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**FREDERICK COUNTY PLANNING COMMISSION**  
**June 9, 2021**

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**TITLE:** Urbana YMCA/Frederick Health

**FILE NUMBER:** S-1135, PL261822, A261823, F261824

**REQUEST:** **Combined Preliminary/Final Plat Approval**  
The Applicant is requesting Combined Preliminary/Final Plat approval to subdivide a 20.030 acre lot into 2 lots.

**PROJECT INFORMATION:**

**ADDRESS/LOCATION:** 3481 Fingerboard Road (MD 80)  
**TAX MAP/PARCEL:** Tax Map 96, Parcel 40  
**COMP. PLAN:** Institutional  
**ZONING:** General Commercial (GC)  
**PLANNING REGION:** Urbana  
**WATER/SEWER:** W-3/S-3

**APPLICANT/REPRESENTATIVES:**

**APPLICANT:** YMCA of Frederick County, Inc.  
**OWNER:** YMCA of Frederick County, 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  
Exhibit #2 - Panhandle Modification Letter

## STAFF REPORT

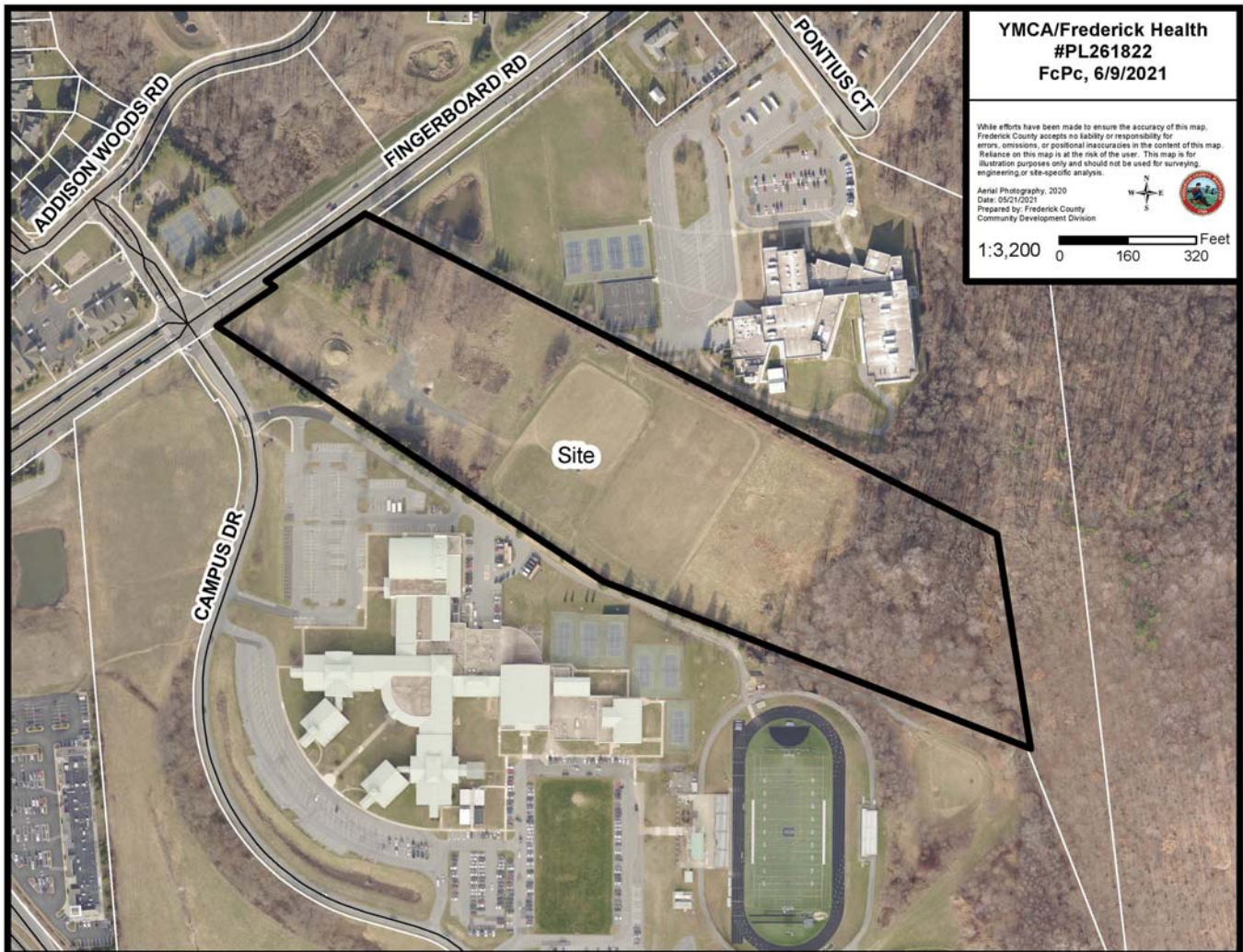
### ISSUE

The Applicant is requesting Combined Preliminary/Final Plat approval to subdivide a 20.030 acre lot into 2 lots. The existing lot contains an existing two-story (85,078 sf GFA) Health Club/Fitness Center, associated parking, and amenity areas for the YMCA. The proposed subdivision would create a separate 4.04 acre lot for a future two-story (40,000 sf GFA) Professional Office building to be owned and operated by Frederick Health. The Site Plan application (SP263916) is currently under review.

### BACKGROUND

- In February 2019, a Site Plan was approved to construct a two-story (85,078 sf GFA) Health Club/Fitness Center, and a two-story (40,000 sf GFA) Professional Office and Medical Clinic (AP 18745).
- In August 2019, an Addition Plat was recorded to combine Parcel 192 with Parcel 40 (AP 19031).
- In March 2021, a Site Plan was submitted for the proposed two-story (40,000 sf GFA) Professional Office building to be owned and operated by Frederick Health on a separate 4.04 acre lot. This application (SP263916) is currently under review.

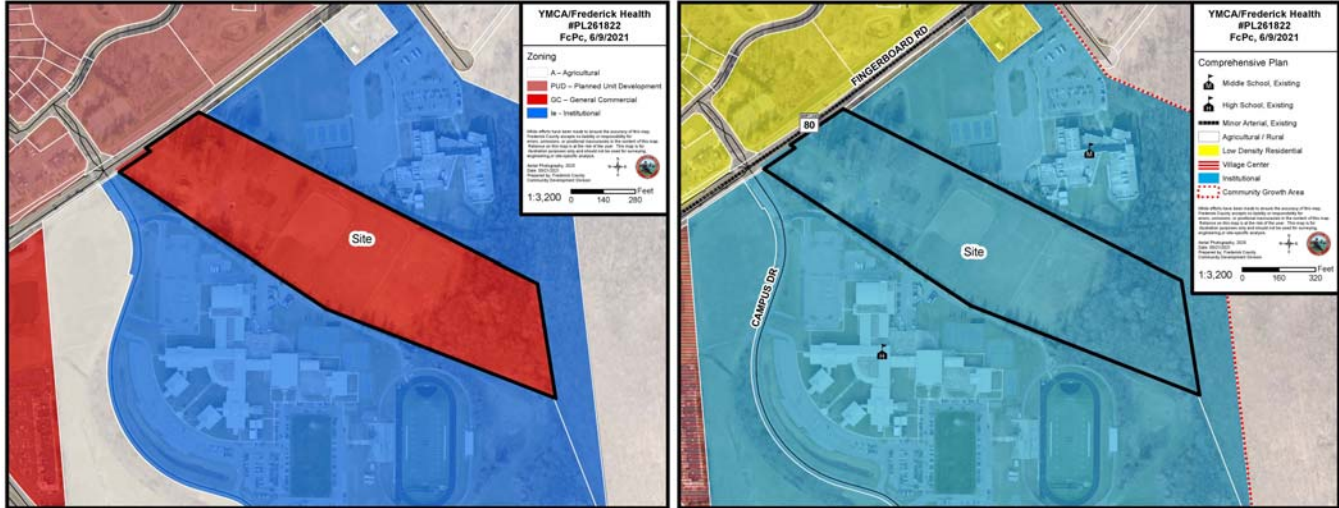
Graphic #1: Site Aerial



## Existing Site Characteristics

The Site contains an existing two-story (85,078 sf GFA) Health Club/Fitness Center, associated parking, and amenity areas for the YMCA. The eastern portion of the property contains a riparian forest that was placed under protective easement. Specimen trees abound the property. The Site is situated directly between Urbana High School and Urbana Middle School and will provide multi-modal connectivity between these campuses.

Graphic #2: Zoning Map / Comprehensive Plan



## ANALYSIS

### Summary of Development Standards Findings and Conclusions

- Current driveway access and circulation patterns will be unaffected by the proposed subdivision.
- The resulting lot configuration meets zoning and subdivision regulations.
- Due to the irregular shape and limited road frontage of the existing 20-acre parcel, this proposed 2-lot subdivision includes a 50-foot wide panhandle to provide both Lots 1 and 2 with fee-simple road frontage along Fingerboard Road (MD 80).

#### A. ZONING ORDINANCE REQUIREMENTS

**Dimensional Requirements/Bulk Standards.** This Application meets and exceeds the minimum setback standards of the General Commercial (GC) zone, which are 25-foot front, 25-foot rear, and 8-foot side yards. The existing 60-foot tall building meets 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 12,000 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 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 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 access to Fingerboard Road (MD 80) which is 74.5 feet wide near its intersection with Campus Drive. The main vehicular access to the YMCA and Frederick Health will utilize a portion of Campus Drive, a private road owned by Frederick County Public Schools, which is signalized at MD 80 with pedestrian crosswalks.

- 4. Panhandle Lots §1-16-219 (C)(2):** *Panhandle lots may be approved by modification of the Planning Commission in major subdivisions only when it is determined by the Commission that “excellence of design” will be achieved or that such lots are inaccessible to the road due to odd shape and/or topographical constraints. In each case, the Planning Commission will determine “excellence of design” based on the spatial relationship of the panhandle lot to other lots and the public road. Only physical design criteria such as odd shape and road inaccessibility, topography, existing utilities, proposed and existing well and septic constraints (Health Department criteria) and natural or man-made features shall be used by the Planning Commission in granting modifications for panhandle lots in major subdivisions.*

Due to the irregular shape and limited road frontage of the existing 20-acre parcel, this proposed 2-lot subdivision requires a panhandle to provide both Lots 1 and 2 with fee-simple road frontage along Fingerboard Road (MD 80). Currently, the panhandle is unusable since it crosses over a SWM pond. Per 1-16-219(C)(5) panhandle lots shall not be created which are unusable due to topographic or natural features. To address this, the Applicant has designed an alternate stormwater management concept plan in the event that future accessibility is required via the panhandle. The Applicant has provided a justification letter requesting that a modification be approved under this section. See Exhibit 2.

**Panhandle modification request:** A panhandle modification is requested under §1-16-219(c)(2) to accommodate this 2-lot subdivision while providing fee-simple public road frontage for both resulting lots.

- 5. 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.

## **6. OTHER APPLICABLE REGULATIONS**

**Stormwater Management – Chapter 1-15.2:** Stormwater Management has been addressed per previously approved and still valid Improvement Plans (AP 18981).

**APFO – Chapter 1-20:**

1. Schools. Schools are not impacted because the development of the property is a non-residential use.
2. Water/Sewer. The property has a water and sewer classification of W-3, S-3. While the public water and sewer facilities are currently adequate to serve the project, the Applicant recognizes that capacity is not guaranteed until purchased.
3. Roads. This development met the requirements of APFO (#18746) at previous site plan approval (LOU approved on February 13, 2019), and this application does not increase the density or intensity assumptions confirmed at that time; therefore, it is exempt from further APFO testing. The Letter of Understanding (LOU) has been fully satisfied and is therefore vested. The APFO LOU will remain valid through February 13, 2022.

The Project will generate 99 am and 138 pm new weekday peak hour trips, based on a Traffic Impact Analysis (TIA) developed by Wells and Associates dated August 2, 2018 and amended on December 6, 2018. The study was completed in combination with the YMCA development and the total trip generation for both sites will be 284 am and 383 pm new weekday peak hour trips.

**Forest Resource – Chapter 1-21:** FRO mitigation for this Site was provided by recording on-site forest conservation easements in 2019 under AP 19708. No further FRO mitigation is required.

**Historic Preservation – Chapter 1-23:** There are no Historic Resources located on this Site.

Summary of Agency Status / Comments

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

## **RECOMMENDATION**

Staff has no objection to conditional approval of this Combined Preliminary/Final Plat to subdivide a 20.030 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-1135, AP PL261822), Staff recommends that the following items be added as conditions to the approval:

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

1. A panhandle modification under §1-16-219(c)(2) to accommodate this 2-lot subdivision while providing fee-simple public road frontage for both resulting lots.

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

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

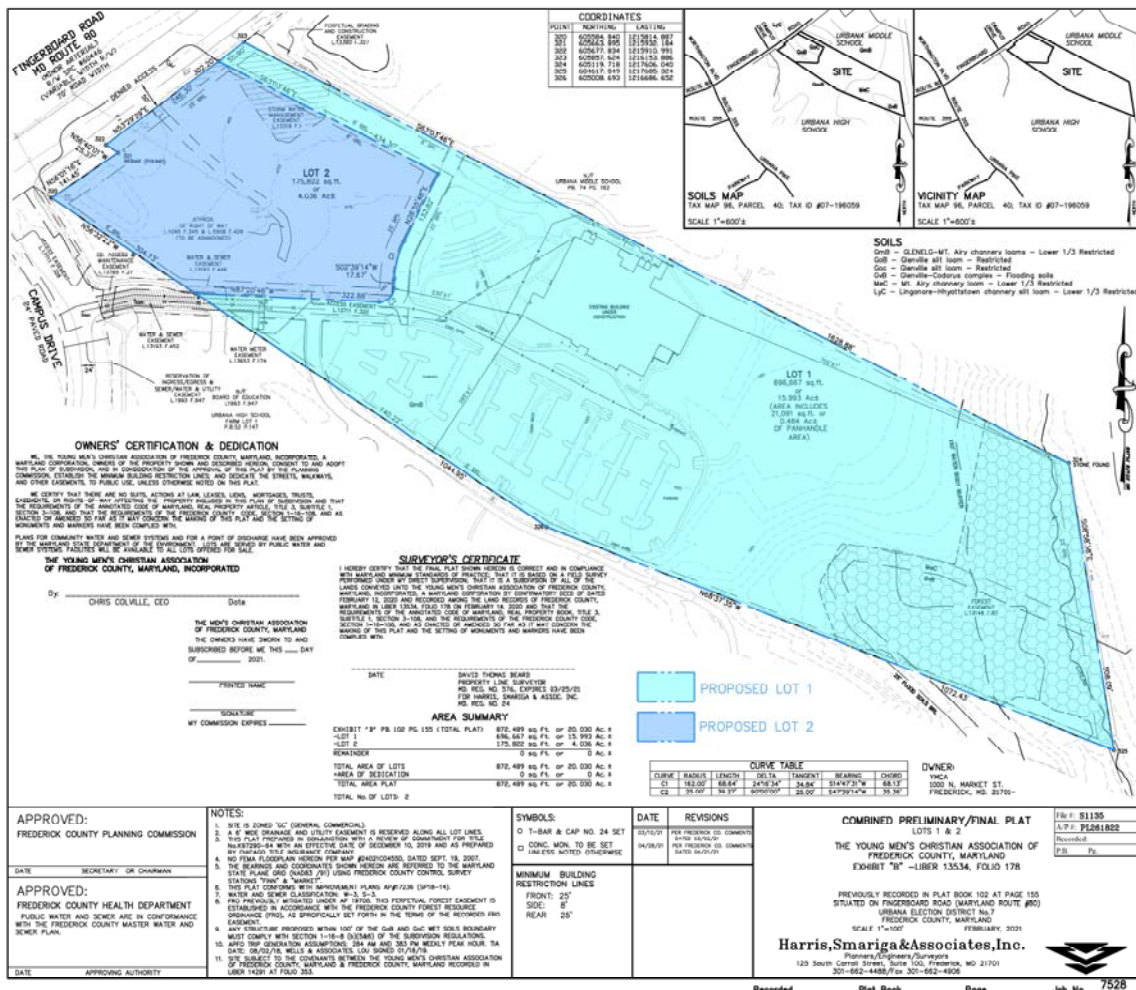
## **PLANNING COMMISSION ACTION**

### **MOTION TO APPROVE**

I move that the Planning Commission **APPROVE S-1135 (AP PL261822) with conditions and modifications** as listed in the staff report for the proposed Combined Preliminary/Final Plat to subdivide a 20.030 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.

# Exhibit #1: Combined Preliminary/Final Plat Rendering

CHKD BY: GJ/PJ



**APPROVED:**  
 FREDERICK COUNTY PLANNING COMMISSION

**APPROVED:**  
 FREDERICK COUNTY HEALTH DEPARTMENT

**APPROVED:**  
 FREDERICK COUNTY WATER AND SEWER PLAN

**NOTES:**

1. SITE IS ZONED 'NC' (GENERAL COMMERCIAL).
2. A 5' WIDE DRAINAGE AND UTILITY EASEMENT IS RESERVED ALONG ALL LOT LINES.
3. THIS PLAT PREPARED IN COMPLIANCE WITH A REVIEW OF DOCUMENTS FOR TITLE NUMBERED AS WITH AN EFFECTIVE DATE OF DECEMBER 15, 2019 AND AS PREPARED BY FREDERICK COUNTY SURVEYORS.
4. NO FEMA FLOODPLAIN HAZARD PER MAP #420242-01, DATED SEPT. 19, 2001.
5. THE BEARINGS AND COORDINATES SHOWN HEREON ARE REFERRED TO THE MARYLAND STATE PLANE GRID (NAD83) USING FREDERICK COUNTY CONTROL SURVEY STATION "FM" AS "MARKER".
6. THIS PLAT CONFORMS WITH IMPROVEMENT PLANS APP/FCM (SP18-14).
7. WATER AND SEWER CLASSIFICATION, 4-2.3.3.1. THIS PROVISIONAL FOREST EASEMENT IS ESTABLISHED IN ACCORDANCE WITH THE FREDERICK COUNTY FOREST RESOURCE MANAGEMENT PLAN.
8. ANY STRUCTURE PROPOSED WITHIN 100' OF THE GUB AND GUC MET SOILS BOUNDARY MUST COMPLY WITH SECTION 1-10-8 (O) (2) OF THE SUBDIVISION REGULATIONS.
9. ANY TOP CONSTRUCTION ASSUMPTIONS, PER 16.46 AND 303.07, MUST BE MADE BY THE OWNER.
10. DATE: 06/22/21. HARRIS & ASSOCIATES, L.L.P. 300 N. MARKET ST., FREDERICK, MD. 21701.
11. DATE: 06/22/21. HARRIS & ASSOCIATES, L.L.P. 300 N. MARKET ST., FREDERICK, MD. 21701.

**SYMBOLS:**  
 ○ 1-BAR & CAP NO. 24 SET  
 □ CONC. MTL. TO BE SET UNLESS NOTED OTHERWISE

**MINIMUM BUILDING RESTRICTION LINES**  
 FRONT: 25'  
 SIDE: 8'  
 REAR: 25'

**DATE REVISIONS**  
 03/27/21 PER FREDERICK CO. COMMISSION  
 04/28/21 DATE RECORDED  
 06/22/21 PER FREDERICK CO. COMMISSION  
 06/22/21 DATE RECORDED

**COMBINED PRELIMINARY/FINAL PLAT**  
 LOTS 1 & 2  
 THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF FREDERICK COUNTY, MARYLAND  
 EXHIBIT "B" - LIBER 1333A, FOLIO 178

PREVIOUSLY RECORDED IN PLAT BOOK 102 AT PAGE 155  
 SITUATED ON FINGERBOARD ROAD (MARYLAND ROUTE #90)  
 URBANA ELECTION DISTRICT No. 7  
 FREDERICK COUNTY, MARYLAND  
 SCALE 1"=400'  
 FEBRUARY 2021

**Harris, Smariga & Associates, Inc.**  
 Planners/Engineers/Surveyors  
 123 South Carroll Street, Suite 100, Frederick, MD 21701  
 301-662-4458 / ex 301-662-4926

File #: 81135  
 A.P.P. # 1218182  
 Recorded  
 PB # \_\_\_\_\_

Recorded      Plat Book      Page      Job No. 7528

Exhibit #2: Panhandle Modification Letter



May 22, 2021

Planning Commission  
Frederick County  
100 E Church Street  
Frederick, MD 21701

Re: Panhandle Modification  
Urbana Y – Plat

Dear Planning Commission:

The subdivision plat for the Y in Urbana has been submitted for your review. Per Section 1-16-219(c)(2):

Panhandle lots may be approved by modification of the Planning Commission in major subdivisions only when it is determined by the Commission that "excellence of design" will be achieved or that such lots are inaccessible to the road due to odd shape and/or topographical constraints. In each case, the Planning Commission will determine "excellence of design" based on the spatial relationship of the panhandle lot to other lots and the public road. Only physical design criteria such as odd shape and road inaccessibility, topography, existing utilities, proposed and existing well and septic constraints (Health Department criteria) and natural or man-made features shall be used by the Planning Commission in granting modifications for panhandle lots in major subdivisions.

In this particular situation, the Y is located to the rear of their property along Route 80. There is potential for additional development on the parcel located closest to Route 80. Rather than provide vehicular access directly from Route 80, it was identified early in the process that shared access from Campus Drive would achieve excellence of design for the projects. This access would allow for the safe and efficient flow of traffic to the parcels while minimizing entrances on a state road. This access allowed the opportunity to subdivide the parcel in a manner which requires a panhandle to provide legal road frontage for the rear lot. The common access easement covers a private drive which functionally subdivides the site and also provides the ideal connection to neighboring school sites. In the highly unlikely event that access from Route 80 is required to the Y lot, improvements can be made in the panhandle to accommodate vehicular and pedestrian access. The common access easement was created to prevent this from happening but it is possible if required.

We look forward to discussing this with you at the hearing.

Chris Smariga

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