



FREDERICK COUNTY PLANNING COMMISSION
June 9, 2021

TITLE: Arcadia Business Park – Lots 6A and 6B

FILE NUMBER: S-1140, PL261815, A261816, F261817

REQUEST: **Combined Preliminary/Final Plat Approval**
The Applicant is requesting Combined Preliminary/Final Plat approval to subdivide a 8.329 acre lot into 2 lots.

PROJECT INFORMATION:

ADDRESS/LOCATION: 4715 and 4725 Arcadia Drive
TAX MAP/PARCEL: Tax Map 86, Parcel 175, Lot 6
COMP. PLAN: Limited Industrial (LI)
ZONING: Limited Industrial (LI)
PLANNING REGION: Adamstown
WATER/SEWER: W-1/S-1

APPLICANT/REPRESENTATIVES:

APPLICANT: Russell Holdings, LLC, c/o St. John Properties, Inc.
OWNER: Russell Holdings, LLC, c/o St. John Properties, Inc.
ENGINEER: Harris Smariga and Associates, Inc.
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Graham Hubbard, Principal Planner I

RECOMMENDATION: Conditional Approval

ATTACHMENT:
Exhibit #1- Combined Preliminary/Final Plat Rendering

STAFF REPORT

ISSUE

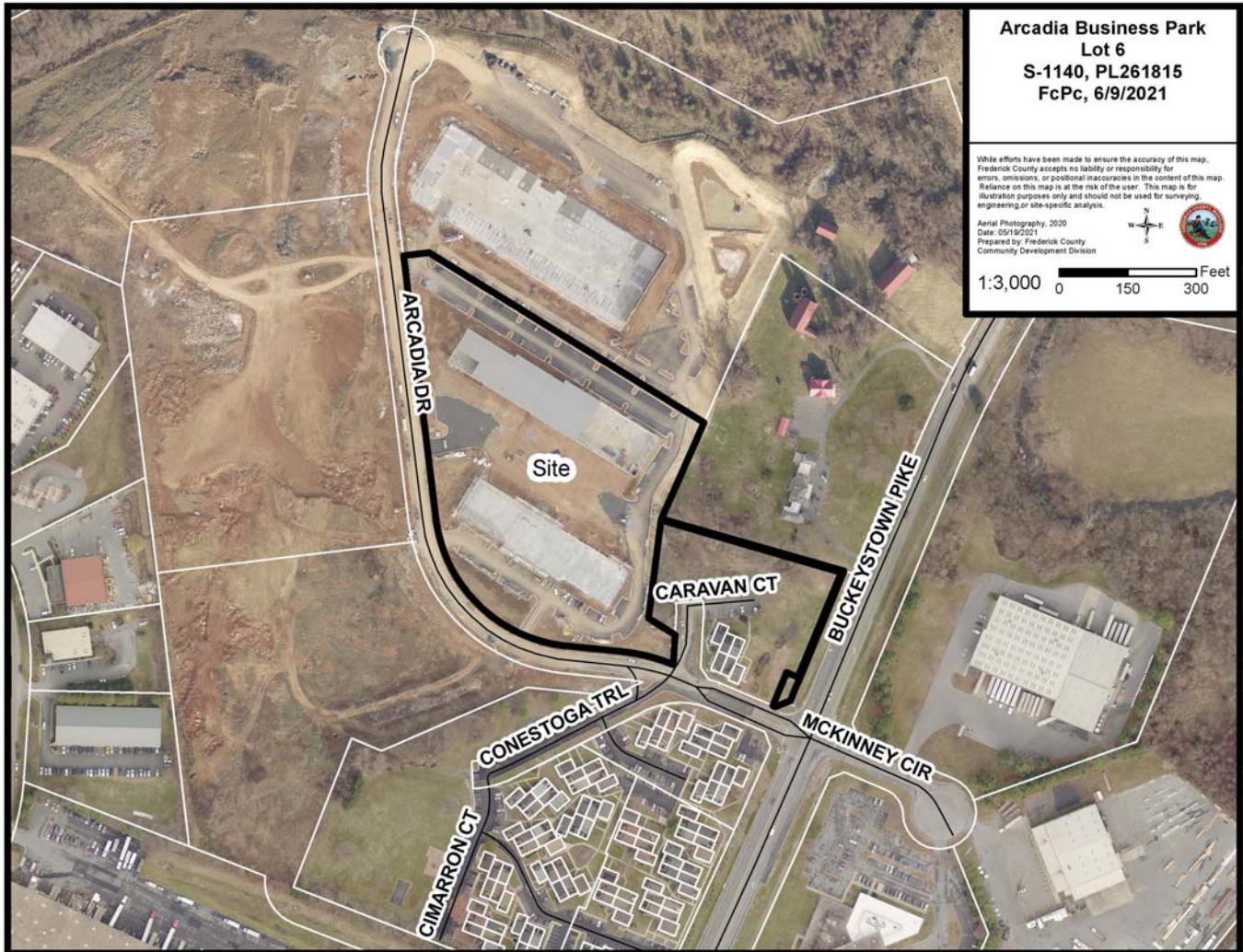
The Applicant is requesting Combined Preliminary/Final Plat approval to subdivide a 8.329 acre lot into 2 lots. The existing lot contains two (2) existing buildings that were approved and constructed as a Planned Industrial Development. The proposed subdivision would reposition one (1) existing building on each lot.

BACKGROUND

The original property (approximately 140 acres) from which this subject property was developed, has the following re-zoning history:

- The original property was zoned Agriculture on the 1959 Frederick County Zoning Map.
- A 1970 rezoning changed the zoning to Residential Mobile Home District.
- The entire original site was comprehensively rezoned to Planned Unit Development (PUD) in 1972.
- The 1977 Zoning Maps were updated in 1989, and showed a 1988 rezoning of the property into several zones, but primarily Office/Research/Industrial (ORI) for about 95% of the Russell Property.
- The 2000/2001 Adamstown Comprehensive Rezoning process changed the ORI zoning to limited industrial (LI).
- On August 16, 2006, the FCPC approved a Combined Preliminary Plat/Final Site Plan Application for 6 industrial lots containing 11 office/warehouse buildings for a total of 413,730 square feet on 104.45 acres.
- In 2006, the Preliminary Plan (AP 4164), received a three year approval with an 8/16/2009 expiration date. Under Ord. #09-23-527 the expiration date was extended three years to 8/16/2012. In 2011, under a second ordinance, the project's expiration date was further extended to 8/16/2015. The Applicant recorded all of the plats for the 6 lots shown on the Russell Preliminary Plan prior to 8/16/15, and therefore, has vested the Preliminary Plan.
- APFO (AP 4042) approval was originally granted for three years or until 8/16/2009. Similar to the Preliminary Plan, the APFO was also extended twice, resulting in an expiration date of 8/16/2015. The Applicant recorded all of the plats for the 6 lots shown on the Russell Preliminary Plan prior to 8/16/15 and has satisfied all requirements of the Letter of Understanding (LOU), and therefore has vested the APFO portion of the Preliminary Plan.
- The original approval period for the Russell Site Plan (AP 4041) was two years, with an 8/16/2008 expiration date. The Site Plan approval was also extended twice to 8/16/2014, and expired on that date.
- Staff worked with the Applicant toward plat recordation and vesting prior to expiration. As part of that process, the project was resubmitted for site plan review. Staff worked with the Applicant to bring the previously approved site plan further into compliance with the existing Code within the confines of the recorded plats and avoiding complete redesign of the project.
- On October 14, 2015 the FCPC approved site plans for Russell Lots 1, 2 and 6.
- In January 2017, a Preliminary Plan was approved for Lots 1-6 (AP 16796).
- Also in January 2017, Site Plans were approved for Lots 5 and 6 (AP 16799 and AP 16802).
- In May 2017, an Addition Plat was recorded to add 0.71 acres of land to Lot 6 from the adjacent Country Side development to provide fee simple legal access (PB.98 PG.143, AP 17098).
- In December 2017, an Addition Plat was recorded to combine Lots 1-6, dissolve three outlot parcels, and vacate the public right-of-way for Arcadia Drive (PB.99 PG.128, AP 17536).
- In December 2018, a Final Plat was recorded for Lots 5 and 6 (PB.101 PG.116-117, AP 17770).
- In February 2019, a Revised Preliminary Plan was approved for Lots 1, 2, 3, 5, and 6 (AP 18863).
- In March 2021, a Site Plan Type II was submitted to update the Site Plan for Lot 6 to reflect this subdivision of Lots 6A and 6B. This application (SP264010) is currently under review.

Graphic #1: Site Aerial

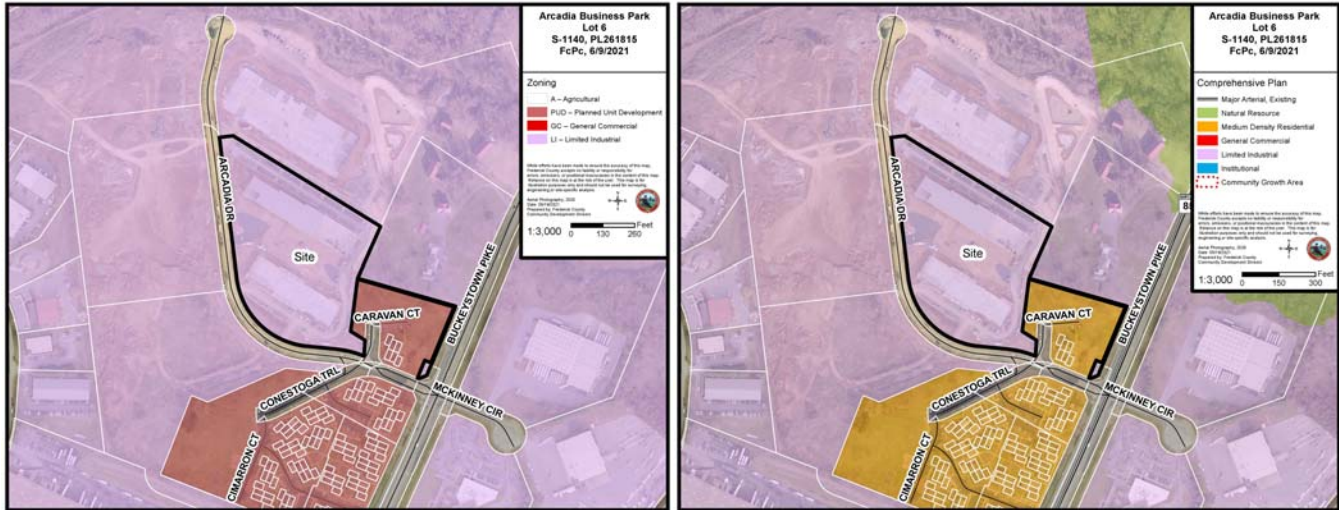


Existing Site Characteristics

The Site contains two (2) buildings with associated parking lots and loading areas. Lot 6 is bordered to the north by Lot 5 and to the west by Lots 1 and 2 (across Arcadia Drive). The Site is bordered to the east by Arcadia (a National Historic Register site) and to the southeast by Countryside Planned Unit Development. A panhandle extends around Countryside Planned Unit Development to the existing monument sign at the corner of Arcadia Drive and Buckeystown Pike (MD 85).

The Site is zoned Limited Industrial (LI) and is mostly surrounded by other LI-zoned land, with the exception being the Countryside Planned Unit Development to the southeast. Similarly, the adjacent Comprehensive Plan land use designations of Limited Industrial and Medium Density Residential are consistent with the zoning.

Graphic #2: Zoning Map / Comprehensive Plan



ANALYSIS

Summary of Development Standards Findings and Conclusions

- The existing layout lend itself suitably to the proposed subdivision. The proposed line of division will evenly split down the center of the drive aisle and loading area.
- Current driveway access and circulation patterns will be unaffected by the proposed subdivision.
- The resulting lot configuration meets zoning and subdivision regulations.

A. ZONING ORDINANCE REQUIREMENTS

Dimensional Requirements/Bulk Standards. This Application meets and exceeds the minimum setback standards of the Limited Industrial (LI) zone, which are 25-foot front, 20-foot rear, and 22-foot side yards (based on the building height). The existing 22-foot tall buildings do not exceed the maximum height requirement of 60 feet. The proposed lots exceed both the minimum lot width requirement of 100 feet and the minimum lot size requirement of 20,000 square feet.

B. SUBDIVISION REGULATION REQUIREMENTS

Review and approval of the proposed Preliminary Plan is subject to subdivision regulations as provided in §1-16 of the Frederick County Code.

1. **Land Requirements §1-16-217 (A):** *The land use pattern of the Comprehensive Plan and the district regulations of the zoning ordinance shall form the basic theme of the design pattern of the proposed subdivision.*

The site is already developed. The proposed subdivision will not impact the land use pattern.

2. **Land Requirements §1-16-217 (B):** *The subdivision design shall take advantage of the uniqueness of the site reflected by topography, soils, the wooded areas, water bodies and the relationship to adjoining subdivisions and land uses, both proposed and existing.*

The site is already developed. The proposed subdivision will not impact the uniqueness of the site.

3. **Road Access Requirements. Public Facilities §1-16-12 (B)(3)(b):** *For major subdivisions; Lots*

must access a publicly-maintained road with a continuously paved surface that is at least 20 feet in width.

The site has multiple existing access points to Arcadia Drive which is a 36 foot wide paved road. Although Arcadia Drive is intended to become publicly-maintained, the portion west of Conestoga Drive has not yet been accepted for maintenance by the County.

4. ***Water and Sewer Facilities. Public Facilities §1-16-12 (C):*** *The proposed subdivision shall be disapproved unless each building lot has been approved for individual and/or community sewerage and water facilities by the Health Department.*

The site is served by public water and sewer.

5. **OTHER APPLICABLE REGULATIONS**

Stormwater Management – Chapter 1-15.2: Stormwater Management has been addressed per previously approved and still valid Improvement Plans (AP 14165).

APFO – Chapter 1-20:

1. Schools. Schools are not required to be tested due to the commercial uses proposed.
2. Water/Sewer. The site is classified W-1 and W-3/S-3 and while the public sewer and water facilities are currently adequate to serve the Project, the Applicant is aware that capacity is not guaranteed until purchased.
3. Roads. This development has fully satisfied the road improvements required by the APFO at preliminary subdivision plan, outlined in the project's vested 2006 Letter of Understanding (LOU) (AP 4166).

The summed peak hour trips from each site in the subdivision cannot exceed the overall 482 am and 529 pm peak hour trips originally used for APFO testing for the entire site. This site will generate 58 am and 52 pm weekday peak hour trips as determined by the 10th edition of the ITE Trip Generation Manual for general light industrial uses. The current trip total for the subdivision is 413 am and 371 pm peak hour trips.

Forest Resource – Chapter 1-21: FRO mitigation for this development (recordation of on-site forest conservation easements and payment of fee-in-lieu) was provided in 2008 under AP 6866. No further FRO mitigation is required.

Historic Preservation – Chapter 1-23: There are no Historic Resources located on this Site. The subdivision of the lot does not impact adjacent historic resources.

Summary of Agency Status / Comments

Other Agency or Ordinance Requirements	Status / Comments
Development Review Engineering (DRE):	Approved
Development Review Planning (DPZ):	Approved
Forest Resource Ordinance (FRO):	Approved
Health Department (EH):	Approved
State Highway Administration (SHA):	Approved
Traffic Engineering (DRTE):	Approved
Division of Water and Sewer Utilities (DWSU):	Approved
Historic Preservation (HISTORIC):	Approved

RECOMMENDATION

Staff has no objection to conditional approval of this Combined Preliminary/Final Plat to subdivide a 8.329 acre lot into 2 lots. If the Planning Commission approves the plat, it is valid for five (5) years from the date of Planning Commission approval (June 9, 2026).

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. Should the Planning Commission grant approval of this application (S-1140, AP PL261815), Staff recommends that the following items be added as conditions to the approval:

1. The Applicant shall comply with all Staff and agency comments through the completion of the plan.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission **APPROVE S-1130 (AP PL261815) with conditions** as listed in the staff report for the proposed Combined Preliminary/Final Plat to subdivide a 8.329 acre lot into 2 lots, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

