



FREDERICK COUNTY PLANNING COMMISSION
September 11, 2019

TITLE: Urbana Town Center
The Goddard School

FILE NUMBER: SP13-09, 18908, APFO 18909, FRO 18910

REQUEST: Site Plan Approval

The Applicant is requesting Site Plan approval to construct an 11,063 sf Child Care Center on a 2.1-acre Site.

PROJECT INFORMATION:

LOCATION: Located on the southwest side of Stone Barn Drive, between Sugarloaf Elementary School and the Sunset Ridge Drive extension.

TAX MAP/PARCEL: Tax Map 96, Parcel 22

COMP. PLAN/LAND USE: Office Research Industrial (ORI)

ZONE: Mixed Use Development (MXD)

REGION: Urbana

WATER/SEWER: Water and Sewer Classification: W-3/S-3

APPLICANT/REPRESENTATIVES:

APPLICANT: Urbana Investment Properties II, LLC

OWNER: - same -

ENGINEER: Rodgers Consulting

ARCHITECT: Not Listed

ATTORNEY: Not Listed

STAFF: Graham Hubbard, Principal Planner I

RECOMMENDATION: Conditional Approval

Enclosures:

Exhibit #1 - Site Plan Rendering
Exhibit #2 - Modification Requests Letter

STAFF REPORT

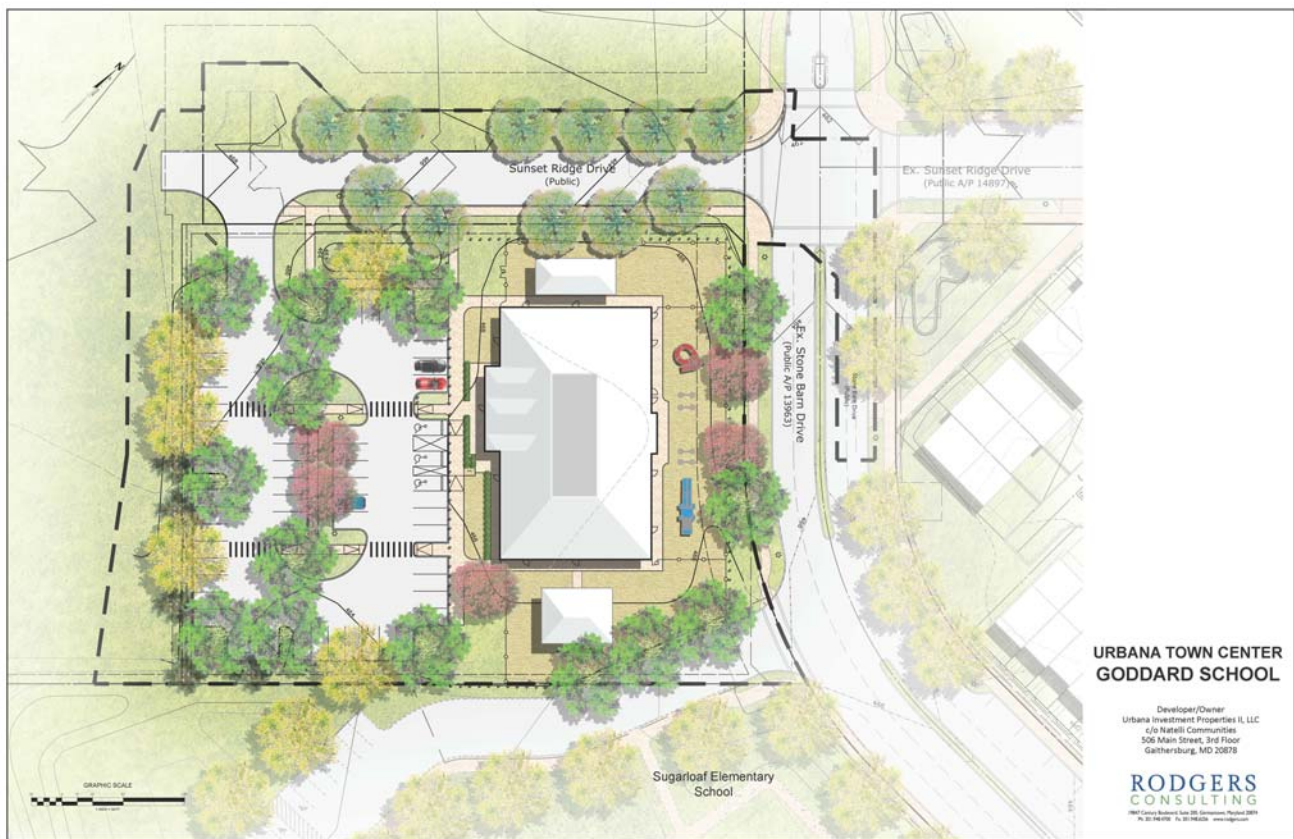
ISSUE

Development Request

The Applicant is requesting Site Plan approval to construct an 11,063 sf Child Care Center on a 2.1-acre Site. The Site is part of the Urbana Town Center community development. The Project is subject to the requirements of the Frederick County Code, specifically Section 1-19-3.300 through 1-19-3.300.4 for Site Development Plan Review. The request is being reviewed as a “Child Care Center” use under the heading of *Institutional* per §1-19-5.310 Use Table in the Zoning Ordinance. The proposed use is being reviewed as part of the fulfillment of the Urbana Town Center Employment District MXD Preliminary Plan (AP 19551).

The Site is zoned ‘Mixed Use Development (MXD)’ and the proposed uses are being reviewed under the §1-19-10.500 (Planned Development Districts) of the Zoning Ordinance.

Figure 1 – Illustrative Plan



BACKGROUND

Existing Site Characteristics

The 2.1-acre Site is located on the southwest side of Stone Barn Drive, between Sugarloaf Elementary School and the Sunset Ridge Drive extension. The Site is situated along the main spine road that serves the community.

The subject Site was originally rezoned to MXD by the Board of County Commissioners (BoCC) in October 2006 as the *Urbana Town Center Employment District* in Ordinance # 06-31-427. The MXD approval allowed for development of up to 1,950,000 square feet of employment uses, 50,000 square feet of commercial/retail uses, and up to 500 age-restricted dwelling units. The Preliminary Plan has been updated to reflect this Site. This lot must be recorded prior to applying for building permits.

Figure 2 – Site Aerial – Existing Conditions

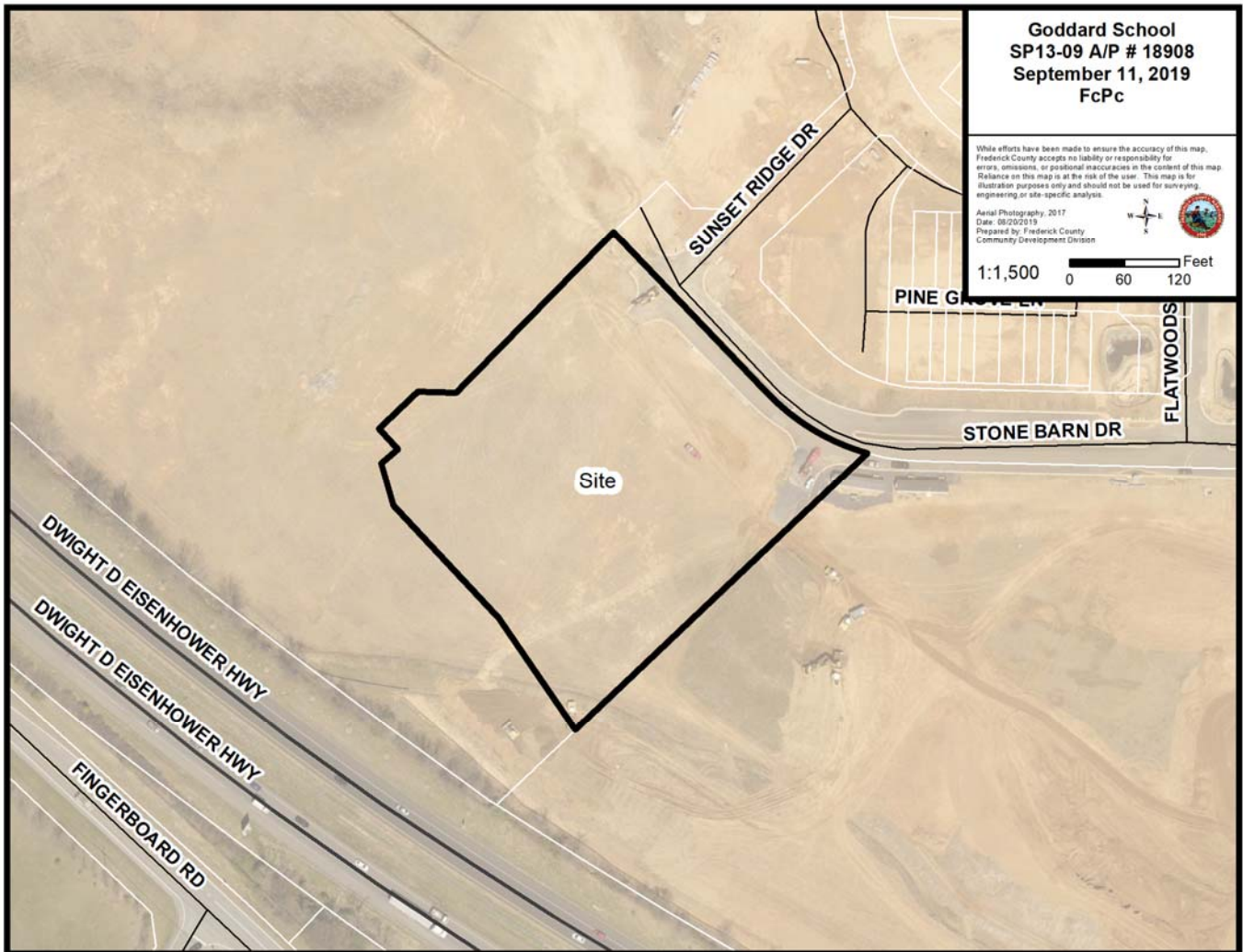
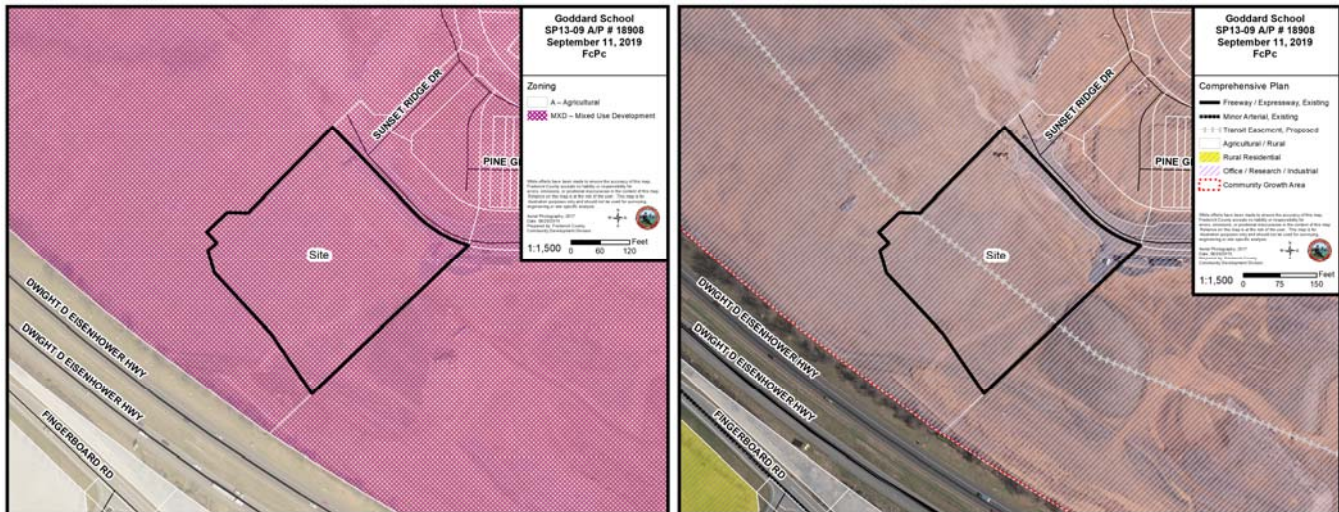


Figure 3 – Zoning / Comprehensive Plan



ANALYSIS

Summary of Development Standards Findings and Conclusions

The primary issues associated with this development are:

- Adequacy of the Site Plan in providing convenient access to the residents of the Urbana Town Center community development.
- Demonstrating compliance with site design standards.

Modification Requests:

1. §1-19-6.220(A)(2): The Applicant is requesting a parking space modification to allow for 55 parking spaces, or 2 more spaces than the required 53 spaces.
2. §1-19-6.210(D): The Applicant is requesting a loading space modification to allow 1 shared small loading space/parking space, or 1 fewer space than the required 2 small loading spaces.
3. §1-19-6.400(A): The Applicant is requesting a street tree modification to provide an alternative landscape plan to meet the street tree requirements.

Detailed Analysis of Findings and Conclusions

Site Plan Approval shall be granted based upon the criteria found in:

Site Development §1-19-3.300.4 (A): Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.

Findings/Conclusions

1. **Dimensional Requirements/Bulk Standards §1-19-10.500.6(H)(2):** The proposed setbacks (as detailed on Sheet 1 of 12) include the following; 25-foot front yard, 5-foot side yard, with a maximum height of 30 feet. The proposed setbacks are developed in accordance with the standards listed in Zoning Ordinance Section 1-19-10.500.6(H)(2).

2. **Signage §1-19-6.300:** ~~The maximum signage allowed for “Institutional” (Sign Type 4a) is 149.66 sf (10vf). Signage height must not exceed 12 ft. and signage must be setback 12.5 feet from the front property lines and 2.5 feet from the side property lines. One (1) sign is allowed per street frontage. The applicant is proposing 77.56 sf of building mounted signage and 16.84 sf of free standing signage for a total of 94.40 sf of signage.~~

The appropriate sign category for this private school is “Schools” (Sign Type 4). The maximum signage allowed for this use is 32 sf. Signage height must not exceed 12 ft. and signage must be setback 5 feet from the front property line and 12.5 feet from the side and rear property lines. One (1) sign is allowed per street frontage. The Applicant must revise the proposed signage as a condition of approval, to be met under Condition 1 (address agency comments).

3. **Landscaping §1-19-6.400:** The landscape plan contains a variety of plant species, which provide screening and shade for the Child Care Center. The plan proposes a mix of evergreens, deciduous trees, and shrubs. Parking lot canopy coverage exceeds the 20% required.

The provision for street trees in the proposed development is regulated under Section 1-19-6.400(A)(1) of the Zoning Ordinance and states that the Applicant must provide “One tree, at least 6 feet in height at the time of planting...per 35 feet of [public] roadway frontage.”.

The Applicant is requesting approval of a Street Tree Modification Request under §1-19-6.400(A) to provide an alternative landscape plan to meet the street tree requirements (see Exhibit #2). This alternate landscape plan proposes additional trees outside of the right-of-way, due to conflicts with intersection sight distance, lighting, and utilities.

Street Trees required: **15 trees** [529 lf / 35 = 15.11]
Street Trees provided: **15 trees**

4. **Lighting §1-19-6.500:** The Applicant has provided a photometric plan documenting proposed lighting levels on the Site, which do not exceed 0.5 foot-candles at, or beyond, the property boundaries. Per Section 1-19-6.500(B)(1) of the Zoning Ordinance, lighting fixtures in the MXD “...in pedestrian oriented developments including pedestrian components in...Mixed Use Development...” cannot exceed 14’ in height. The Applicant has proposed 12.5’ light poles, as measured from the ground to the point of illumination.

Transportation and Parking §1-19-3.300.4 (B): *The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.*

1. **Access/Circulation:** One 24’ wide entrance is proposed on Sunset Ridge Drive. Loading and unloading is facilitated by a small loading space near the dumpster enclosure.
2. **Public Transit:** There is no local bus service for this Site.
3. **Parking:** Pursuant to Section 1-19-6.220 of the Zoning Ordinance for a Child Care Center, 1.5 parking spaces are required for each employee plus 1 space for every 10 children approved for care. The Child Care Center will have 24 employees and 162

students. This equates to 53 parking spaces required $((24 \times 1.5) + (162/10) = 36 + 17 = 53)$. The Site Plan proposes 55 parking spaces, which includes three (3) handicap spaces. The Applicant has submitted a Modification Request (Exhibit #2) seeking FCPC approval to allow for 2 additional proposed spaces. The justification letter notes that the Goddard School has requested as much parking as possible due to its logistical experiences at other facilities, particular the existing facility on Carriage Hill Drive.

4. **Pedestrian Circulation and Safety §1-19-6.220 (G):** Internal sidewalks are provided throughout the parking bays and surrounding the building. A sidewalk stub extends from the midpoint of the northwest property line to the sidewalk along Sunset Ridge Drive. The sidewalk system proposed effectively connects the Site to the greater sidewalk network within the Urbana Town Center community development.
5. **Bicycle Parking §1-19-6.220 (H):** Bicycle parking shall be provided as follows in accordance with the Zoning Ordinance:

Required: 1 rack (1 rack per 20,000 sf of GFA, minimum 1 = $11,063/20,000 = 0.55$)
Provided: 1 rack

A covered bicycle rack is located at the front of the building, within 50 feet of the entrance.

Public Utilities §1-19-3.300.4 (C): *Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.*

Findings/Conclusions

1. **Public Water and Sewer:** The Site is to be served by public water and sewer and is classified as W-3/S-3 in the Frederick County Water and Sewer Plan.

Natural features §1-19-3.300.4 (D): *Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.*

Findings/Conclusions

1. **Topography:** The Site is relatively flat, dropping from a high point along the southern boundary (470 feet) to a low point at the northern corner (462 feet) at the intersection of Stone Barn Drive and Sunset Ridge Drive.
2. **Vegetation:** The Site has been mass graded and is devoid of vegetation.
3. **Sensitive Resources:** No streams, wetlands, flooding soils, FEMA floodplain, or steep slopes, are located on the Site.
4. **Natural Hazards:** There are no natural hazards located on site that affect the development proposal.

Common Areas §1-19-3.300.4 (E): *If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.*

Findings/Conclusions

No common areas are required or proposed.

Other Applicable Regulations

Adequate Public Facilities Ordinance (APFO) – Chapter 1-20

1. Schools: This development is not a residential use and is therefore exempt from schools APFO testing.
2. Water/Sewer: This development met the requirements of APFO at preliminary plat and is therefore exempt from further APFO testing at Site Plan. (§1-20-7(E)).
3. Roads: This development met the requirements of APFO at preliminary plat and is therefore exempt from further APFO testing at Site Plan. (§1-20-7(E)). The use does not exceed trip intensity capacities established in the original LOU approved on June 13, 2013 nor in the Third Amendment to the LOU approved on June 13, 2018.

The LOU for Urbana Town Center Employment District MXD (a.k.a. Northern MXD) is combined with several other Urbana projects. The effective date of the original LOU is June 13, 2013. The effective date of the Third Amendment to the LOU is June 13, 2018. APFO approval expires on June 13, 2031.

Forest Resource Ordinance (FRO) – Chapter 1-21

This 4.2-acre Site was included in the Forest Conservation Plan for the Urbana Town Center development that was approved on February 18, 2014 under AP 14257. FRO mitigation is provided by forest planting and forest retention easement recordation within the greater Urbana Town Center development.

Historic Preservation – Chapter 1-23

No historic resources are affected by the proposed development.

Findings/Conclusions

Based upon the review and analysis as provided above, Staff finds that the proposed application meets or will meet the Site Plan review criteria as set forth in §1-19-3.300.4 including items related to site development, transportation, parking, public utilities, natural features, and common areas. Staff will continue to work with the Applicant as the project moves through the remainder of the development process to address all outstanding items as discussed in this Staff Report.

Summary of Agency Comments

Other Agency or Ordinance Requirements	Comments
Development Review Engineering (DRE):	Conditionally approved
Development Review Planning:	Conditionally approved

<i>Other Agency or Ordinance Requirements</i>	<i>Comments</i>
<i>State Highway Administration (SHA):</i>	Waived
<i>Div. of Utilities & Solid Waste Mgmt. (DUSWM):</i>	Conditionally approved
<i>Forest Resource (FRO)</i>	Approved
<i>Health Dept.</i>	Approved
<i>Office of Life Safety</i>	Approved
<i>Street Naming</i>	Approved
<i>DPDR Traffic Engineering</i>	Approved

FINDINGS

Based on the discussion in this report and with the conditions listed below, Staff finds that the application meets and/or will meet all applicable Zoning, Subdivision, APFO and FRO requirements once the conditions of approval have been met and requested modifications granted.

RECOMMENDATION

Staff has no objection to conditional approval of the Site Plan for the Goddard School at Urbana Town Center. 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, 2022).

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 modifications are granted and conditions met:

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

1. Approval of a Parking Modification Request under §1-19-6.220(A)(2) to allow for 55 parking spaces, or 2 additional spaces than the required 53 spaces.
2. Approval of a Loading Space Modification Request under §1-19-6.210(D) to allow 1 shared small loading space/parking space, or 1 fewer space than the required 2 small loading spaces.
3. Approval of a Street Tree Modification Request under §1-19-6.400(A) to provide an alternative landscape plan to meet the street tree requirements.

Staff-proposed conditions of approval:

1. Address all agency comments as the plan proceeds through to completion.
2. Lot must be recorded prior to applying for building permits.

PLANNING COMMISSION ACTION

I move that the Planning Commission **APPROVE** the **Site Plan (SP13-09, AP 18908) with conditions and modifications** as listed in the staff report for the proposed **Goddard School at Urbana Town Center**, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

Exhibit 1 – Site Plan Rendering

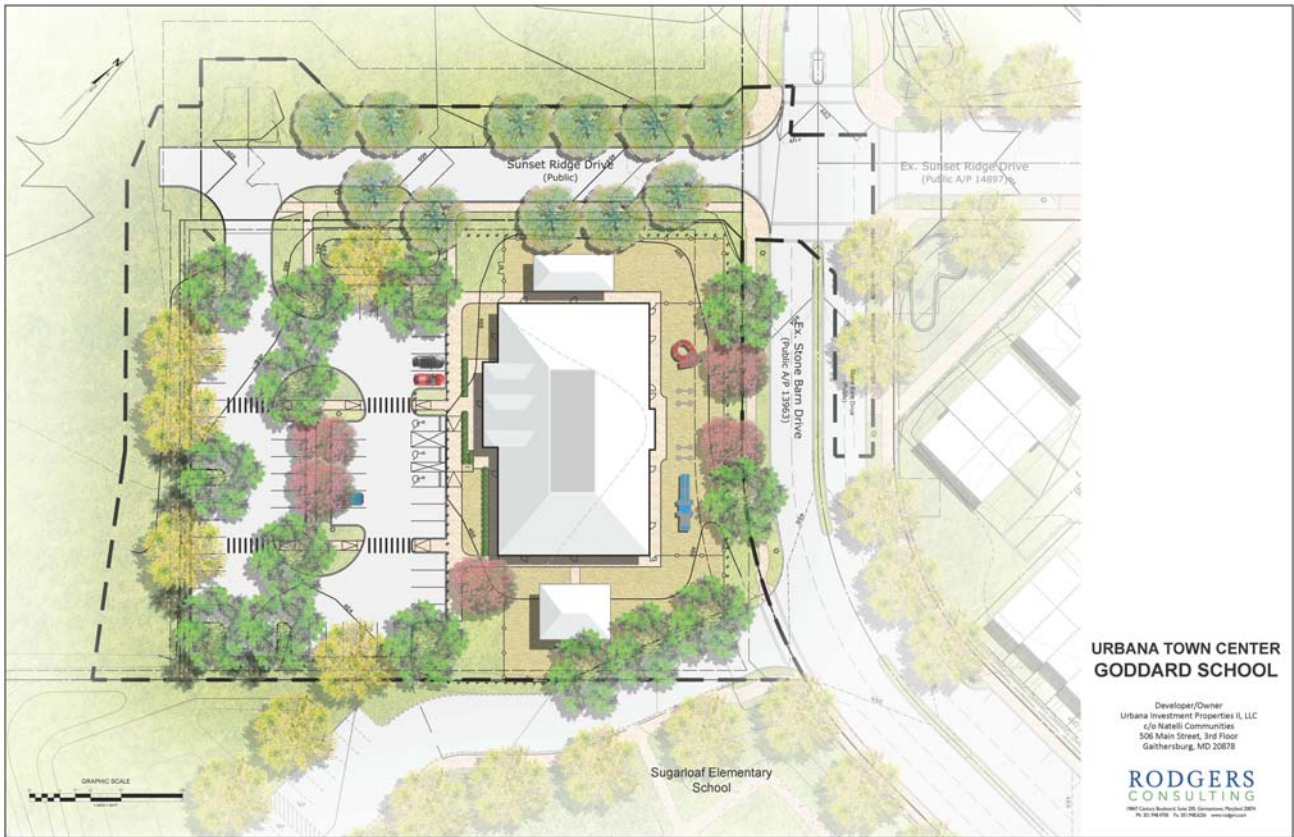


Exhibit 2 – Modification Requests Letter



August 19, 2019

Mr. Graham Hubbard
Frederick County
Development Review Planning
30 North Market Street
Frederick, MD 21701

Re: Urbana Town Center
The Goddard School
Site Plan, FCPC Submittal
SP13-09, A/P 18908

Dear Graham,

On behalf of Urbana Investment Properties II, LLC, developer of The Goddard School, we herein submit this Site Plan for the September 11th Frederick County Planning Commission meeting. The Preliminary Plan for this lot is proposed with A/P 19551.

This site plan proposes parking, loading space, street tree modifications.

1. Section 1-19-6.220(4) requires 1.5 parking spaces for each employee (24) plus 1 parking space for every 10 children approved for care (162); generating the need for 53 parking spaces. This plan request a modification to allow an additional 2 parking spaces (55 total). The Goddard School has requested as much parking as possible due to how the existing facility on Carriage Hill Drive functions. This plan provides two additional on lot spaces behind the building but also has adjacent on street parking and a sidewalk network to allow easy walkability to and from The Goddard School for residents and other on street parking throughout the Urbana Town Center. All this is consistent with the MXD zoning intent.
2. Section 1-19-6.210(B) requires 1 large or 2 small loading spaces. This plan proposes 1 small loading space/parking space. The nature of the use will not require many deliveries and any deliveries that are needed will be from a small box truck.
3. Section 1-19-6.400(A) requires 1 street tree per 35 feet of roadway frontage. This lot has 529 feet of roadway frontage which requires street trees. This plan proposes 9 street trees/trees just behind the right of way because of intersection sight distance, lighting, fire access and utility setback requirements.

Please find attached:

- 1 Planning Commission Application
- Updated Comment Response
- 10 full size sets of plans
- 13 11"x17" sets of plans

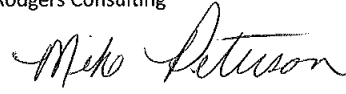
Project PDF's and rendering were emailed with our share file.

As always your assistance in the processing of this application is greatly appreciated. Should you have questions regarding this plan, or any other part of The Villages of Urbana development, please feel free to contact us at 301-948-4700.

19847 Century Blvd., Suite 200, Germantown, MD 20874 • 301.948.4700 • 301.948.6256 (fax) • www.rodgers.com

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Sincerely,
Rodgers Consulting

A handwritten signature in cursive script that reads "Mike Peterson".

Mike Peterson, PLA
301-948-4700 Office
mpeterson@rodgers.com