

# Frederick County Planning Commission



September 11, 2024

# ***New Market Retail***

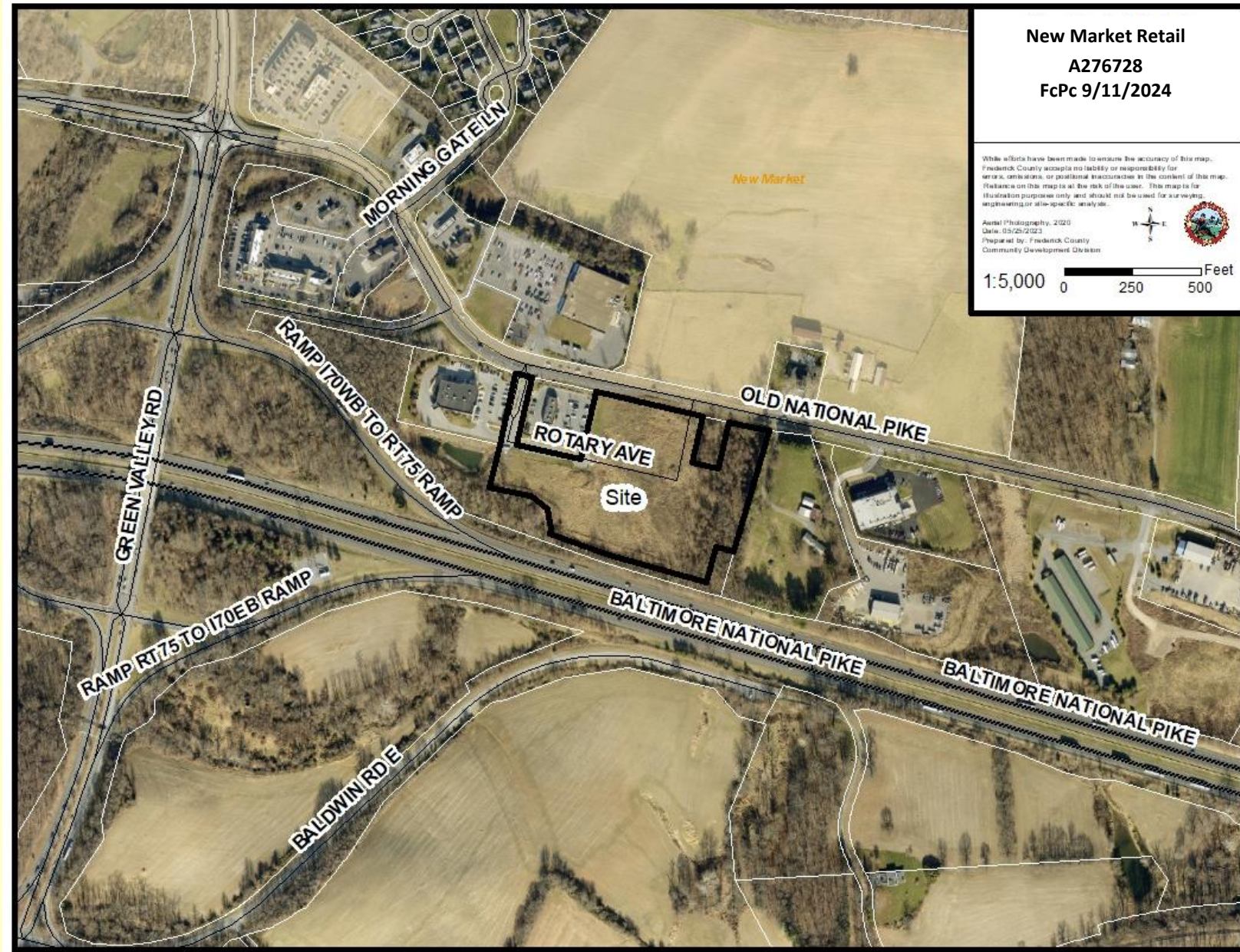
## ***Amended and Restated Letter of Understanding***

The Applicant is requesting to amend and restate the previously approved LOU decrease the density and intensity of the site resulting in a decrease in peak hour trip generation and reduction in pro rata escrow contributions.

Located south of Old National Pike and east of MD 75 (Green Valley Road).

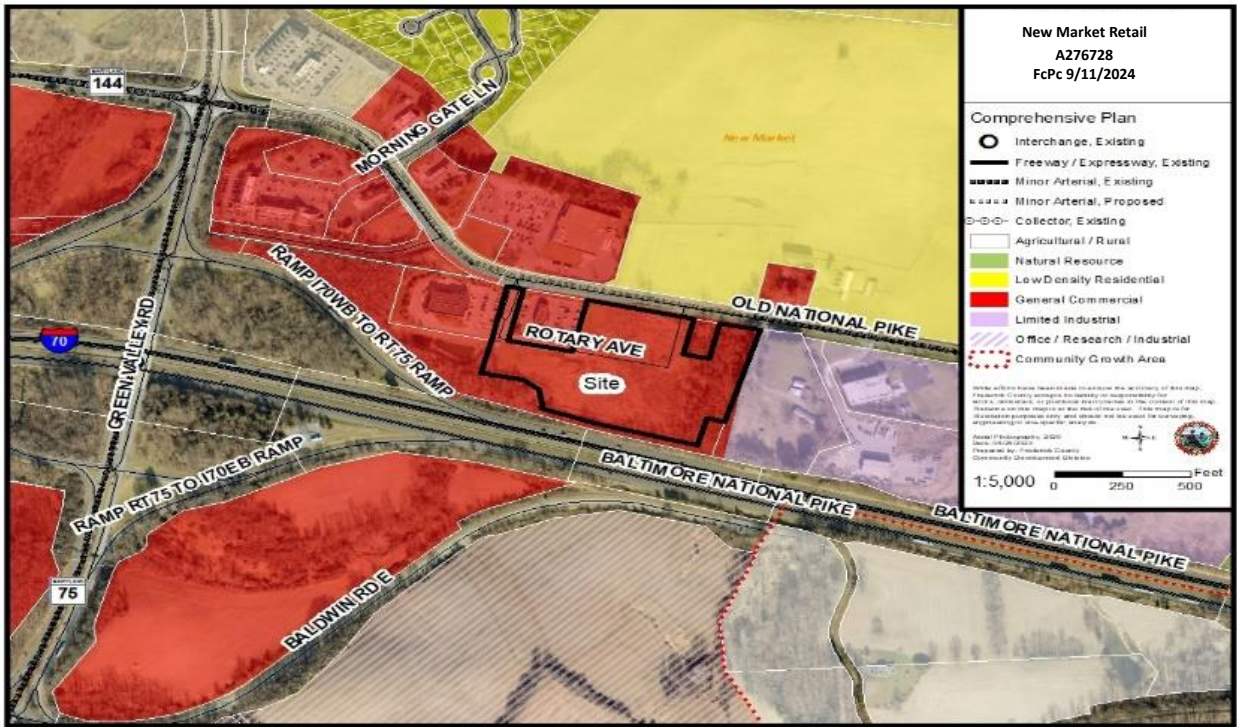
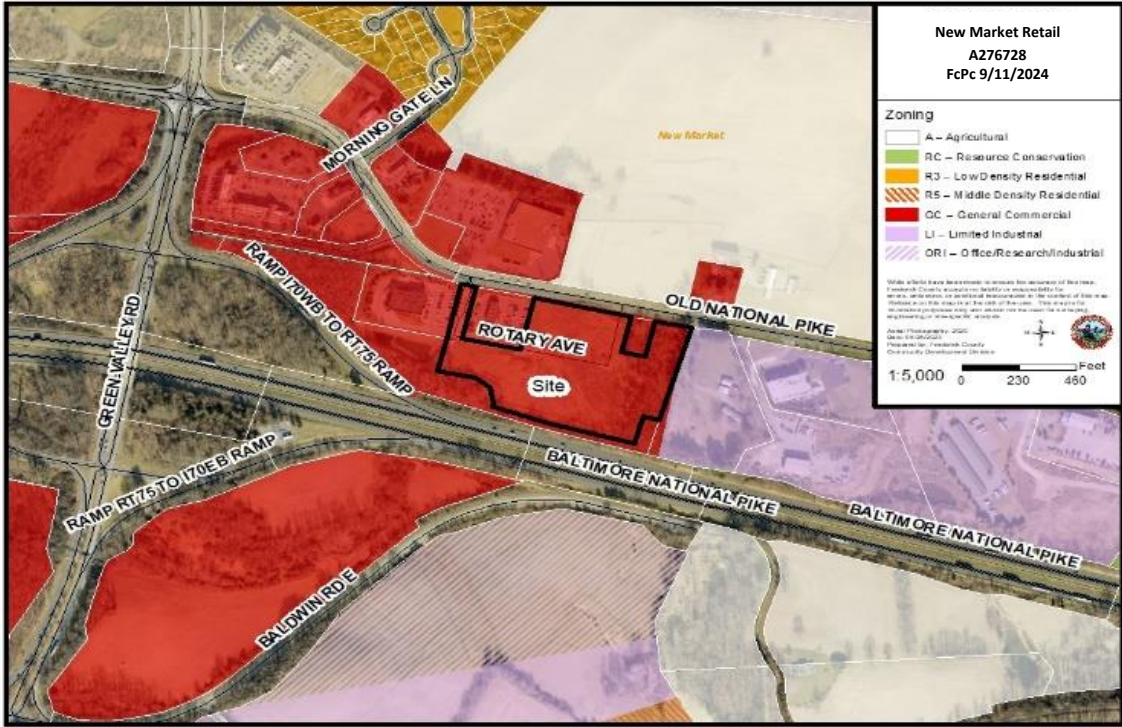


# AERIAL





# ZONING AND COMPREHENSIVE MAP



# ANALYSIS

This Project was originally analyzed with an anticipated trip generation of 140 am and 281 pm weekday peak hour driveway trips and was tested for APFO per Section 1-20-30. A Traffic Impact Analysis from Transportation Resource Group was reviewed and approved based on the requirements of Section 1-20-31. All intersections within the study area were found to be acceptable, thus no road mitigation was required beyond pro rata escrow contributions outlined in the Original LOU.

The Applicant is now requesting to decrease the proposed development peak hour trip generation as detailed in the Traffic Letter from The Traffic Group. The Project is now proposing to generate 85 am and 141 pm weekday peak hour trips due to changes in the anticipated development program. With the reduction in the trip intensity, all intersections within the study area will continue to operate with acceptable levels of service. The Amended and Restated LOU documents the changes to the pro rata escrow contributions and the expiration date of June 14, 2028, remains unchanged.

## **RECOMMENDATION**

Staff finds that this Amended and Restated New Market Retail LOU satisfies the requirements identified in the APFO and its Guidelines. Staff has no objection to the approval of this APFO LOU as it decreases the trip generation of the Project and reduces the impact on the overall road network. If the Planning Commission approves the APFO application and LOU, the APFO approval period of remains unchanged and will expire on June 14, 2028.

# *Alpine*

## *Preliminary Plan*

The Applicant is requesting Preliminary Subdivision Plan approval for 83 single family detached residential units and one non-governmental utility (water tower) outlot located on a +/- 164-acre Site.



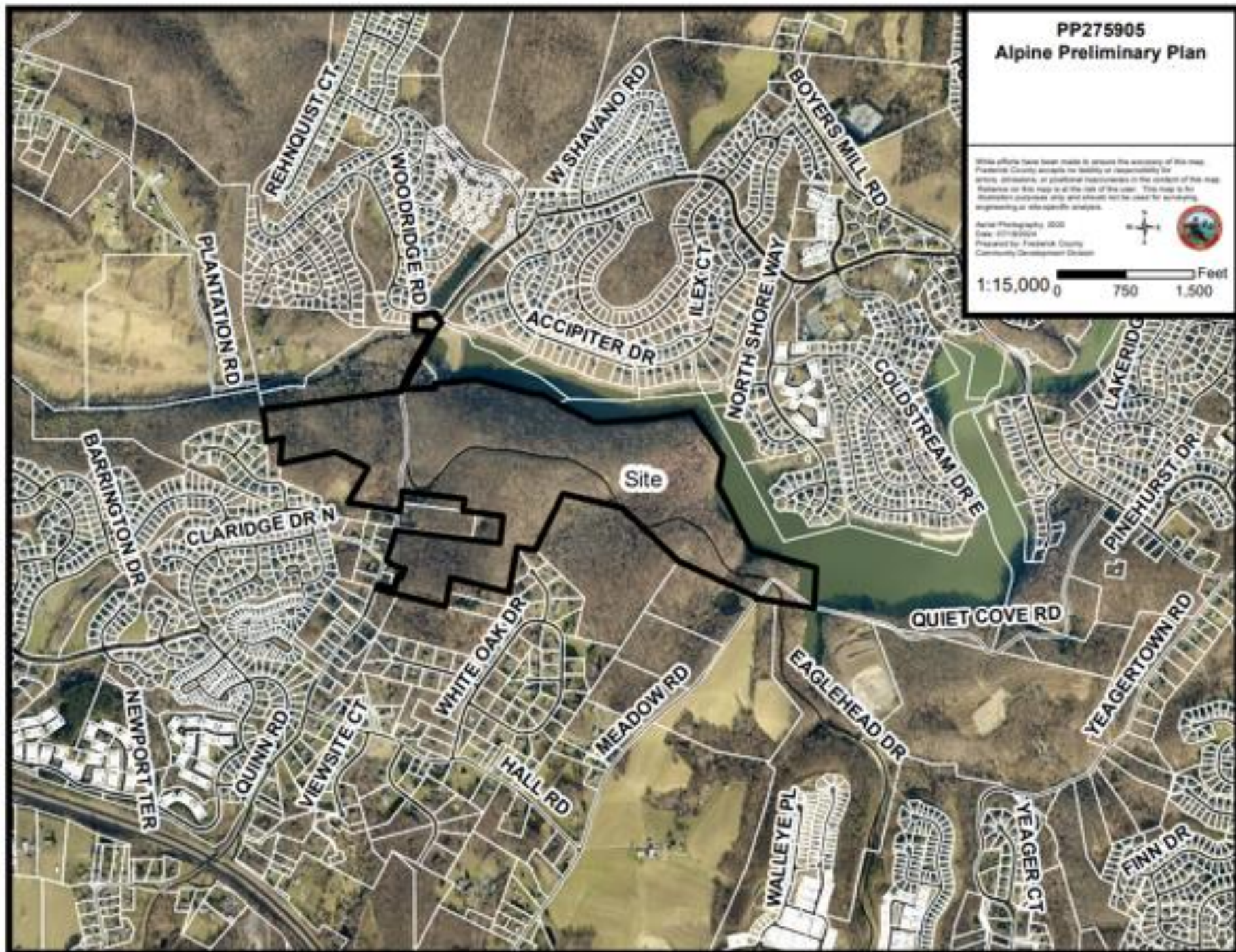
PP275905  
Alpine Preliminary Plan

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Aerial Photography: 2020  
Date: 10/18/2024  
Prepared by: Frederick County  
Community Development Division



1:15,000 0 750 1,500 Feet





PP275905  
Alpine Preliminary Plan

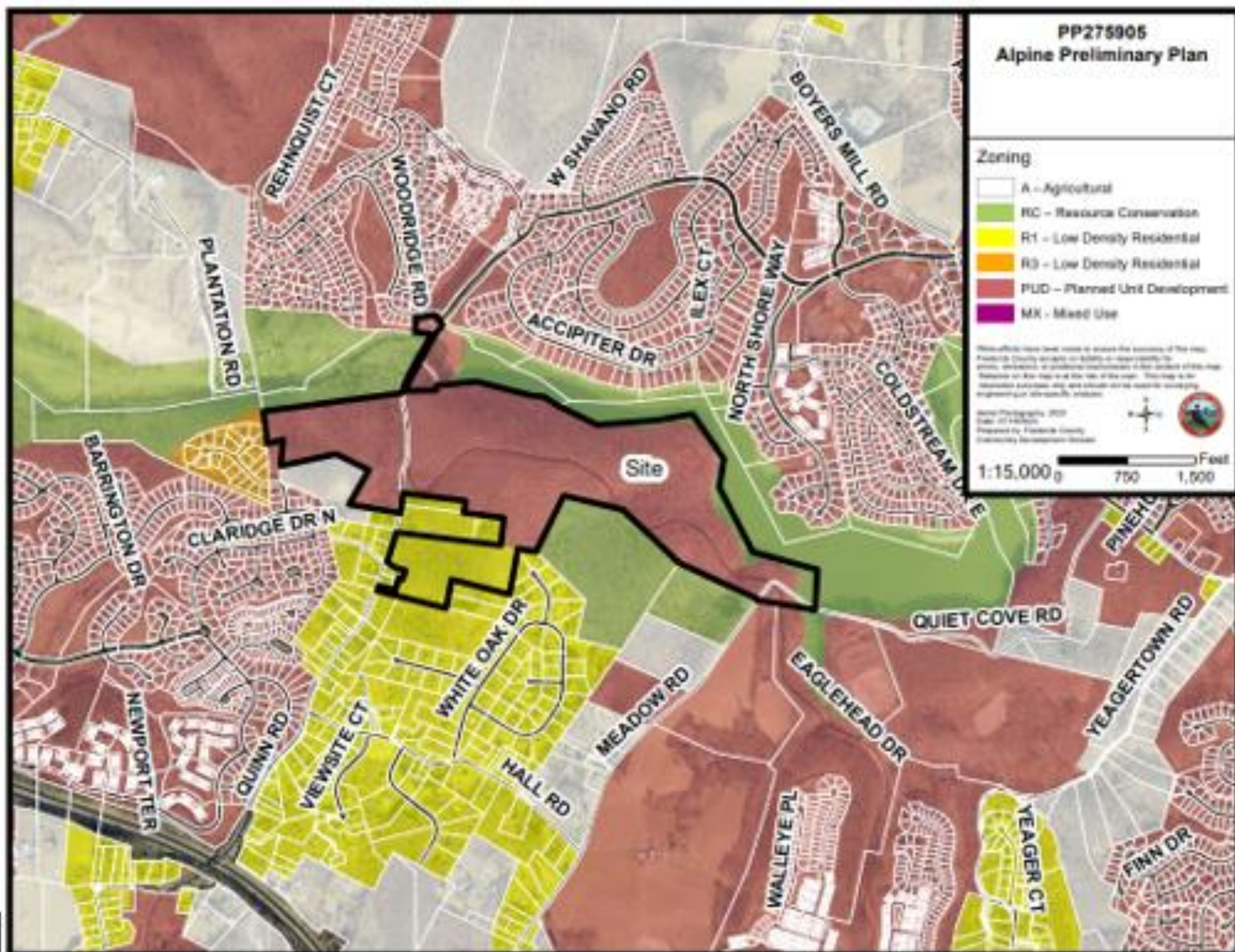
Zoning

- A - Agricultural
- RC - Resource Conservation
- R1 - Low Density Residential
- R3 - Low Density Residential
- PUD - Planned Unit Development
- MX - Mixed Use

This official map has been made to show the boundaries of the map. The map is not a guarantee of the accuracy of the map. The map is not a guarantee of the accuracy of the map. The map is not a guarantee of the accuracy of the map.

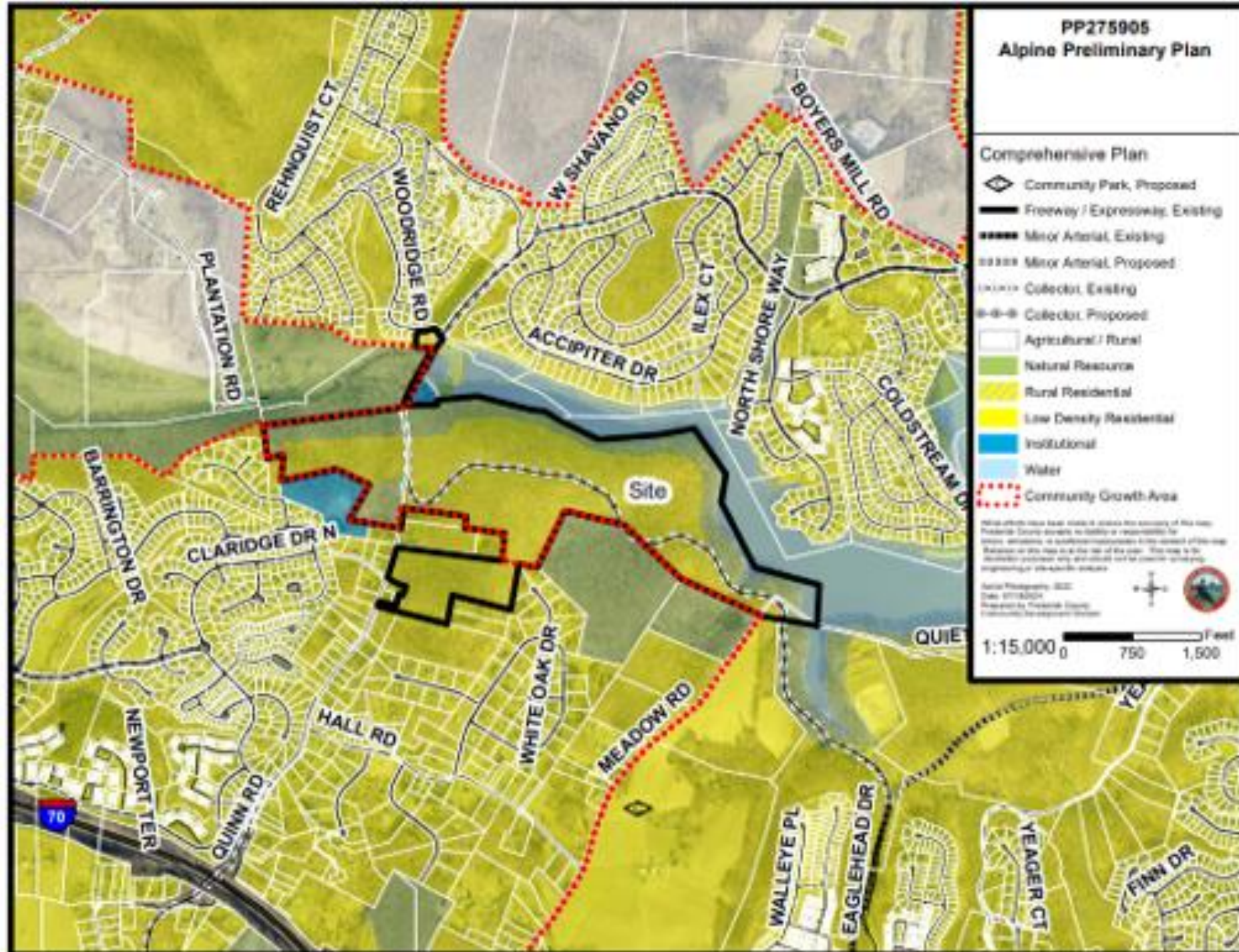
Map Photographs: 2010  
Map of the map  
Prepared by: Frederick County  
University of Maryland System

1:15,000  
750 1,000 Feet





PP275905  
Alpine Preliminary Plan







## **RECOMMENDATION**

Staff has no objection to conditional approval of the Alpine Preliminary Subdivision Plan. If the Planning Commission conditionally approves the Preliminary Subdivision Plan, it is valid for five (5) years from the date of Planning Commission approval (valid until September 11, 2029) and the APFO is valid until July 11, 2038 (in accordance with the DRRA). Therefore, the Preliminary Plan is valid until September 11, 2029.

Based upon the findings and conclusions as presented in the staff report, the application meets or will meet all applicable Subdivision, Zoning, APFO, and FRO requirements once the following modifications are granted and conditions met:

### **Planning Commission approval of the following modification request from the Applicant:**

1. A modification to allow open section roads for lots below the 15,000 sq ft threshold and lot frontage below the 80' threshold per 1-16-109(A)(2).
2. A modification to allow for lots to have access on private roads within a PUD subdivision per 1-16-12(B)(3)(b).
3. A modification to allow a PUD to face on a common open space or private street per 1-19-4.520(B).
4. A modification to allow panhandles within a major subdivision per 1-16-219(C)(2).
5. A modification to allow for the removal of two (2) specimen trees.

### **Staff-proposed conditions of approval:**

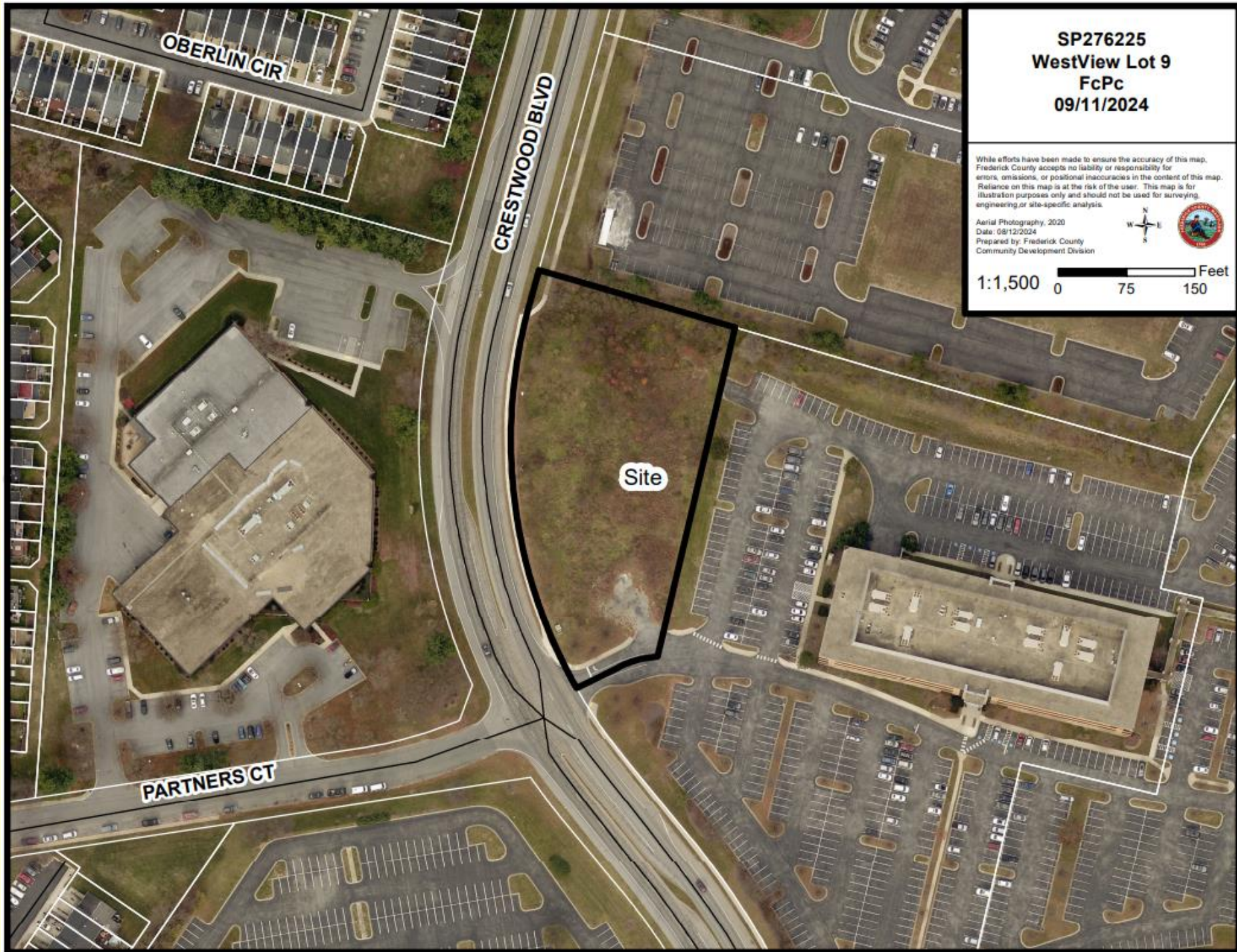
1. The Applicant shall comply with all Staff and agency comments through the completion of the plan.
2. The Preliminary FRO plan must be approved prior to Preliminary Plan approval. A Final FRO plan must be approved and FRO mitigation must be provided prior to lot recordation and prior to applying for grading permits or building permits, whichever is applied for first.
3. The connection between the bridge and Old National Pike via Eaglehead Drive shall be constructed and open to traffic no later than the issuance of the 50<sup>th</sup> building permit, as required by rezoning condition #9.
4. The Applicant shall work with DWSU staff on the phasing and timing of the proposed water tower.
5. Revise Phasing note 50 on the cover sheet of the Preliminary Plan to state that "Prior to the recordation of any lot that will utilize Zone 2 water, the Site Plan for the Zone 3 Water Storage Tank must be unconditionally approved, and the Improvement Plans for the Zone 3 Water Storage Tank approved by the County", and "Prior to the recordation of any lots that will utilize Zone 3 water, DWSU must have determined that the Zone 3 Water Storage Tank is operational within 90 days of completion."



# *Westview Lot 9 – Kiddie Academy*

## *Site Plan*

The Applicant is requesting Site Development Plan approval for a 12,280 sq. ft. building for a child care center located on a 1.78-acre Site.



SP276225  
WestView Lot 9  
FcPc  
09/11/2024

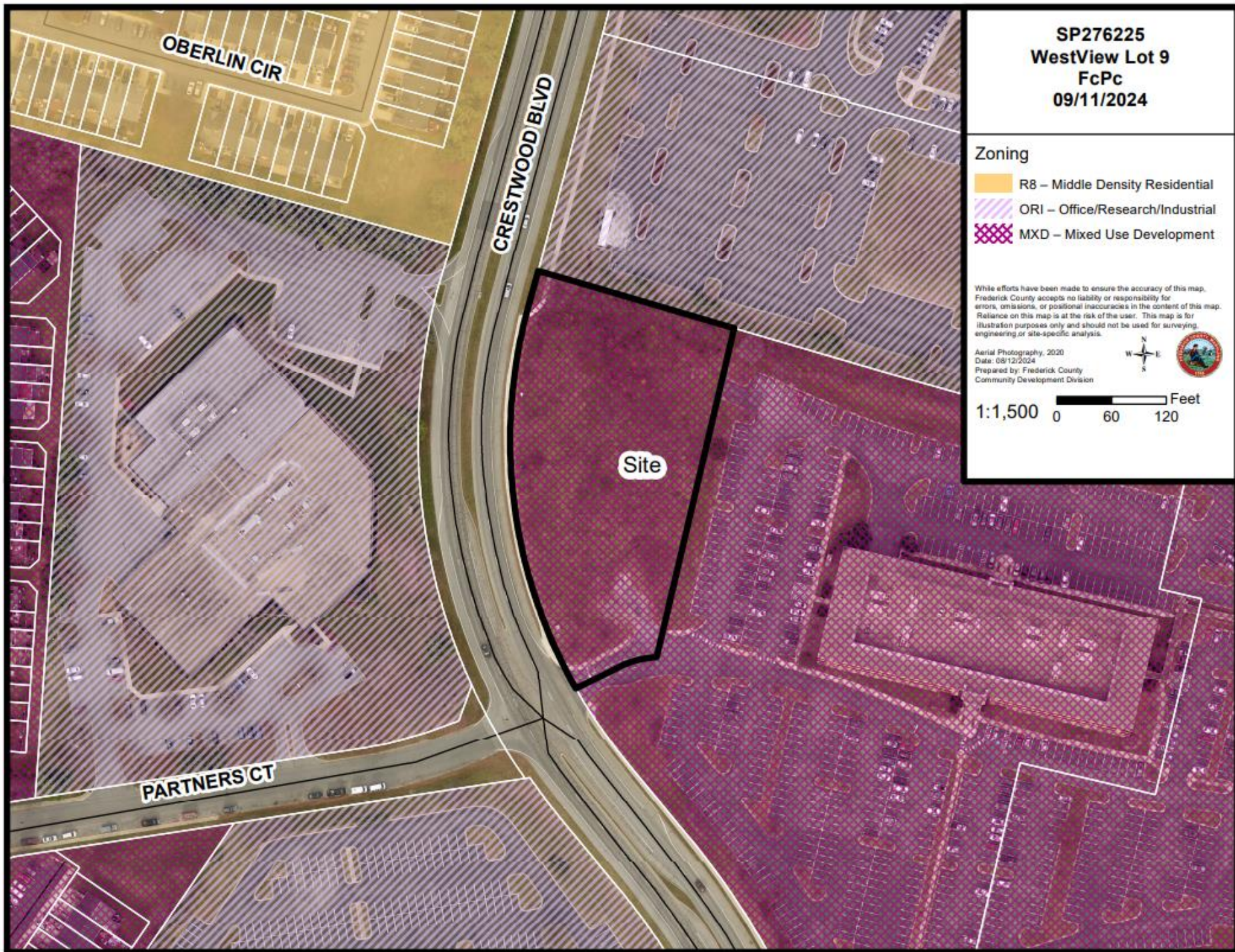
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Aerial Photography, 2020  
Date: 08/12/2024  
Prepared by: Frederick County  
Community Development Division

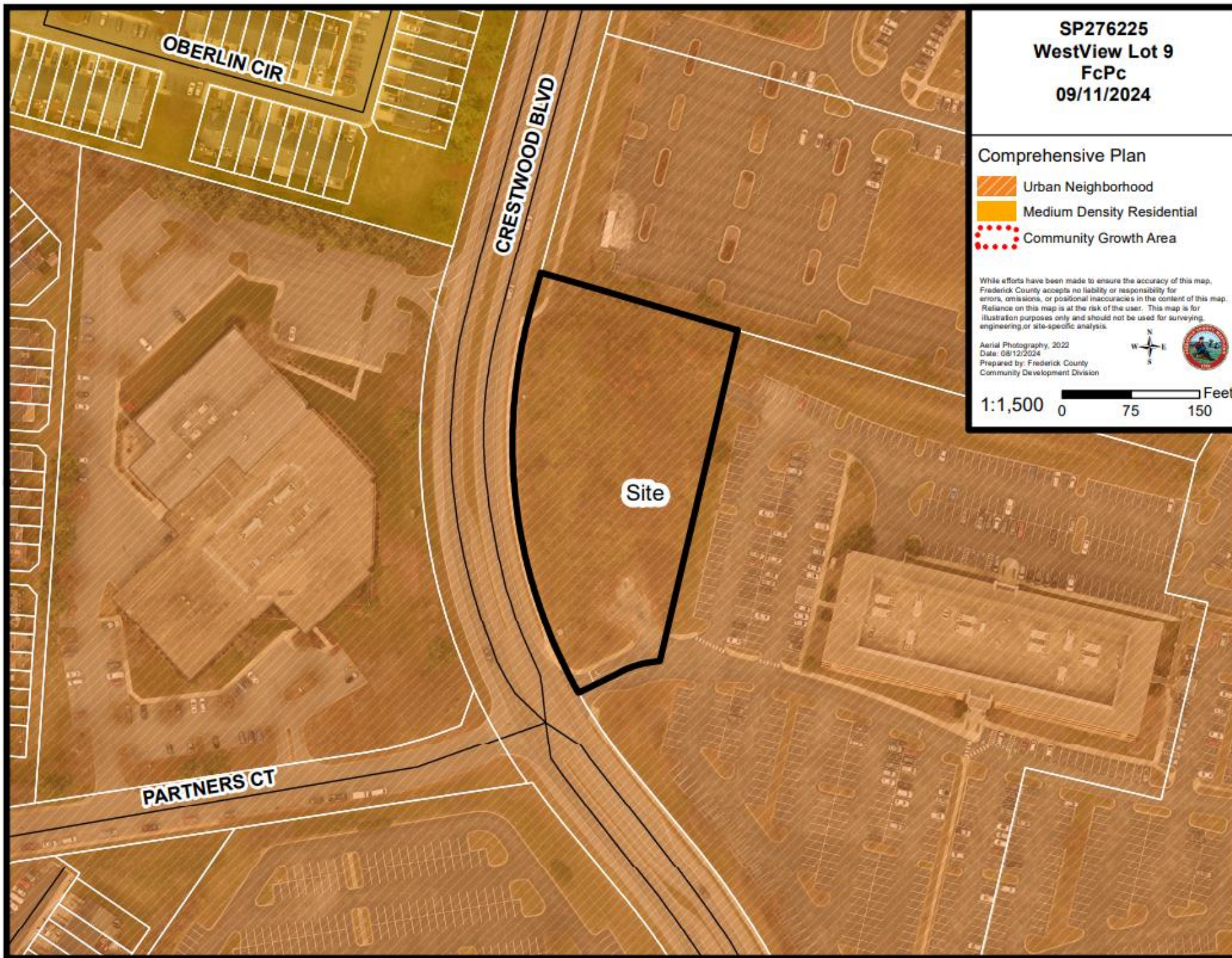


1:1,500 0 75 150 Feet















**3** 3D CONCEPT VIEW - East Facade



**2** 3D CONCEPT VIEW - West Facade



**1** 3D CONCEPT VIEW - Main Entry



# **RECOMMENDATION**

Staff has no objection to conditional approval of the Site Plan for Westview Lot 9 – Kiddie Academy. If the Planning Commission conditionally approves the Site Plan, it is valid for a period of three (3) years from the date of Planning Commission approval (valid through September 11, 2027).

Based upon the findings, conclusions, and modifications as presented in the staff report, Staff finds that the application meets or will meet all applicable Zoning, APFO, and FRO requirements once the following and conditions met and modifications granted:

## **Planning Commission approval of the following modification requests from the Applicant:**

1. Approval of the modification for an alternate street tree planting location to allow 2 of the required 13 street trees to be relocated to the northwest side of the Site.
2. Approval of the modification of the 14-foot maximum height for light poles in a MXD Zoning district to allow 18-foot tall pole mounted lights.
3. Approval of the modification to allow for one small loading space, one fewer than the two small loading spaces that are required.
4. Approval of the modification to allow for parking spaces that are located in the front of the proposed building in an MXD district.
5. Approval of the modification to allow 43 total parking spaces, 9 fewer spaces than the required 52 spaces.

## **Staff-proposed conditions of approval:**

1. Address all agency comments as the plan proceeds through to completion.
2. The Combined Preliminary/Final Forest Conservation Plan must be approved, and mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.

# *Advanced Auto Parts*

## *Site Plan*

The Applicant is requesting Site Development Plan approval for a 6,890 sq ft building for a part sales and installation use located on a 1.16-acre Site.



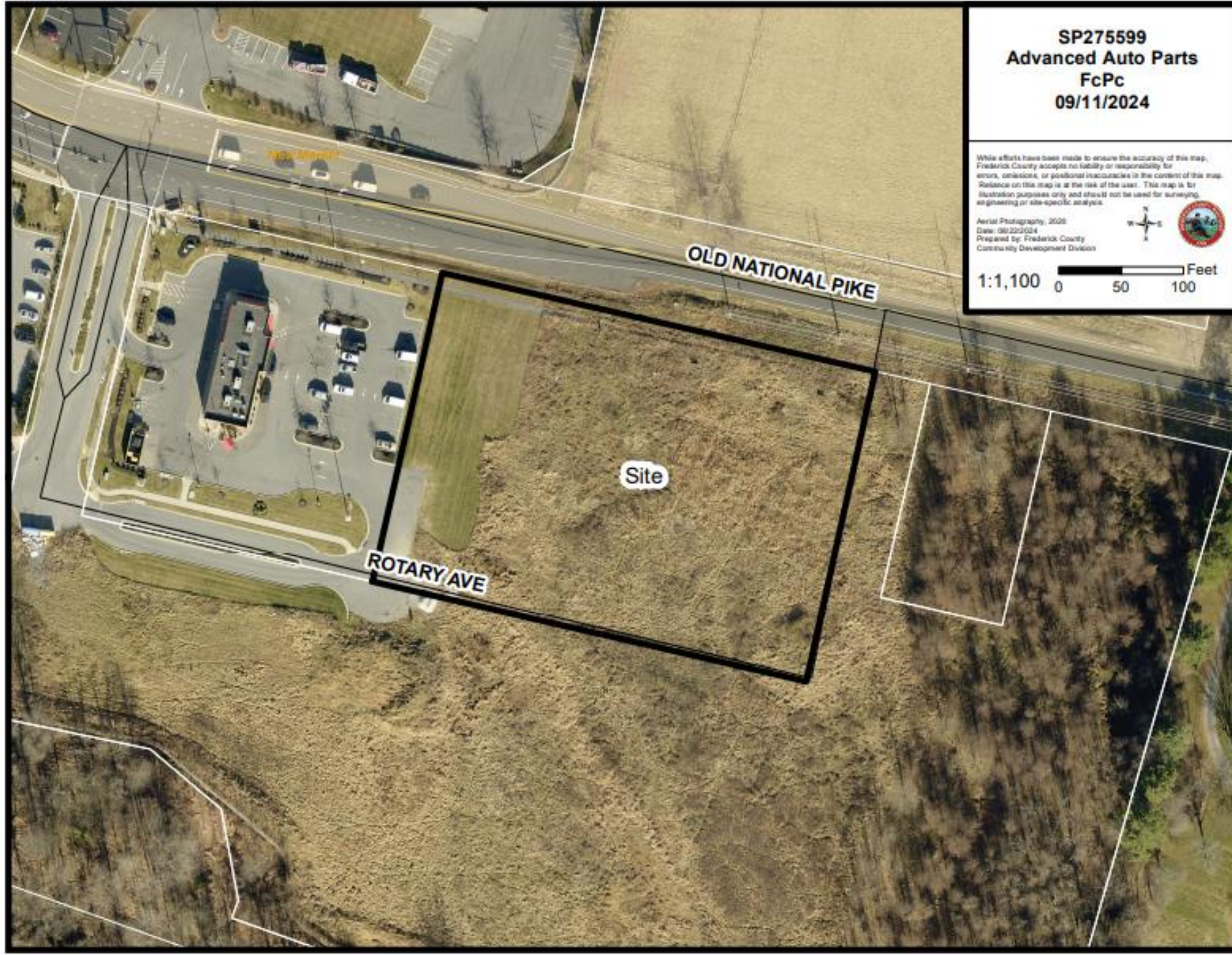
SP275599  
Advanced Auto Parts  
FcPc  
09/11/2024

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Aerial Photography: 2023  
Date: 09/22/2024  
Prepared by: Frederick County  
Community Development Division



1:1,100 0 50 100 Feet





SP275599  
Advanced Auto Parts  
FcPc  
09/11/2024

Zoning

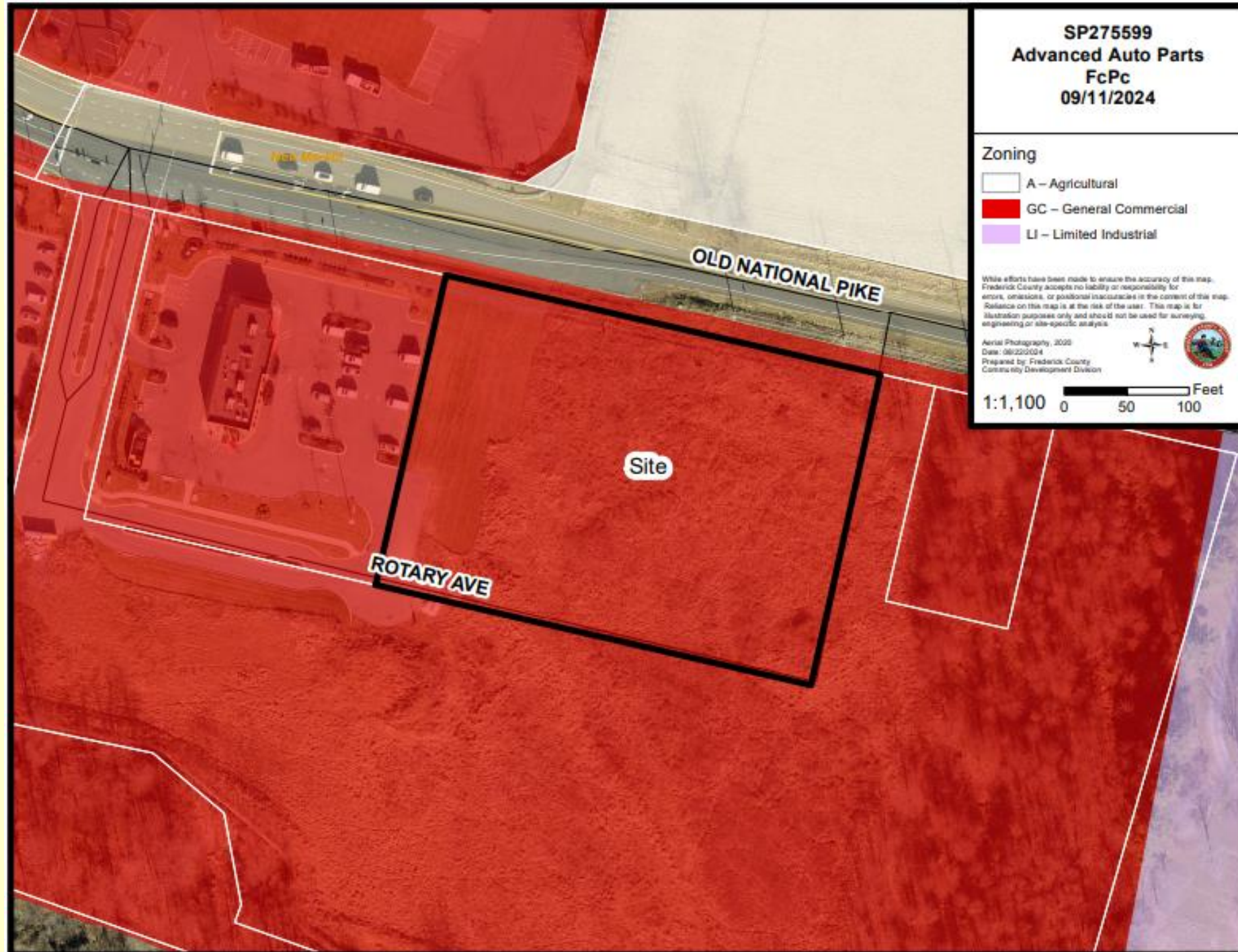
- A – Agricultural
- GC – General Commercial
- LI – Limited Industrial

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Aerial Photography, 2020  
Date: 08/22/2024  
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Community Development Division



1:1,100 0 50 100 Feet





SP275599  
Advanced Auto Parts  
FcPc  
09/11/2024

### Comprehensive Plan

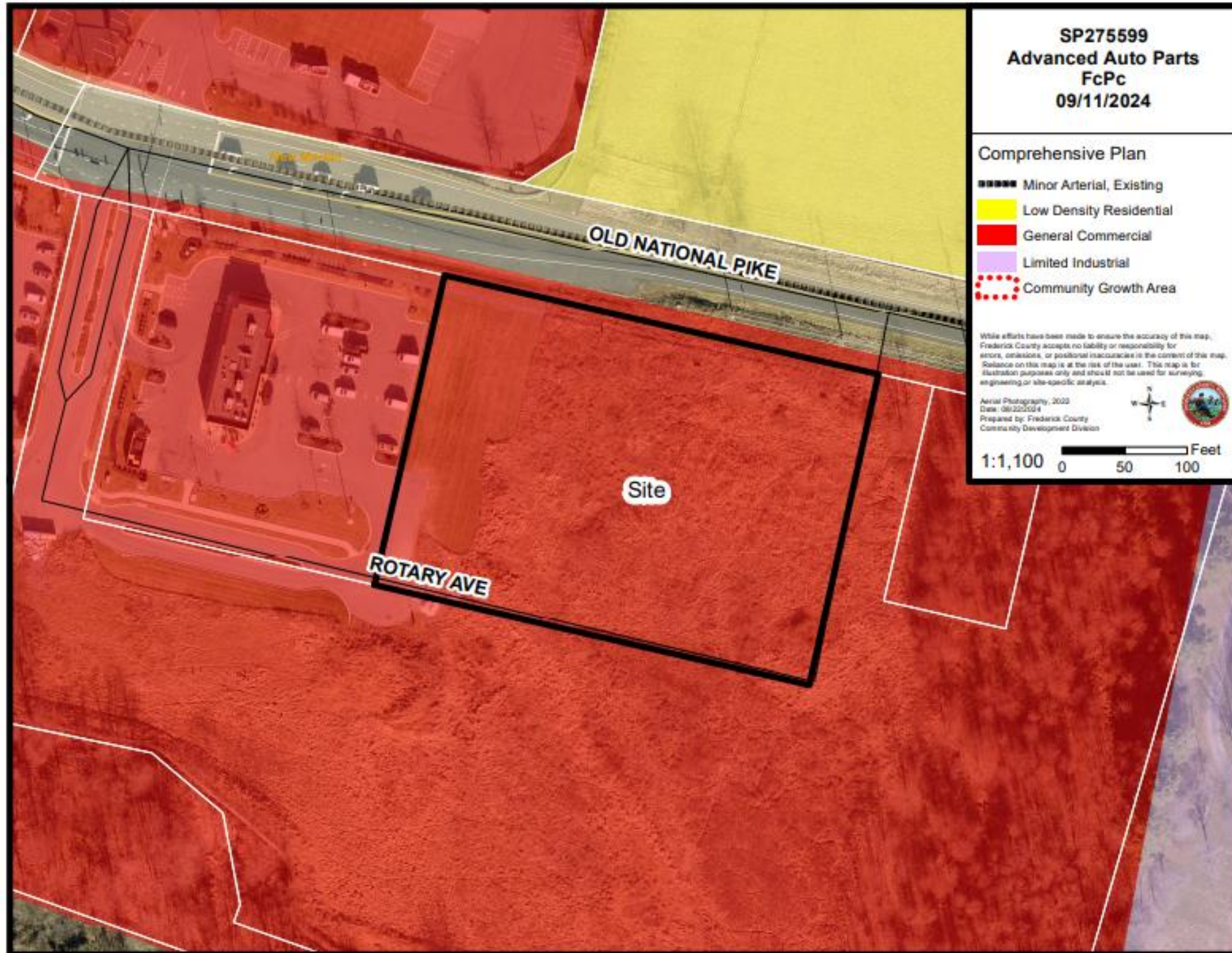
- Minor Arterial, Existing
- Low Density Residential
- General Commercial
- Limited Industrial
- Community Growth Area

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Aerial Photography, 2023  
Date: 08/22/2024  
Prepared by: Frederick County  
Community Development Division



1:1,100 0 50 100 Feet









1 EAST ELEVATION - ENTRY  
SCALE: 1/8" = 1'-0"



2 SOUTH ELEVATION - REAR  
SCALE: 1/8" = 1'-0"



3 WEST ELEVATION  
SCALE: 1/8" = 1'-0"



4 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



CG2M  
STUDIOS



PPG1021-2 SYNCHRONICITY



PPG1000-4 WINTER COCOA



ADVANCE AUTO RED

# **RECOMMENDATION**

Staff has no objection to conditional approval of the Site Development Plan for Advanced Auto Parts. If the Planning Commission conditionally approves the Site Development Plan, the Site plan is valid for a period of three (3) years from the date of Planning Commission approval (valid through September 11, 2027).

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable Zoning, APFO, and FRO requirements once the following conditions are met and modifications are granted:

## **Planning Commission approval of the following modification requests from the Applicant:**

1. Approval of the loading space modification to allow for one large loading space, or one fewer than the required two large loading spaces.
2. Approval of the modification to allow for 43 parking spaces, or 15 more spaces than the required 28 parking spaces.
3. Approval of the light spillage modification to allow for light values to exceed 0.5 footcandles at the internal property lines.
4. Approval of a street tree modification to allow for an alternative street tree planting design for the 11 required street trees.

## **Staff-proposed conditions of approval:**

1. The Applicant shall comply with all Staff and agency comments through the completion of the plan.
2. The site plan cannot receive final approval until the associated final plat has been approved and recorded.



# *Tractor Supply*

## *Site Plan*

The Applicant is requesting Site Development Plan approval for a 21,930 sq ft building for a hardware/garden center use located on a 4.015-acre Site.



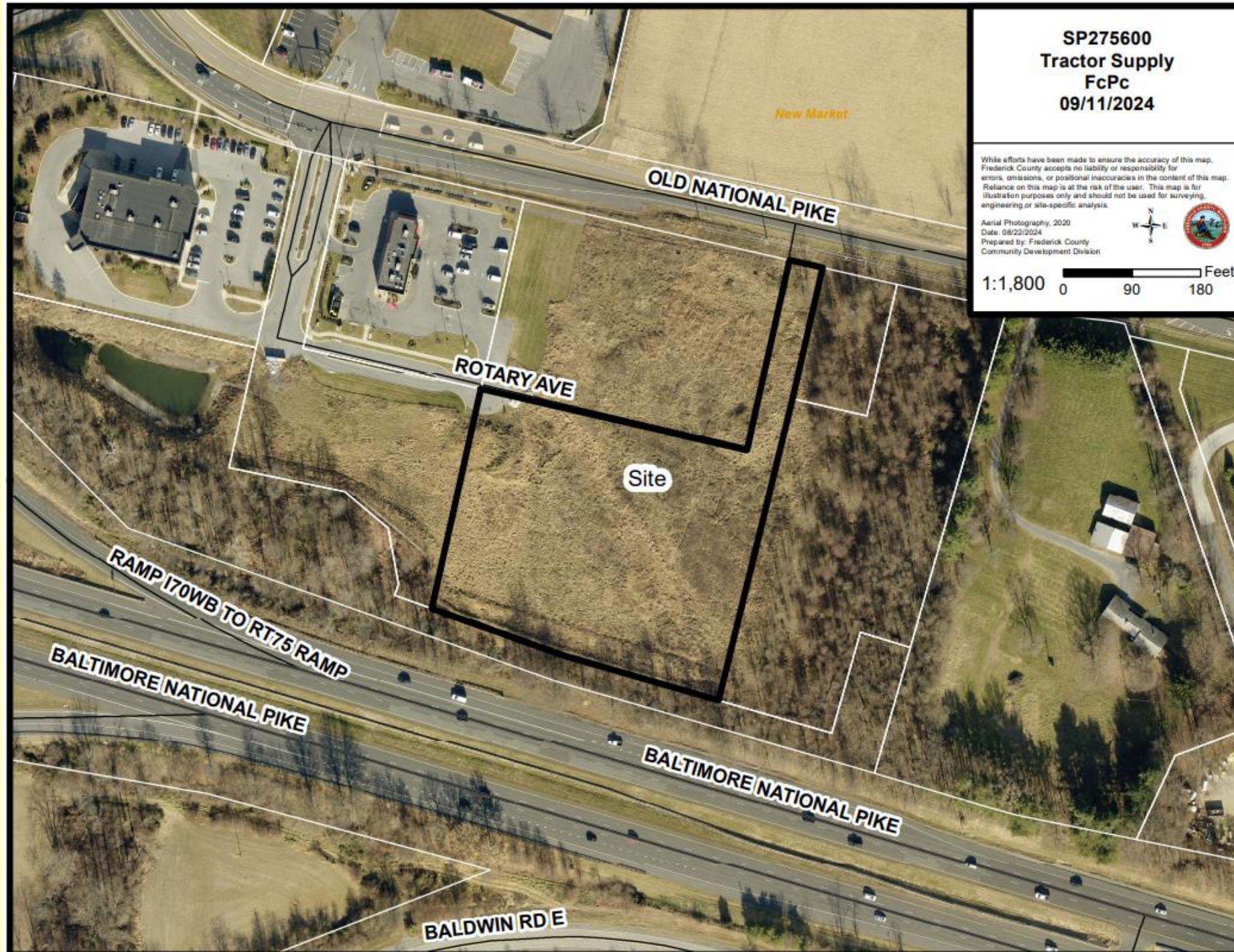
SP275600  
Tractor Supply  
FcPc  
09/11/2024

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Date: 08/22/2024  
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Community Development Division



1:1,800 0 90 180 Feet





SP275600  
Tractor Supply  
FcPc  
09/11/2024

#### Zoning

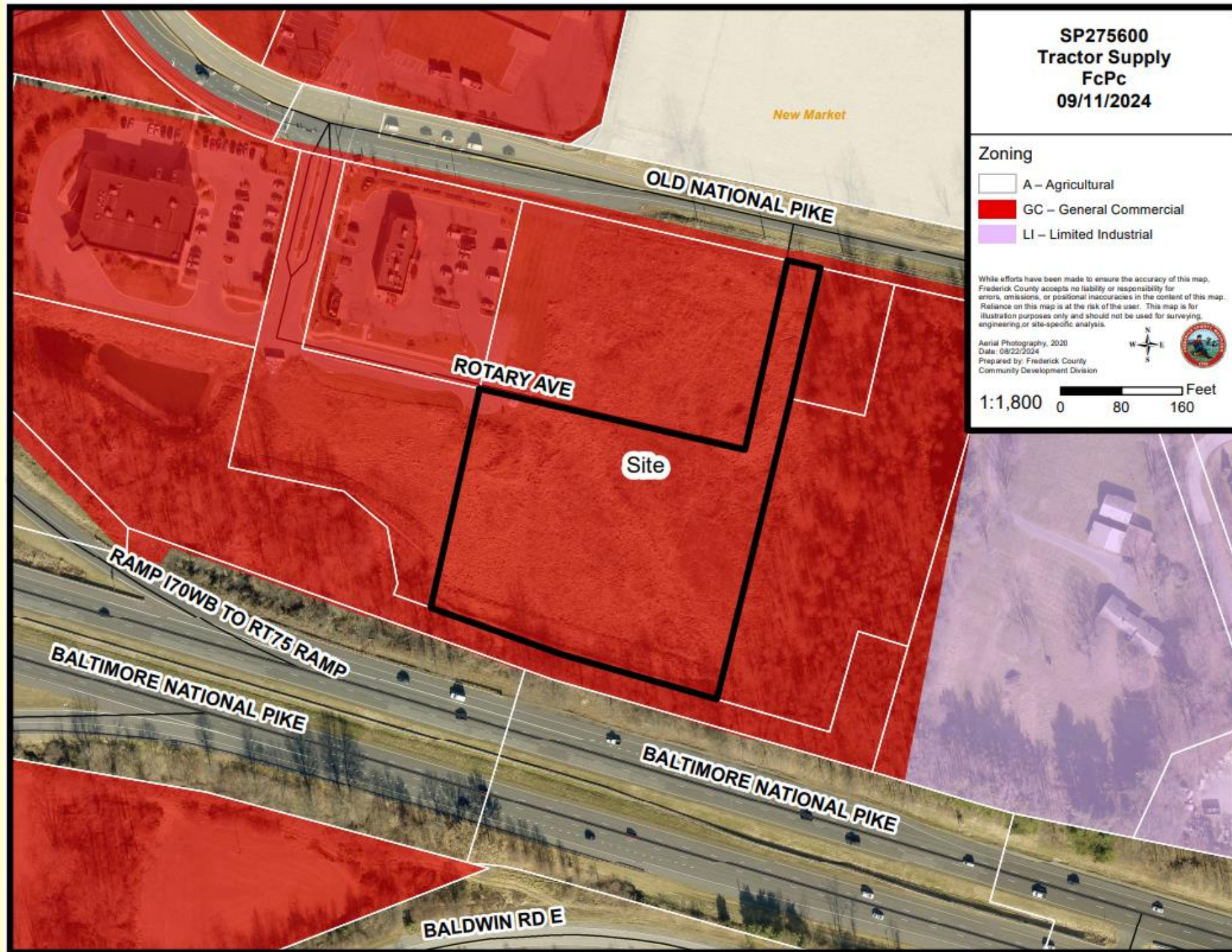
- A – Agricultural
- GC – General Commercial
- LI – Limited Industrial

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1:1,800 0 80 160 Feet





SP275600  
Tractor Supply  
FcPc  
09/11/2024

### Comprehensive Plan

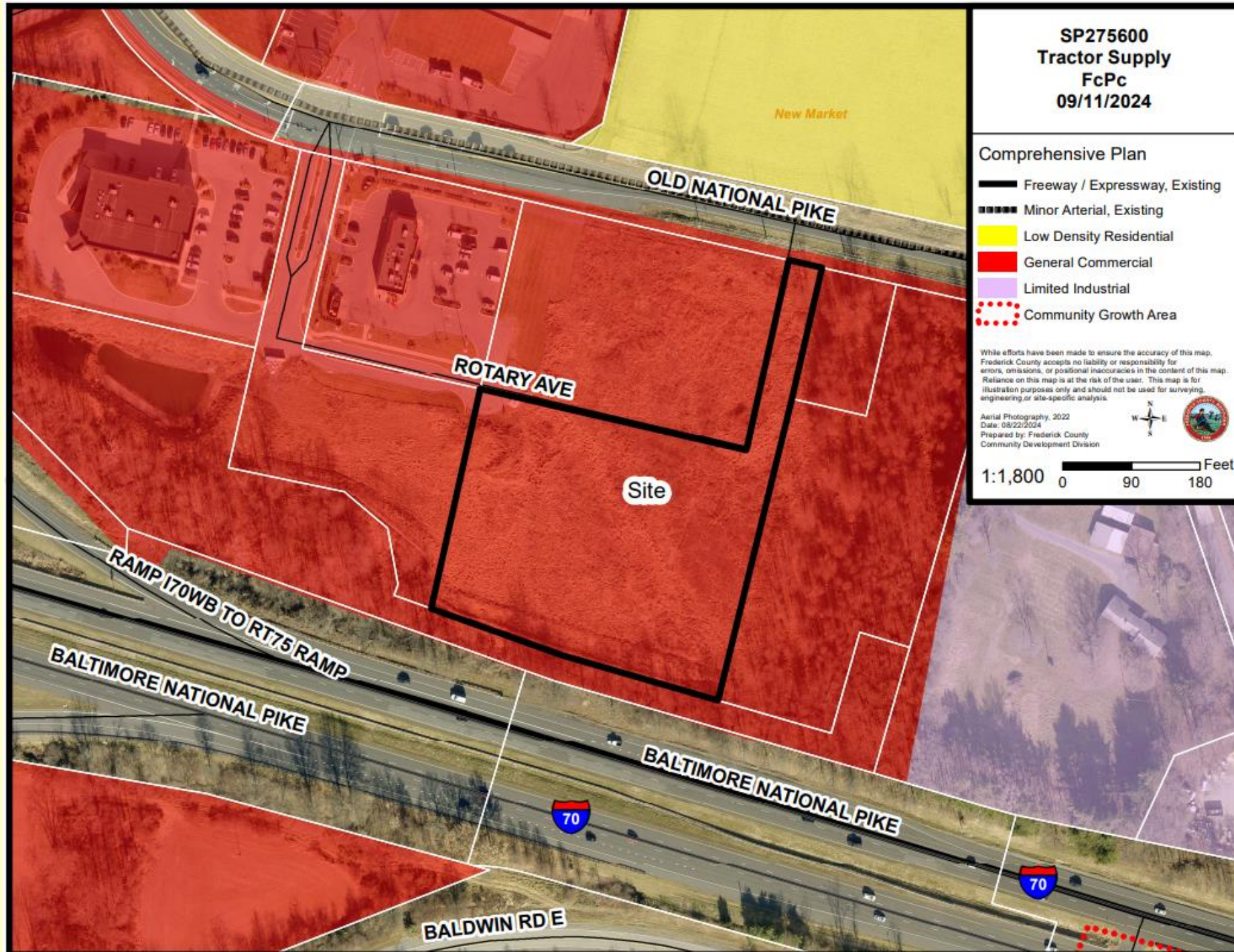
-  Freeway / Expressway, Existing
-  Minor Arterial, Existing
-  Low Density Residential
-  General Commercial
-  Limited Industrial
-  Community Growth Area

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Aerial Photography: 2022  
Date: 08/22/2024  
Prepared by: Frederick County  
Community Development Division



1:1,800  Feet





ROTARY AVE  
PRIVATE ROAD

**ALCON**  
±6,890 S.F.

PROPOSED LOT 4 = 1.16 AC.

**TRACTOR  
SUPPLY CO.**

PROPOSED T.S.C.

OFFICE	10' x 10' FT.
SALES AREA	15' x 30' FT.
OFFICE CODE	50' x 30' FT.
STORAGE	200' x 30' FT.
STREETING WALL	10' x 30' FT.
RECEIVING	200' x 30' FT.
<b>TOTAL AREA</b>	<b>2,100 SQ. FT.</b>

BALTIMORE NATIONAL PIKE  
HANDSOME WOODS CONTROLLED ACCESS RIGHT-OF-WAY  
ON 222' ON 1ST 2ND 3RD 4TH 5TH 6TH 7TH 8TH 9TH 10TH 11TH 12TH  
(STATE ROAD COMMISSION)





# **RECOMMENDATION**

Staff has no objection to conditional approval of the Site Development Plan for Tractor Supply. If the Planning Commission conditionally approves the Site Development Plan, the Site plan is valid for a period of three (3) years from the date of Planning Commission approval (valid through September 11, 2027).

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable Zoning, APFO, and FRO requirements once the following conditions are met and modifications are granted:

## **Planning Commission approval of the following modification requests from the Applicant:**

1. Approval of the modification to allow for 86 parking spaces, or 20 more spaces than the required 66 parking spaces.
2. Approval of the light spillage modification to allow for light values to exceed 0.5 footcandles at the internal property lines.
3. Approval of a street tree modification to allow for an alternative street tree planting design for the 3 required street trees.

## **Staff-proposed conditions of approval:**

1. The Applicant shall comply with all Staff and agency comments through the completion of the plan.
2. The site plan cannot receive final approval until the associated final plat has been approved and recorded.

# ***Flook RE Holding, LLC***

## ***Site Plan***

The Applicant is requesting Site Development Plan approval to convert the existing structures into an auto repair garage and two-family dwelling located on a 0.497-acre Site.





SP276498  
Flook Re Holding LLC  
FcPc, 09/11/2024

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Aerial Photography, 2020  
Date: 08/09/2024  
Prepared by: Frederick County  
Community Development Division



1:1,000 0 50 100 Feet



SP276498  
Flook Re Holding LLC  
FcPc, 09/11/2024

Zoning

-  A – Agricultural
-  R1 – Low Density Residential
-  VC – Village Center

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Aerial Photography, 2020  
Date: 08/16/2024  
Prepared by: Frederick County  
Community Development Division

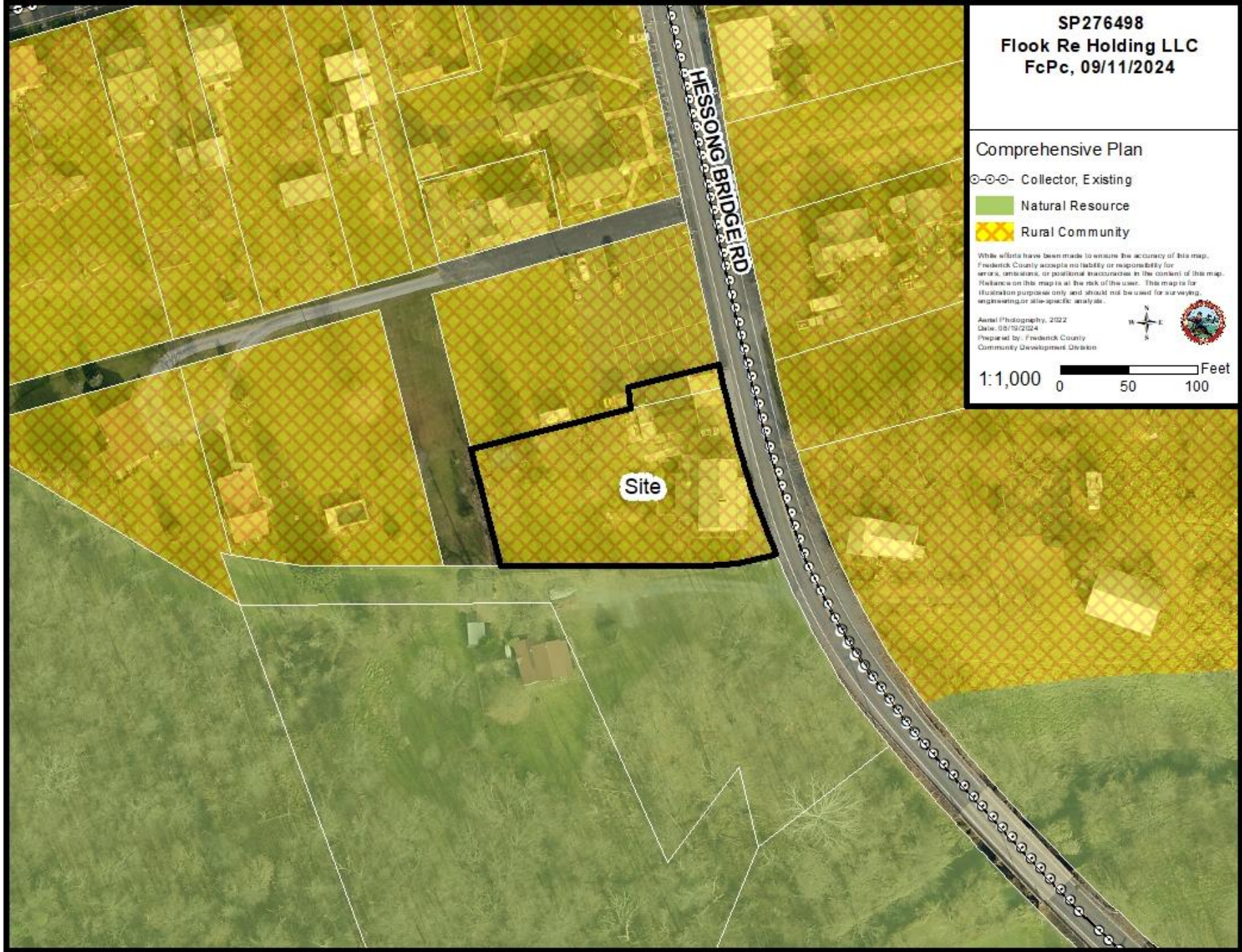


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0 50 100

HESSONG BRIDGE RD

Site







# Looking northwest from Hessong Bridge Road





# Looking west from Hessong Bridge Road

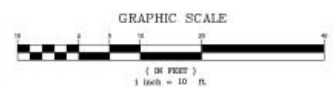




# Looking southwest from Hessong Bridge Road







# **RECOMMENDATION**

Staff has no objection to conditional approval of the Site Development Plan. If the Planning Commission conditionally approves the Site Development Plan, the Site Plan is valid for a period of three (3) years from the date of Planning Commission approval (September 11, 2027).

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable Zoning, APFO, and FRO requirements once the following modifications are granted and conditions are met:

## **Planning Commission approval of the following modification requests from the Applicant:**

1. Approval of a modification under §1-19-6.400(A)(2) to allow for an alternate on-site location for Street Trees.
2. Approval of a modification under §1-19-6.500(G) to allow light spillage exceeding 0.5 foot-candles over the front property line.
3. Approval of a modification under §1-19-6.240 to allow 4 spaces (36%) of the required parking to be located off-Site on the adjacent property by a shared parking agreement.

## **Staff-proposed conditions of approval:**

1. The Applicant shall comply with all Staff and agency comments through the completion of the plan.
2. The Site must be connected to public sewer and the septic system must be properly abandoned under health department direction.
3. The Applicant shall delineate and label a minimum 1,851.3 sf Common Plaza/green area on the Site Plan.
4. The Combined Preliminary/Final Forest Conservation Plan must be approved prior to Site Plan approval. FRO mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.