



**FREDERICK COUNTY PLANNING COMMISSION**  
**August 12, 2020**

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**TITLE:** Lot 6, Stanford Industrial Park, Section 2

**FILE NUMBER:** SP258840 (APFO#A258841,  
FRO#F258842)

**REQUEST:** Site Development Plan Approval

The Applicant is requesting Site Plan approval for the addition of 9 greenhouses totaling 27,720 SF to a site that currently has a one story 20,000 Sf building on 4.93 acre Site zoned Light Industrial (LI).

**PROJECT INFORMATION:**

**ADDRESS/LOCATION:** 4106 Harvard Place, located at the intersection of  
Winchester Blvd. and Harvard Place.  
**TAX MAP/PARCEL:** Tax Map 94, Parcel 89  
**COMP. PLAN:** Limited Industrial (LI)  
**ZONING:** Limited Industrial (LI)  
**PLANNING REGION:** Adamstown  
**WATER/SEWER:** NPS

**APPLICANT/REPRESENTATIVES:**

**APPLICANT:** Suddiqui and Meyer Trustees  
**OWNER:** Same  
**ENGINEER:** Harris, Smariga  
**ARCHITECT:** N/A  
**ATTORNEY:** N/A

**STAFF:** Jerry Muir, Principal Planner I

**RECOMMENDATION:**

Approval

**ATTACHMENTS:**

Exhibit 1 – Vicinity Map  
Exhibit 2 – Rendered Site Plan  
Exhibit 3 - Modification Request

## STAFF REPORT

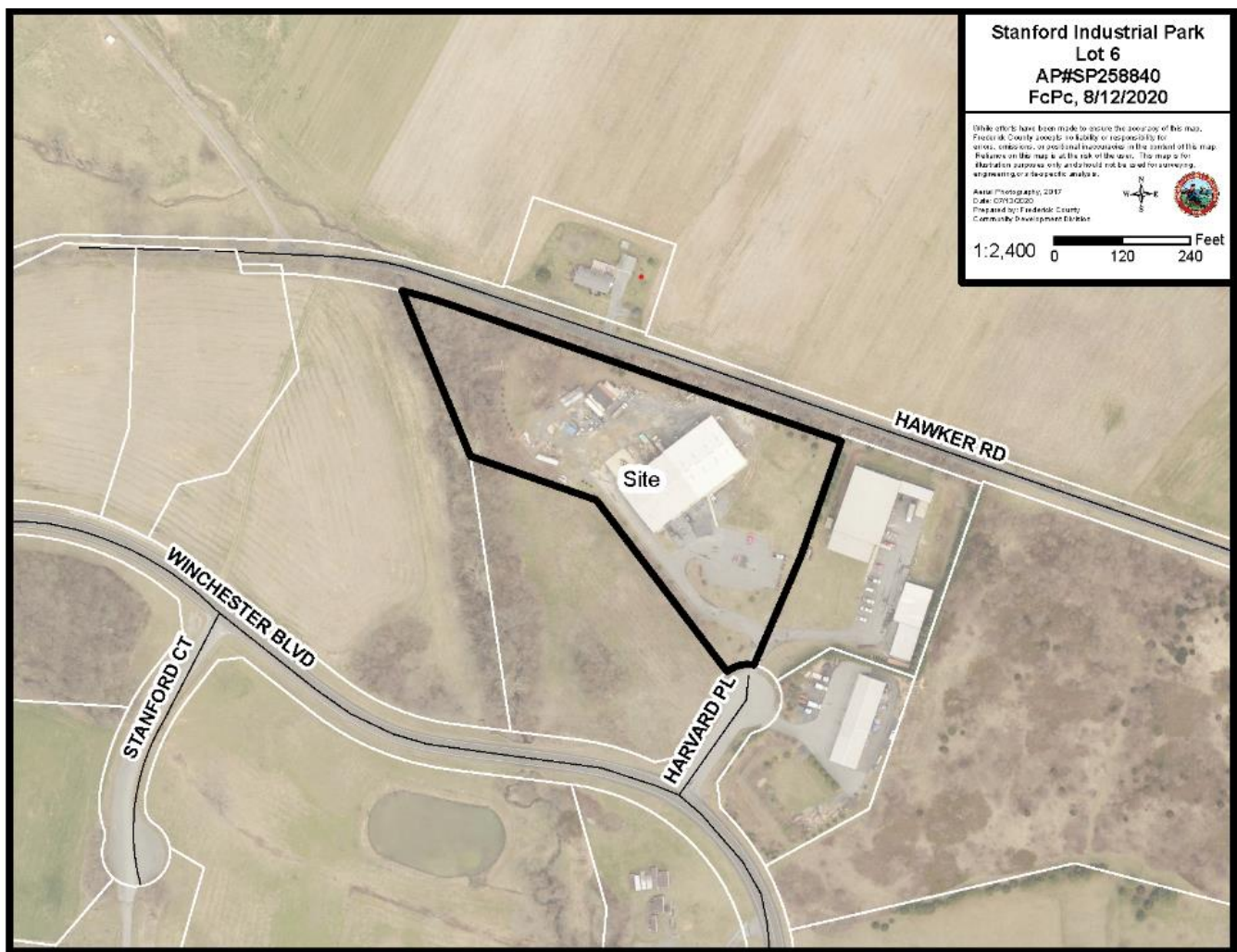
### ISSUE

The Applicant is requesting Site Plan approval to establish nine greenhouses to increase agricultural production for a medical cannabis business. Eight of the greenhouses will be 2,880 SF and one will be 4,680 SF, for a total of 27,720 SF total. The site is currently occupied by a 20,000 SF office and grow facility. The proposed use is being reviewed as a limited manufacturing and assembly facility under §1-19-5.310 (Use Table) of the Zoning Ordinance, with an accessory office component. It is a principal permitted use in the Limited Industrial (LI) Zoning District subject to site development plan approval.

The proposed development does not propose any changes to the current parking layout and minor changes to the landscaping and loading areas.

The Site shows a single commercial entrance on Harvard Place.

**Figure 1: Site Vicinity Map – Aerial Image**



## **BACKGROUND**

**Development History:** Lot 6 was recorded as part of the Stanford Industrial Park, Section 2. An initial site plan was approved in 1989 (SP89-06) A subsequent change of use site plan for the current operation was approved in 2016 (AP16969)

**Existing Site Characteristics:** It is currently developed as noted above. The new greenhouses will be constructed in an area that is now an undeveloped gravel storage area.

**Surrounding Land Uses:** The lot adjoins vacant LI zoned property to the west and developed industrial uses on Harvard Court. A storm water facility for the development is across Winchester Blvd. The land north of Hawker Road is zoned agricultural

## **ANALYSIS**

### **Summary of Development Standards Findings and Conclusions**

The Site seems suited to the proposed use and presents no particular design or access issues. There are no environmental impacts proposed by this construction.

### **Detailed Analysis of Findings and Conclusions**

Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County zoning ordinance.

**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 §1-19-6.100:** The proposed Site Development Plan adheres to the lot dimensions required for a warehouse use in the limited industrial zone as established in Section 1-19-6.100.

The proposed setbacks for the facility are the following:

	<b><u>Required</u></b>	<b><u>Proposed</u></b>
Minimum Lot Area	20, 000 sf	4.93 ac.
Minimum Lot Width	100'	50' with front BRL at 100'
Front Yard	25'	279'
Side Yard	equal to Bldg. hgt. (25')	25'
Rear Yard	25'	26'
Max Building Height	60'	25'

- 2. Signage §1-19-6.300:** Per the Zoning Ordinance the maximum signage allowed for business identification in the LI zoning district is calculated based upon the following formula:

10 x the square root of the 200' building frontage equals 141.4 SF of signage. The maximum height

allowed is 25 feet.

For this Site Plan proposal, there is no signage currently on site and none is proposed.

**3. Landscaping & Screening §1-19-6.400**

The existing and proposed on-site landscaping is in conformance with the zoning requirements. Five additional trees are proposed in the parking area and some additional shrubs as well. The plantings are all native. The required 20% canopy coverage over the parking areas is slightly exceeded.

Two street trees are required on Harvard Place and will be provided.

- 4. Lighting §1-19-6.500:** The Applicant proposes the installation of 24-foot high building mounted shielded and downward directed lighting to light the new construction, which meets the height limit for the LI zone. No new pole lights are proposed with this plan. Lighting does not exceed 0.50 foot-candles at the property lines.

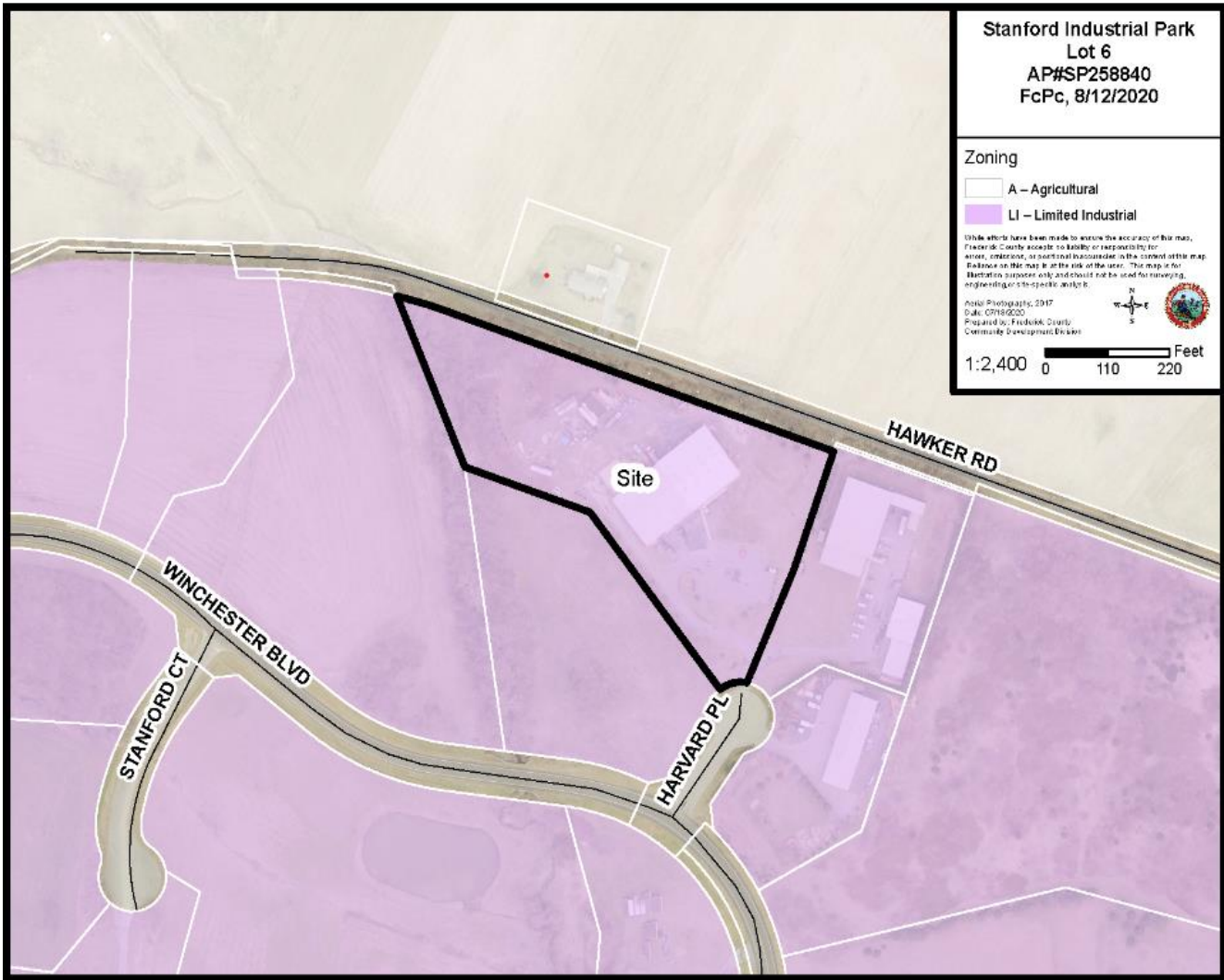
***Transportation and Parking §1-19-3.300.4 (B):*** *The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates 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.*

**Findings/Conclusions**

- 1. Access/Circulation & Pedestrian Circulation and Safety §1-19-6.220 (G):** Access to and from the Site is adequate. The single access into and out of the Site is an existing commercial entrance on Harvard Place. Pedestrian access is not a feature of this industrial area. Sidewalks do not exist anywhere along Winchester Blvd.
- 2. Connectivity §1-19-6.220 (F):** Site circulation is the same as other Harvard Place lots connected to Winchester Blvd. Staff is not aware of any circulation issues within the Industrial Park.
- 3. Public Transit:** This Site is not served by public transit.
- 4. Vehicle Parking §1-19-6.220:** Parking standards are established for this use and office uses in the Zoning Ordinance.

Note 3 on the site plan accurately illustrates the parking required for the Site. The use requires 15 parking spaces and 36 are currently existing on site, including four ADA compliant spaces (two are required). All parking on site is existing.

- 5. Loading §1-19-6.210.B:** For this use, with the addition of the greenhouses, a total of 6 loading spaces are required. The Applicant has requested a loading space modification to allow only two loading spaces rather than 6 (Exhibit 3).
- 6. Bicycle Parking §1-19-6.220 (H):** In accordance with Z.O. § 1-19-6.220, one bike rack is required and one is provided.



**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**

**Public Water and Sewer:** The Site is classified as No Planned Service and will be served by well and septic, as are the other lots in Stanford. The existing septic field is being retained.

**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 sloping to the west toward the existing stream.
2. **Vegetation:** No vegetation of note currently exists on the Site.
3. **Sensitive Resources:** There is a floodplain and floodplain soils on the Site adjacent to an off-site stream. The required floodplain and stream buffers are shown. There are no wetlands

present. No development is proposed or allowed within the required buffers.

**4. Natural Hazards:** FEMA floodplain is identified on the Site.

### Other Applicable Regulations

**Stormwater Management – Chapter 1-15.2:** Storm water management will be addressed as this project proceeds through the process.

**APFO – Chapter 1-20:** This development met the requirements of APFO at preliminary plat and is therefore exempt from further APFO testing at site plan. Stanford Industrial Park Section 2 is subject to an existing LOU.

**Roads:** In accordance with the approved LOU, this Site is required to pay into road escrow account #3336 \$0.75/sq. ft of gross floor area. Therefore payment in the amount of \$ 20,790 is required prior to building permit.

**Schools:** The Project is non-residential and not subject to schools testing.

**W/S:** This Site does not utilize public water and sewer.

**Forest Resource – Chapter 1-21:** The Applicant has submitted an exemption from the Forest Resource Ordinance (FRO) because this site was previously mitigated.

### Summary of Agency Comments

<b><i>Other Agency or Ordinance Requirements</i></b>	<b><i>Comment</i></b>
<b><i>Public Works Development Review (PWDR):</i></b>	Approval
<b><i>Development Review Planning:</i></b>	Approval
<b><i>DUSWM:</i></b>	Approval
<b><i>Street Name Review</i></b>	Approval
<b><i>Health Dept.</i></b>	Approval
<b><i>Office of Life Safety</i></b>	Approval
<b><i>Traffic Engineering (DRTE)</i></b>	Approval
<b><i>APFO</i></b>	Approval
<b><i>FRO</i></b>	Approval
	Approval

### RECOMMENDATION

Staff has no objection to approval of this Site Development Plan. If the Planning Commission conditionally approves the Site Development Plan, the plan is valid for a period of three (3) years from the date of Planning Commission approval (valid through August 12, 2023).

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:

MODIFICATIONS:

1. Approval of the requested modification to allow two full size loading spaces in lieu of 6 large loading spaces per Section 1-19-6.210D.

Staff-proposed conditions of approval:

1. Address all agency comments as the plan proceeds through to completion.

**PLANNING COMMISSION ACTION**

MOTION TO APPROVE

I move that the Planning Commission **APPROVE** SP258840, APFO A258841, FRO F258842 per the conditions as listed in the staff report for the proposed greenhouse expansion, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.



# Exhibit 1: Rendered Site Plan

PROPOSED PLANTING SCHEDULE						
KEY	COMMON NAME	LATIN NAME	QTY	REMARKS	SIZE	NATIVE
TREES						
⊙	RED OAK	QUERCUS RUBRA	5	BLR	2'-2 1/2' CAL	Y
SHRUBS						
⊖	VINTAGEBERRY HILLY	ILEX VORTEXILLATA	4	CBF	2'-2' HGT.	Y

### LANDSCAPING REQUIREMENTS

UNDESIGNED SHALL BE MONITORED BY FORDS CONSULTANT

- FOR SECTION 1-20-0-000000 ONE STREET TREE IS REQUIRED PER 20' OF FRONTAGE PROVIDED. TWO TREES PROVIDED.
- FOR SECTION 1-20-0-000000 PARKING AREA BUFFERING PLANTED FORMIDABLE EFFECTIVE SCREENING OF PARKING PROVIDED.
- FOR SECTION 1-20-0-000000 CURB AND LANDSCAPING - ONE OF EACH TREE AND 2 SHRUBS FOR EVERY 500' OF REQUIRED PROVIDE.
- FOR SECTION 1-20-0-000000 TREES PREVIOUSLY BROWNAKING PROVIDE MINIMUM 20% CROWN CLEARANCE. 20' HGT. IS REQUIRED, 25' IF PROVIDED.





## Modification Request



July 23, 2020

Jerry Muir  
Principal Planner  
Department of Planning  
Division of Planning and Permitting  
30 North Market Street  
Frederick, MD 21701

Re: Curaleaf Loading Space Modification  
Project #: SP258840

Dear Jerry,

As permitted by the Zoning Ordinance and on behalf of our client, we would like to request a modification to the loading space requirements for the Curaleaf Site Plan. Two large loading spaces are proposed as opposed to the six spaces required. Based on proposed operations at this site and their other sites across the country, Curaleaf does not need or anticipate the need for tractor trailer loading spaces, nor do they need the number of loading spaces the Zoning Ordinance calculation indicates. Apart from initial setup of the site a high volume delivery of goods/products are not needed to sustain the sites growing operations and shipments of product to and from the site. These deliveries in and out of the site will occur as needed with smaller box trucks or van sized vehicles. The loading spaces provided on the plan are more than adequate for Curaleaf's operations and provide the company the ability to utilize larger trucks if needed in the future. In accordance with Section 1-19-6.210(D) the Planning Commission approval of a modification to the loading requirements listed in Section 1-19-6.210(B) is requested for this Site Plan application.

Sincerely,  
Luke Zeller