



FREDERICK COUNTY PLANNING COMMISSION
March 9, 2016

TITLE: Intercoastal Industrial Center Lot 4
FILE NUMBER: SP-02-21, AP #15956, APFO#15957, FRO #15958

REQUEST: **Site Development Plan Approval**
The Applicant is requesting site development plan approval for construction of a 37,111 square foot building to be used for manufacturing and assembly with associated business office and warehouse, on a 2.31-acre site.

PROJECT INFORMATION:

ADDRESS/LOCATION: Located along the east side of Intercoastal Drive, south of Baldwin Road
TAX MAP/PARCEL: Tax Map 88, Parcel 31
COMP. PLAN: Limited Industrial/General Industrial
ZONING: Limited Industrial/General Industrial
PLANNING REGION: New Market
WATER/SEWER: W-3/S-3

APPLICANT/REPRESENTATIVES:

APPLICANT: Hardesty, Inc.
OWNER: Intercoastal Industrial Park Ltd
ENGINEER: Harris, Smariga & Associates, Inc.
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Tolson DeSa, Principal Planner II

RECOMMENDATION: Conditional Approval

ATTACHMENTS:

Exhibit 1-Intercoastal Industrial Center Lot 4 Site Plan Rendering
Exhibit 2-Lighting Spillage Modification Request

STAFF REPORT

ISSUE

Development Request

The Applicant is requesting site plan approval for construction of a 37,111 square foot building to be used for manufacturing and assembly associated with a heating and air conditioning contractor business to include office and warehouse space, on a 2.31-acre site. The proposed use is being reviewed as a "Limited Manufacturing and Assembly" land use under the heading of *Industrial Uses* per §1-19-5.310 Use Table in the Zoning Ordinance and is a principal permitted use in the Limited Industrial (LI) and General Industrial (GI) Zoning District subject to site development plan approval.

The proposed building consists of 37,111 total gross square feet. The first floor consists of 30,925 sq ft with 6,185 sq ft office, 6,185 sq ft of storage and 18,555 sq ft shop area. The 6,186 sq ft second floor is comprised of 3,093 sq ft office and 3,093 sq ft storage area.

Modification Requests:

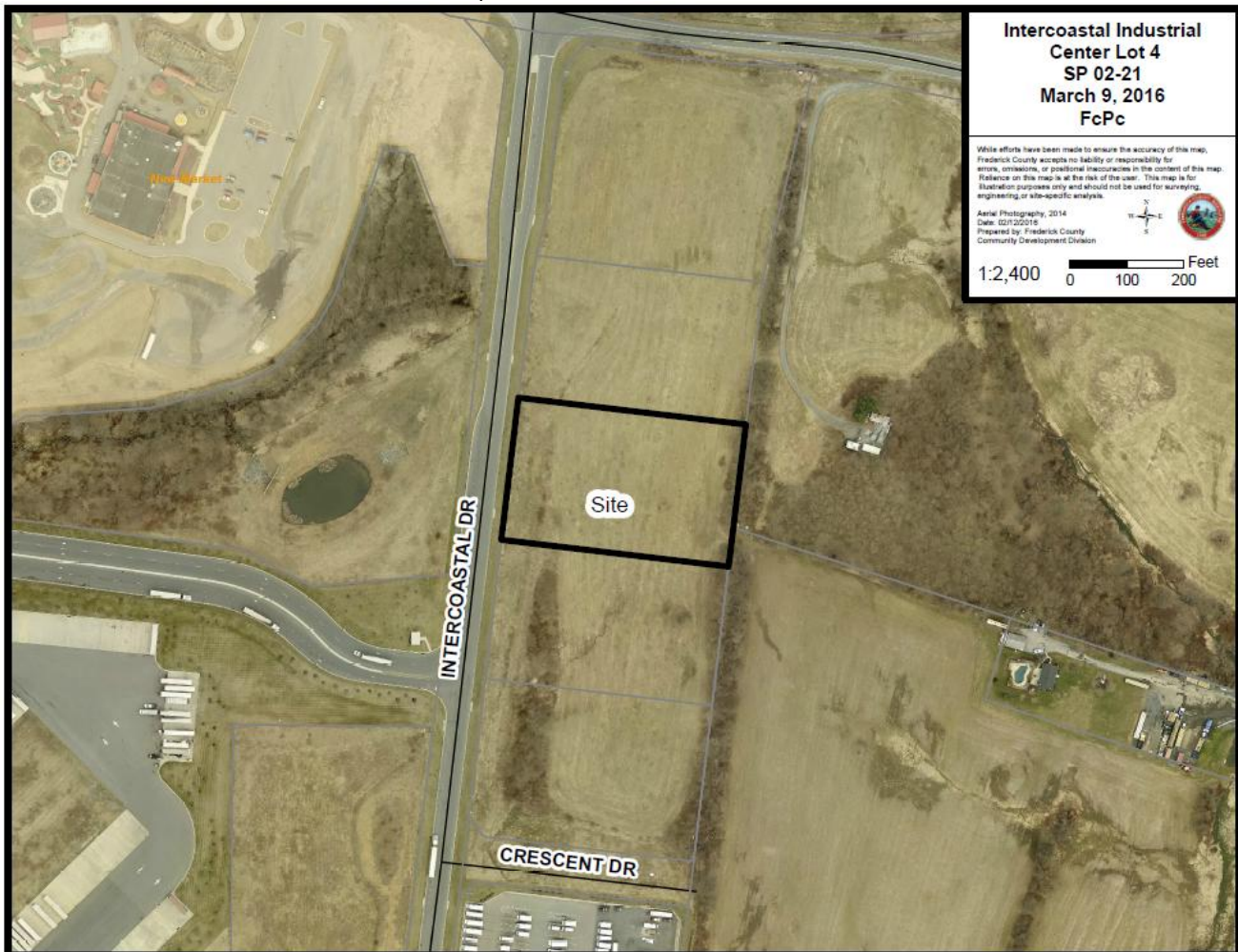
§1-19-6.500.G: The Applicant is seeking a Lighting spillage modification for the common southern lot line with Lot 5, as well as at the site entrance.

BACKGROUND

Development History

This site is currently vacant (see graphic 1 below) and is proposed for developed of a Limited Manufacturing and Assembly facility.

Graphic #1: Intercoastal Lot 4 Aerial

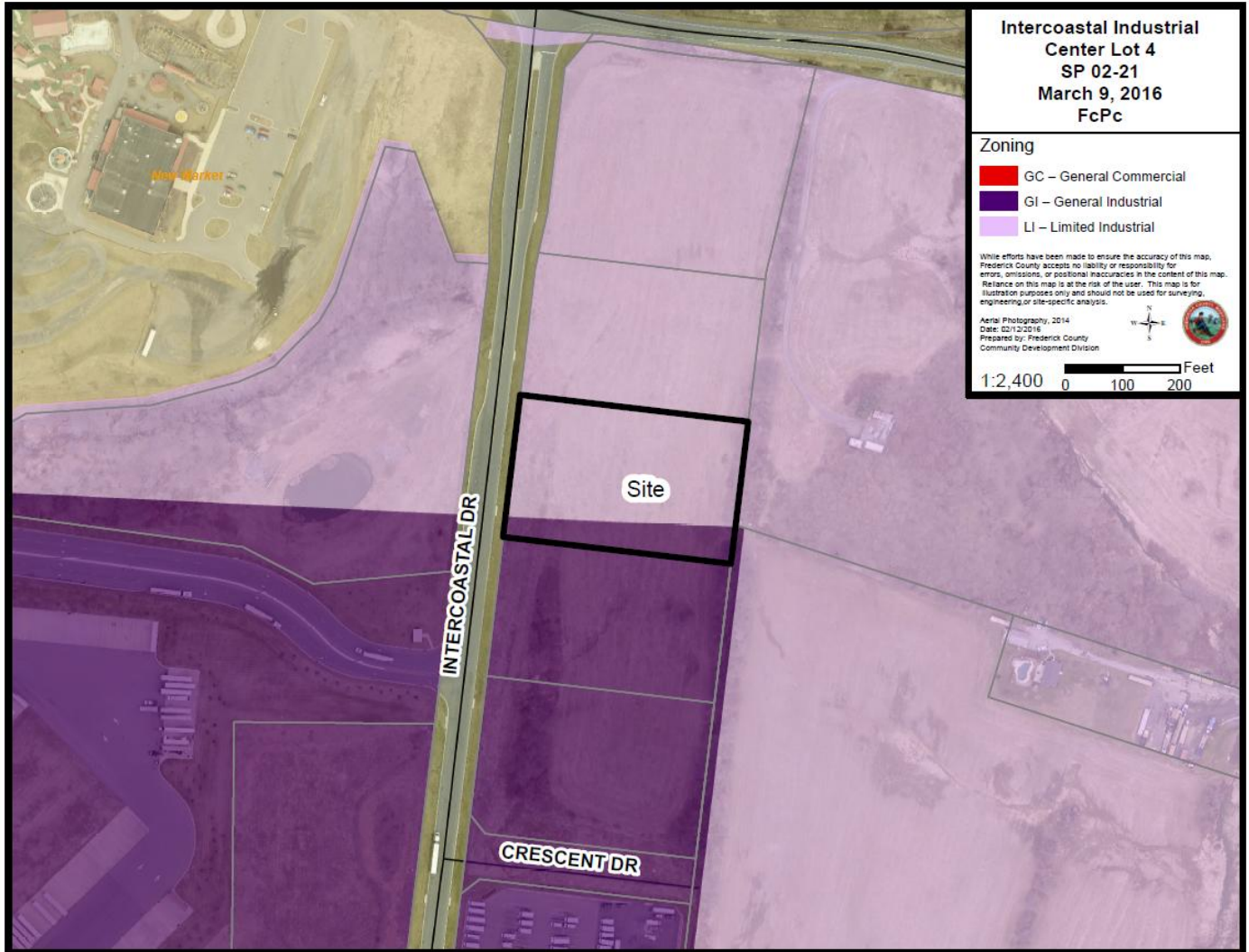


Existing Site Characteristics

The proposed Limited Manufacturing and Assembly facility is proposed to be located on a site that is currently zoned Limited Industrial (LI) and a small area of General Industrial (GI) (see graphic 2 below). The majority of the site is zoned LI, therefore the LI setbacks are being applied to this site plan. The GI zoned portion of the site is an old zoning designation that will be cleaned up during the next round of County rezoning map amendments.

Properties to the north, east and west are zoned LI. Properties to the south are zoned GI. The property to the northwest of Lot 4 is developed with Adventure Park. The property to the east contains a 193' cellular tower and equipment compound. The lots to the south are vacant with the exception of Lot 21, which is developed with Office and Warehouse for Colonial Equipment. The property to the west is the existing Costco Warehouse site.

Graphic #2: Intercoastal Lot 4 Zoning



Previous Site Plan Approvals: The Site Plan for Phase 1 development of Lot #1 (“Adventure Park USA”) was approved by the FCPC in January 2003. Improvements have only recently been made to Baldwin Road and Rt. 75. Phase 1 has been constructed and is operational.

The FCPC approved the site plan for Colonial Equipment in November 2006. Part of that approval dealt with the construction timing of the road connection to the property to the east of this development. At the November 14, 2007 FCPC meeting the FCPC also approved the Costco Warehouse site plan, which covers the adjacent 84 acres.

On December 10, 2014, the 593,480 square foot Costco RTV warehouse distribution (e-commerce) facility was approved by the FCPC, and is immediately adjacent to the developed 344,355 square foot existing Costco warehouse facility.

With the exception of the existing Costco Warehouse, the recently approved Costco RTV, and Colonial Equipment on Lot 21, no other lots have been developed within this subdivision. The Applicant has recently recorded plats for the remaining lots.

ANALYSIS

Summary of Development Standards Findings and Conclusions

The key issue associated with this site plan was the overall site layout utilizing the common access easements between the proposed limited manufacturing and assembly facility on Lot 4 and vacant Lot 5 to the south.

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 Manufacturing and Assembly Use in the Limited Industrial (LI) Zoning District.

The proposed setbacks for the facility are the following:

	<u>Required</u>	<u>Proposed</u>
Minimum Lot Area	20,000	2.31 acres
Minimum Lot Width	100'	251'
Front Yard	25'	79'
Side Yard	*22'North; *26 South	29.5'
Rear Yard	20'	20'
Max Building Height	60'	22 to 26'

*Equal to the height of the building

2. **Signage §1-19-6.300:** The Applicant is permitted to have 101 square feet of total signage based on the length of the facade facing the public street. The signage calculation within Signage Note #11 on Sheet 1 of the site plan is incorrect, and will be required to be amended prior to final approval of this site plan. The Applicant intends to utilize the total 38.4 square feet of allotted signage. The total proposed amount of signage meets the requirements of the zoning ordinance.
3. **Landscaping §1-19-6.400:** The Applicant has submitted a landscape plan, see Sheet 2 of 3. The Applicant is required to provide 7 street trees, and has proposed 7 street trees along Intercoastal Drive. The Applicant is required to provide 20% canopy cover over the parking area, or 3 parking lot island trees, the Applicant has proposed 5. Therefore, plan complies with all of the requirements of §1-19-6.400.

4. **Screening §1-19-6.400:** In accordance with Z.O. §1-19-6.400.B.3, *buffering and screening for all other land uses shall be determined by the Planning Commission.* The Applicant has provided screening along the northern and southern property boundaries in order to screen the site from adjacent parcels. The properties to the east are zoned LI and are at a higher grade than Lot 4, which hinders the proper planting of screening trees.
5. **Lighting §1-19-6.500:** The Applicant has proposed a lighting plan, which is shown on Sheet 3 of the plan package. The Applicant is proposing 6-24' foot tall light poles, and 3 building mounted lights. The lighting plan adheres to the requirements of 1-19-6.500 although there are areas of spillage located at the southern property boundary with Lot 5. In accordance with Z.O. §1-19-6.500.G: The Applicant is seeking a Lighting spillage modification (see Exhibit 2) for the common southern lot line with Lot 5, as well as the at the site entrance. The proposed loading area requires lighting to be located along the southern property line. The proposed lighting is fully shielded and cast down; there are areas of spillage across the property line. Staff has no objection to granting the requested lighting spillage modification request.

Modifications:

§1-19-6.500.G: The Applicant is seeking a Lighting spillage modification for the common southern lot line with Lot 5, as well as at the site entrance.

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:** Access to Lot 4 is achieved via a 30' wide access onto Intercoastal Drive located on the southern portion of the site. The access is designed within a common access easement with Lot 5 to the south. When Lot 5 is constructed the two lots will share the common access point onto Intercoastal Drive.
2. **Connectivity §1-19-6.220 (F):** Lot 4 is designed as a limited manufacturing and assembly use with a common access easement providing connectivity to adjacent lots. Lot 4 has a common access easement with Lot 5 to the south, as well as Lot 3 to the north. When Lot 5 is constructed they will utilize a shared access drive with Lot 4. Connectivity between Intercoastal Industrial Center and adjacent properties was identified at subdivision. A new street is planned to provide an east/west connection at a location between lot 6 and Lot 21 to the south of the subject property.
3. **Public Transit:** This Site is not served by Transit.
4. **Vehicle Parking §1-19-6.220:** The proposed parking calculations are based on the category of 'All Industrial Use', the proposed activities on-site, and the number of proposed employees. Required parking for the category of 'All industrial uses' is calculated at 1 space for every 2 employees (on the largest shift for which the building is designed) plus 1 for each motor vehicle used in the business. Therefore, 30 shop and office employees, require 15 parking spaces. The Applicant is proposing to have 10 business vehicles on site. The Applicant is required to provide 25 parking spaces and the Applicant has proposed 25 parking spaces, including two (2) ADA accessible spaces. Therefore the Applicant has complied with the requirements listed within Z.O. § 1-19-6.220.

5. **Loading §1-19-6.210.B:** For industrial uses over 5,000 square feet, the Zoning Ordinance requires 1 large + 1 additional large loading space is required for each additional 10,000 sq. ft. of total building net floor area or part thereof over 5,000 sq. ft. Proposed building square footage totals 37,111 square feet. Therefore, this Site requires 4 - 12'x50' loading spaces. The Applicant has provided 4 large loading spaces, and therefore complies with the requirements of Zoning Ordinance Section 1-19-6.210.B.
6. **Bicycle Parking §1-19-6.220 (H):** In accordance with Z.O. Section 1-19-6.220, the Applicant is required to provide 1 bike rack per 40,000 SF of GFA, minimum 1, maximum 10. The Applicant has proposed 1 bike rack to be located on the south side of the building located adjacent to the employee patio/picnic area.
7. **Pedestrian Circulation and Safety §1-19-6.220 (G):** The proposed building has sidewalk along the full length of the western building exposure and a portion of the southern building facade. The sidewalks and crosswalks correspond with the proposed employee parking and ADA areas. There are no sidewalks along Intercoastal Drive.

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 W-3, S-3 in the County water and sewer plan. The entire Site is in pressure Zone #1 with water coming from New Design WTP and Sewer flowing into the Interim Monrovia Sewer Plant and ultimately being treated at the Bush Creek Interceptor.

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 overall site is flat; topography rises approximately 10 feet from Intercoastal Drive to the eastern boundary of the site.
2. **Vegetation:** The site is covered with grasses.
3. **Sensitive Resources:** There are no sensitive environmental resources located on or adjacent to Lot 4.
4. **Natural Hazards:** There are no natural hazards located on site.

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

1. **Proposed Common Area:** The Site is an industrial place of business used for manufacturing and assembly use without any retail component. There are no common areas proposed or required.

Other Applicable Regulations

Moderately Priced Dwelling Units – Chapter 1-6A: The proposed use is non-residential; therefore, MPDUs are not required.

Stormwater Management – Chapter 1-15.2: Stormwater management is provided by the regional facility pond #2, which is located to the south of Lot 4. Pond #2 was constructed under Phase 1 Plans (AP# 2914) approved on 11-08-06. A Stormwater Concept Plan has been submitted and approved.

Subdivision Regulations – Chapter 1-16: Lot 4 is a legal lot of record. The plat (AP # 14907) has been recorded the liber folio is listed within Site Plan Note #1.

APFO – Chapter 1-20:

- 1. Schools.** This Site is a non-residential use and is therefore exempt from school testing.
- 2. Water/Sewer.** While the public sewer and water facilities are currently adequate to serve the project, the Applicant recognizes that capacity is not guaranteed until purchased. APFO approval for sewer and water does not guarantee that building permits will be issued. Building permit issuance is subject to compliance with the Annotated Code of Maryland, Environment Article Section 9-512, et. seq and all applicable County regulations, including but not limited to Sec. 1-16-106 of the Frederick County Subdivision Regulations.
- 3. Roads.** The proposed 37,111 square foot building, along with those buildings already built or approved within the subdivision, will not exceed the previously approved Phase 1 Research and Development Center trip cap as defined by the executed Intercoastal Industrial Center APFO Letter of Understanding (LOU), dated October 1, 2003 (AP # 6692). The traffic generation for this site assumes general light industrial use, generating up to 33 AM and 35 PM weekday peak hour trips. This site plan would leave a balance of 509 AM and 370 PM weekday peak hour trips remaining for future Phase 1 uses.

Therefore, this Site does not exceed the roads trip cap and is exempt from further review.

Forest Resource – Chapter 1-21: A forest conservation plan AP #6693 was approved for the Intercoastal Industrial Center in 2008, which resulted in the recordation of onsite FRO easements (14.11 acres of forest retention and 18.17 acres of newly planted forest). Therefore, Forest Resource Ordinance requirements for this lot were met and no further mitigation is warranted.

Historic Preservation – Chapter 1-23: There are no sensitive historic resources on this property.

Summary of Agency Comments

Other Agency or Ordinance Requirements	Comment
Development Review Engineering (DRE):	Conditional Approval
Development Review Planning:	Hold: Address all agency comments as the plan proceeds through to completion
State Highway Administration (SHA):	N/A
Div. of Utilities and Solid Waste Mngt. (DUSWM):	Approved
Health Dept.	N/A
Office of Life Safety	Conditional Approval
Traffic Engineering	Approved
Historic Preservation	N/A

RECOMMENDATION

Staff has no objection to conditional approval of the Site Development Plan. If the Planning Commission conditionally approves the site plan, the site plan is valid for a period of three (3) years from the date of Planning Commission approval, or March 9, 2019.

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:

1. Address all agency comments as the plan proceeds through to completion.
2. Prior to final signature approval the Applicant shall amend Note 11 of the Site Development Plan to reflect the following a maximum signage square footage of 101 square feet.
3. Planning Commission approval of the light Spillage Modification in accordance with Z.O. §1-19-6.500.G: to permit light spillage along the common southern lot line with Lot 5, as well as at the site entrance.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission **APPROVE** SP 02-21, AP 15956 **with conditions** as listed in the staff report for construction of the proposed 37,111 square foot limited manufacturing and assembly building, on a 2.31-acre site, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

Exhibit #1: Intercoastal Industrial Center Lot 4 Rendering





January 7, 2016

Tolson DeSa
Frederick County Development Review
30 N. Market Street
Frederick, MD 21701

Re: Lighting Modification – Intercoastal Industrial Center Lot 4
Project Number #15956
HSA Job No. 5381

Dear Tolson:

On behalf of our client, we are requesting the following modification from the provisions of the Frederick County Zoning Ordinance.

1. Section 1-19-6.500 (D) Lighting. The Intercoastal Industrial Center is being developed as a Planned Industrial Development. Although the buildings are located on separate lots, the overall Industrial Development can be considered as a single location. As shown on the lighting plan, photometric levels are over 0.5 footcandles at the property line along Intercoastal Drive and Lot 5 to the south. Light spillage is created by entrance and loading area illumination and is not unusual. Furthermore, the photometric does not account for vegetation that will be planted along the property lines, which as it matures will further reduce foot candles on the neighboring lot. It is requested that within the interior boundaries of the overall Planned Industrial Subdivision, light be permitted to exceed .50 foot candles at the property lines. Light will not exceed .50 foot candles on the outer property lines to the neighboring properties not part of the Planned Industrial Subdivision.

Thank you for your consideration.

S. Francis Zeller
Vice President

cc: Joe Hardesty

T:\5381-LT004\Correspondence\Tolson Desa Lighting Modification.docx