

Summary of Conditions:

It was moved by Ms. Suarez, and seconded by Mr. Rensberger (and Approved 7-0) to recommend that the County Council place the following conditions on any approval of the proposed rezoning:

1. The project shall permit a **maximum of 600 residential**, age-restricted dwelling units. The applicant shall be more specific with regard to any potential CCRC units.
2. Clearly state on subsequent plans, there shall be no vehicular access to Meadow Road from this project.
3. Covenants shall restrict 100% of the dwelling units in the Cromwell PUD project to be age-restricted per the Federal Fair Housing Act and the Housing for Older Persons Act of 1995. There shall be a further limitation on the minimum age of permanent residents being 19 years of age. These covenants shall be recorded prior to the recording of the first subdivision plat. The covenants shall be recorded and made part of the title for each dwelling unit. Every property owner within the age-restricted development (and HOA) shall be beneficiaries of the covenants with the ability to enforce them through administrative or judicial proceedings. These covenants are to be reviewed by the County Attorney's Office to ensure that the PUD zoning district is invalid if these covenants are not recorded and do not restrict age as proffered in a binding and enforceable manner. The required biannual federal surveys (24 cfr 100.307) shall be made available to the County for its review and records.
4. The developer shall dedicate and convey to the County, the ± 4-acre public use site identified on the Concept Plan. The parcel shall be conveyed in a development-ready state (site graded, public water & sewer connections available to the site, and stormwater management facilities [for quantity] completed) prior to the recording of the first residential subdivision plat for development of the project.
5. Development phasing – expressed as limitations upon the number of recorded lots – shall be based on the proposed phased construction of Lake Linganore Blvd (from east to west) and shall be determined and memorialized in the APFO Letter of Understanding (APFO LOU).
6. If the structures are proposed for demolition, the Applicant shall provide the County with access to the site/s in order to document the house, outbuildings, and other related structures at least 90 days *prior to the start of demolition*.
7. The Applicant shall have a *qualified professional investigate and locate any cemetery or burial ground* that may be located on the site consistent with Maryland law.
8. The Applicant shall work with and address to the best they can the access to the property of Mary A. Stull & Martin E. Castle Sr. (TM 78, P. 0336).
9. Due to the nature of the proposed and adjacent developments including the proposal to donate a ± 4 –acre site for the potential regional library as part of this project, the Planning Commission may consider this condition of the development and provide flexibility in the required square footage for the clubhouse/multi-purpose or other equivalent space per 1-20-7 (F) (5) (B).