

News

Dean quoted in article "Board OKs lifting age restriction from Ballenger Run project"

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August 29, 2013

Frederick News Post

By Bethany Rodgers News-Post Staff The Frederick News-Post

Frederick County planning commissioners have granted a request to let people younger than 55 live in the proposed Ballenger Run development.

The owner of roughly 197 acres on Ballenger Creek Pike on Wednesday night secured the county planning commission's unanimous blessing to lift an age restriction from the bulk of the project.

With the volatility of the housing market, age-restricted communities had become a less viable option for the Ballenger Run development, project representatives said.

"It was also very clear from the beginning that this location, with schools all around it ... was much better suited to an all-age community," said Steve Oder, the project manager.

Plans approved in 2006 allowed for 970 age-restricted homes on the property just across from Tuscarora High School.

The development plans now would include 855 dwellings, a community center, open space, a trail along Ballenger Creek and a roughly 13-acre school site.

Though the property owner, RBG Family LLC, aims to open most of the homes to all ages, it is reserving 200 units for a retirement community. If the market isn't right for such a community, the project leaders might opt to build age-restricted homes instead, said **Bruce Dean**, an attorney representing RBG Family at the hearing.

Planning Commissioner Robert Lawrence pressed county staff about whether building homes in place of a retirement community would create "cramped quarters" in that section of the development. Eric Soter, the county's director of community development, said if space is limited, the project designers will simply put fewer than 200 homes in that area.

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In the end, Lawrence said his concerns had been allayed for the time being, and he joined his six fellow planning commissioners in approving the requested plan changes.

The proposals met with only a smattering of public comment Wednesday evening.

A resident of a community bordering Ballenger Run to the north said he was concerned the new development would worsen flooding problems in his neighborhood. The resident, Brian Klein, started noticing the water troubles after a nearby piece of land was prepared for development.

"I've had a foot of water in my backyard recently every time a heavy rain comes," said Klein, president of the homeowners association for the Ballenger Crossing community.

Oder said that he is aware of the problem and that designers will look to resolve the water issues with some kind of buffer between the neighborhoods.

Planning commission members also unanimously signed off on a drafted development rights and responsibilities agreement for Ballenger Run.

The 20-year agreement locks the Ballenger Run proposal into an array of county approvals based on current local regulations, thereby offering the property owner greater stability over the life of the project. In return, RBG Family agreed to improve Ballenger Creek Pike, construct trails along Ballenger Creek and Pike Branch and pay about \$3.4 million in mitigation fees for new school capacity.

The Ballenger Run development will add an estimated 276 pupils to surrounding schools. County projections show the influx of new students would push Ballenger Creek Elementary and Tuscarora High above capacity, according to Soter.

County commissioners will review the rights and responsibilities agreement Oct. 1, a county planner said.