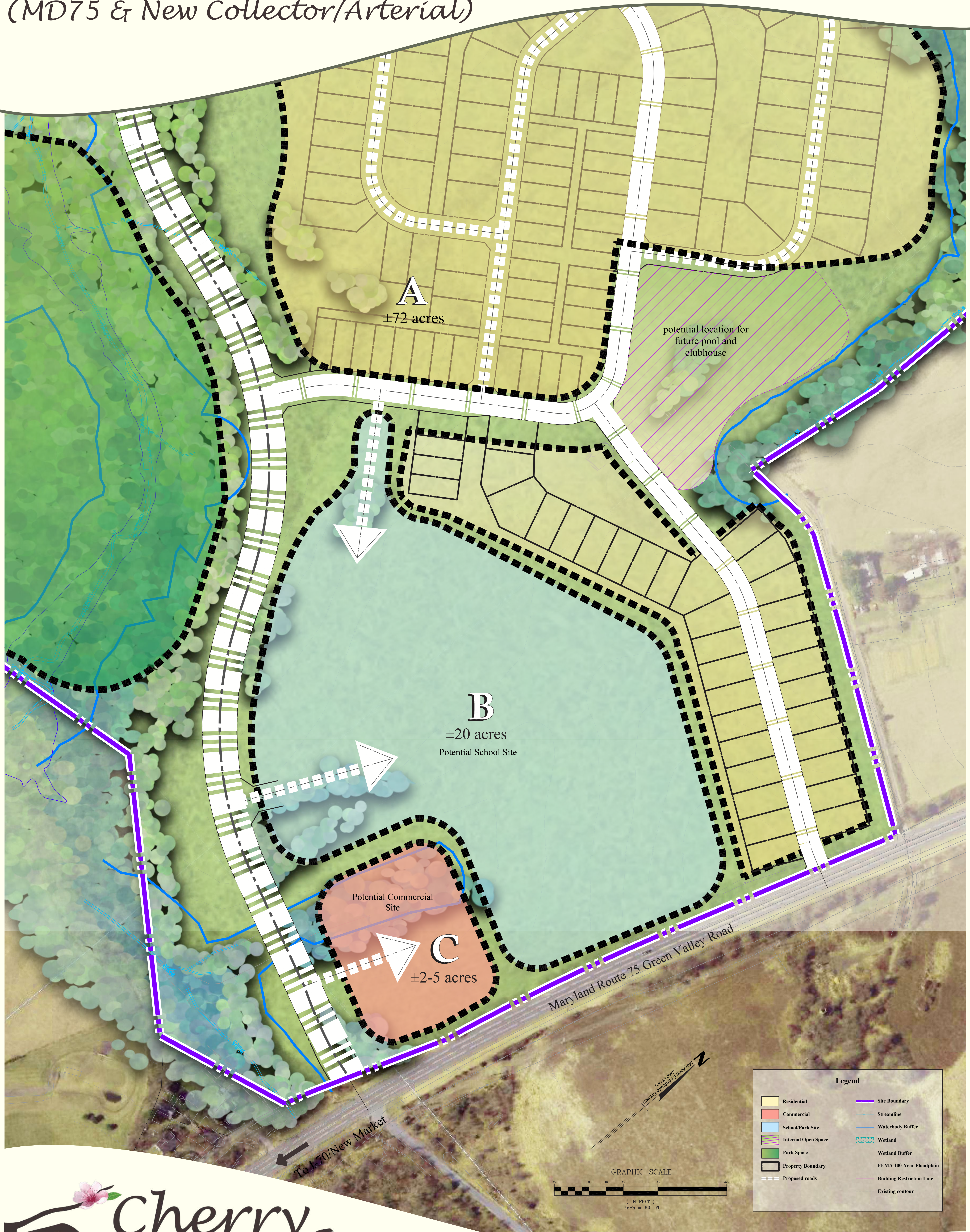


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Relationship at Site Entry (MD75 & New Collector/Arterial)



Cherry Run

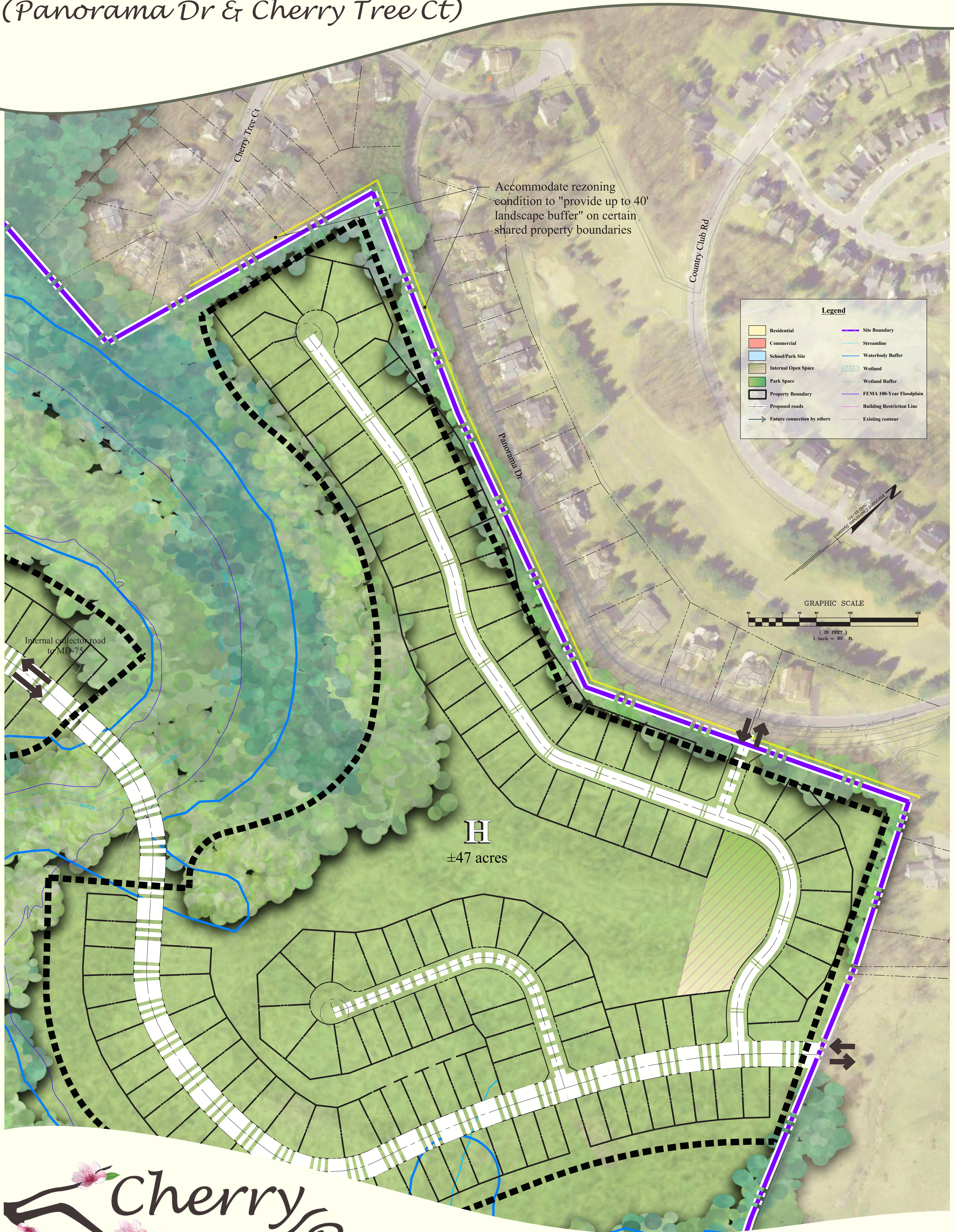


Eugene B. Casey Foundation



July 2023 | Community Outreach Meeting
The graphics & data are based upon the sketch plan and general development. Plan is subject to change as part of any preliminary/final site plan in the future.

Relationship to Westwinds (Panorama Dr & Cherry Tree Ct)



Cherry Run



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