



FREDERICK

PLANNING

May 26, 2020

Piedmont Design Group, LLC
C/o Mr. Mike Wiley
5283 Corporate Drive, Suite 300
Frederick, MD 21703

U.S. Department of Housing and Urban Development
451 7th Street SW
Washington DC 20410

M&T Realty Capital Corporation
One Light Street, 12th Floor
Baltimore, MD 21202

Re: 20-359ZD: Zoning Determination, Worman's Mill Assisted Living Facility

Dear Mr. Wiley

In response to your request dated March 25, 2020, Staff has prepared the following information:

The subject property, Block H, Parcel A as depicted on a plat of subdivision titled, Final Plat #1, Worman's Mill Village Center (Plat Book 95, Page 44), hereafter the "Property" is zoned Low Density Residential, R4. Per Section 404, Table 404-1 of the Land Management Code (LMC), the R4 district is intended to provide for residences in an urban residential environment with a maximum density of four dwellings per acre. In addition, the district is intended to accommodate a complement of residential support uses normally utilized during the daily activities of residents, to protect these areas from the encroachment of incompatible uses, and to guide development within the district to occur in a manner that complies with the Comprehensive Plan.

The Property is subject to an approved master plan under the Planned Neighborhood Development (PND) provisions of the 1986 Zoning Ordinance, as amended, which was in place prior to the adoption of the LMC. The original final site plan (case PC11-496FSI) for the Village Center was approved in 2012 in accordance with Article 9, Section 910 of the LMC, entitled *Existing Development Approvals*, which addresses plans approved prior to the adoption of the LMC in

2005. The plan established 171 multifamily units, 27,244 s.f. of commercial/retail space, and an 80 bed domiciliary care facility located on Block H, Parcel A, which is bordered by Parish Lane, Waterside Drive, Village Square Road and Stoney Creek Road. A staff level revision to the site plan was completed in 2015 to reflect minor adjustments that transpired as part of the improvement plan review process. The layout of the Property was subsequently revised under final site plan, case PC18-265FSI with the design of the site being able to accommodate a facility with up to 89 beds. That plan was approved by the Planning Commission on July 9, 2018 and received unconditional approval on July 26, 2018. The site plan remains valid for three years from the Commission's approval dated, or July 9, 2021, at which such time if a building permit has not been issued, an extension of the site plan sought.

There are no records of any pending violations against the Property currently.

If you have any further questions please don't hesitate to call me at (301) 600-1883 or email me at gcollard@cityoffrederickmd.gov

The purpose of the service provided by the Zoning Administrator regarding determinations/interpretations is to identify the zoning of a particular property, to verify that a use is permitted or permissible in a specific Zoning District and to clarify and interpret the Land Management Code. Any questions regarding specific regulations and requirements for a site or sites' compliance with the Land Management Code not addressed in this letter shall not be the responsibility of the Zoning Administrator. It is the responsibility of the applicant, property owner and/or property purchaser to review the project site plan and the Land Management Code for compliance.

This determination applies solely to the referenced property and is not binding upon the City, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property. Please be advised that any person aggrieved, or any officer, department or agency of The City of Frederick affected by an order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of the provisions of the Land Management Code may appeal said decision within thirty days to the Zoning Board of Appeals.

Sincerely,



Gabrielle Collard
Div. Manager of Current Planning

In Concurrence,



Joe Adkins
Zoning Administrator/Deputy Director

Cc: Jessica Murphy, CoF
Carreanne Eyler, CoF

PIEDMONT DESIGN GROUP, LLC
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March 25, 2020

Ms. Gabrielle Collard, Manager of Current Planning
City of Frederick Planning Department
Municipal Office Annex
140 West Patrick Street
Frederick, MD 21701

Re: Worman's Mill Village Center Assisted Living Facility
PB 95 Pg 44; Block H, Parcel A, (0.9839 acres)
Zoned R4 (Low Density Residential) with PND Development Technique
Request for Zoning Determination

Dear Ms. Collard:

On behalf of Village Center III, LLC (Owner), a wholly owned subsidiary of The Wormald Companies, LLC, we are requesting a zoning determination for the referenced site. We are in the process of obtaining HUD financing for this project and therefore ask you prepare a response to this request in similar fashion as you did for the Village Center Parcel B Block C, Parcel B Block D, and Parcel A Block J in your letter dated November 7, 2014 (copy attached).

As you recall, the referenced property was approved for an assisted living facility under Final Site Plan Case PC18-265FSI. Among other things, we ask your zoning determination to include a statement of the permissibility of the approved use on the site. If you have any questions, feel free to email me at mike.wiley@wormald.com or call me at (301) 695-6614 x104.

Sincerely,

PIEDMONT DESIGN GROUP, LLC

Michael T. Wiley, PE, Prof LS
Vice President

Enclosure

cc: Ken Wormald
Ed Wormald, PE
Bob Barrick, PE
David Musolino
Joe Adkins, AICP

MTW/mtw/W:\Village Center (formerly Town Center (TC))\Village Center III (Bldg B)\2 - CORRESPONDENCE (Originating From)\2.1
RKW\2.1.1 Letter Correspondence-Transmittals-Facsimile\LTR - Collard (VCIII Zoning Determination; Images stripped).docx