



**FREDERICK COUNTY PLANNING COMMISSION**  
**February 18, 2015**

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**TITLE:** Frederick Preserve Lot 1: C.W. Wright

**FILE NUMBER:** SP-02-29, AP 14959, APFO 14960, FRO 14961

**REQUEST:** Site Development Plan Approval

The Applicant is requesting Site Development Plan approval for a 672 square foot Contractor's Office and Storage on a 2.47-acre site

**PROJECT INFORMATION:**

**LOCATION:** 9758 Doctor Perry Road  
Located along Dr. Perry Road, north of Route 270  
Tax Map/Parcel: Tax Map 105, Parcel 31  
**ZONE:** LI (Limited Industrial)  
**COMP. PLAN/LAND USE:** LI (Limited Industrial)  
**REGION:** Urbana  
**WATER/SEWER:** W-5, S-5

**APPLICANT/REPRESENTATIVES:** (as applicable)

**APPLICANT:** CW Wright  
**OWNER:** JKJ Properties, LLC  
**ENGINEER:** Adtek, Inc.  
**ARCHITECT:** Not Listed  
**ATTORNEY:** Not Listed

**STAFF:** Tolson DeSa, Principal Planner II

**RECOMMENDATION:**

Conditional Approval

**ATTACHMENTS:**

Exhibit 1-Site Plan Rendering

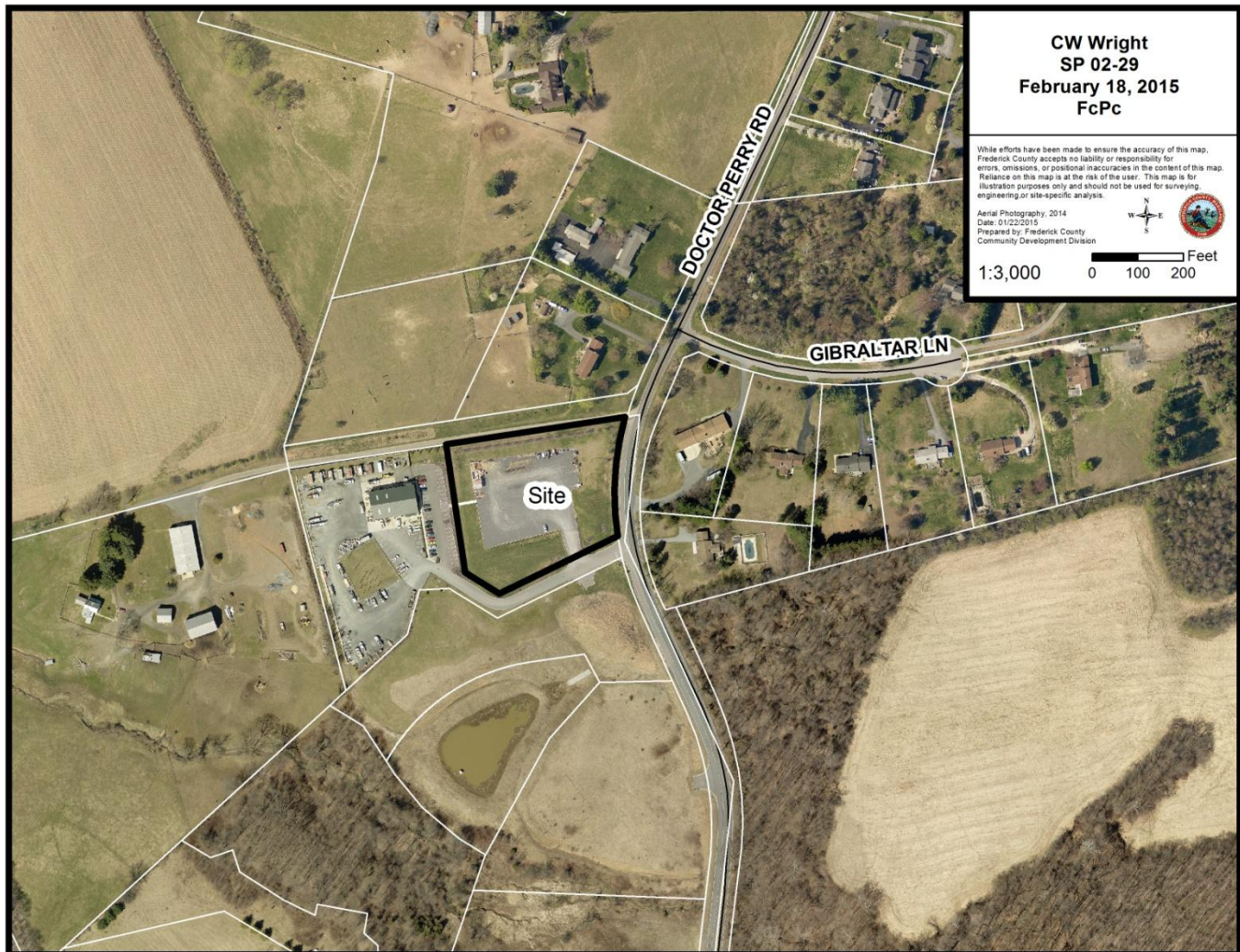
# STAFF REPORT

## ISSUE

### Development Request

The Applicant is requesting approval for a 672 square foot Contractor's Office and Storage, on a 2.47-acre site. The proposed use is being reviewed as an "Contractor's Office and Storage" land use under the heading of *Commercial Business and Personal Service* per §1-19-5.310 Use Table in the Zoning Ordinance and is a principal permitted use in the Limited Industrial (LI) Zoning District subject to site development plan approval.

Graphic #1: Site Aerial



## BACKGROUND

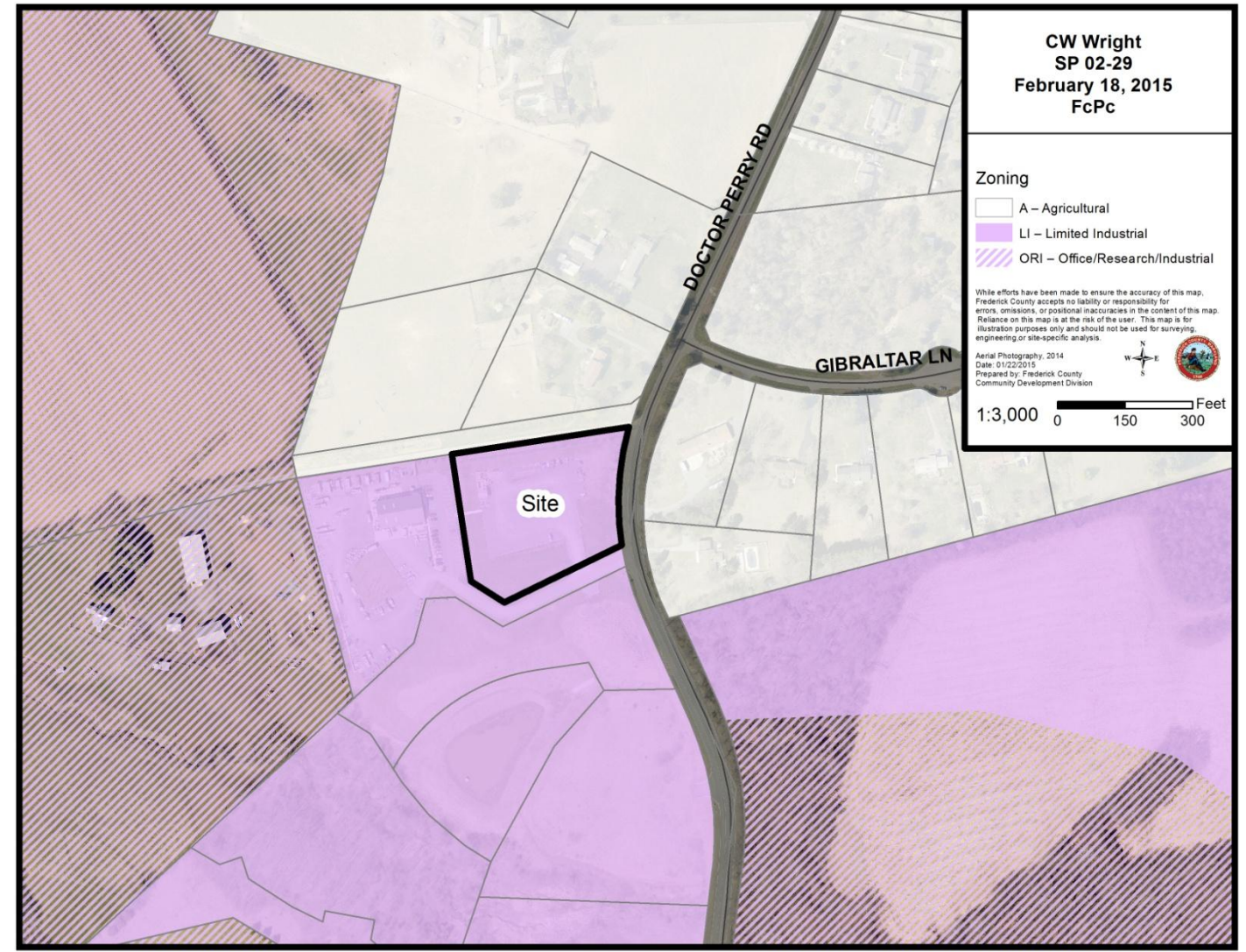
### Development History

The lot was previously platted as part of the Frederick Preserve Preliminary Subdivision Plan for Lots 1-5, which was approved on February 13, 2008.

## Existing Site Characteristics

The site is currently zoned Limited Industrial (LI), and is a vacant, graded parcel (See Graphic #2 below). The property to the west of the site is developed with with the existing CW Wright Offices and Warehouse. The property to the north is existing agriculturally zoned land with a single family detached dwelling on site. The properties to the east are existing agriculturally zoned land with a single family detached dwellings. The land to the south is the remaining Frederick Preserve Subdivision Lots 3 through 5.

Graphic #2: Site Zoning



## ANALYSIS

### Summary of Development Standards Findings and Conclusions

The Applicant worked with Staff in complying with the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County zoning ordinance. On 3/24/2014, Staff received a grading complaint on this site, due to a large amount of gravel being deposited on site. The site was inspected and found to be in violation of disturbing the ground in excess of 30,000 square feet. The Applicant was notified, fined and has been working with Staff to update the site plan and come into compliance with all applicable regulations. The main issues associated with this site were bringing the site into compliance with a grading violation as well as providing a substantial landscaped buffer adjacent to the neighboring properties.

## 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 setback requirements and the minimum lot area within the LI zoning district have been met by the proposed use. The setback requirements in the LI zoning district are 25-foot front yard and 20-foot rear yard, with side yards equal to the height of the building (22'). The Applicant proposes setbacks of 312' front, 72' side, and 29' rear. The maximum height allowed in the district is 60 feet; the proposed use is proposed to be 22 feet in height. The minimum lot size for the zoning district is 20,000 square feet and the existing lot is 2.47 acres. The proposed plan meets the required Bulk/Dimensional requirements.
- 2. Signage §1-19-6.300:** No signage is proposed as part of this development.
- 3. Landscaping §1-19-6.400:** A landscape plan has been submitted as part of the site plan. The landscaping is designed with a variety of plant species, which are arranged to provide screening as well as aesthetics. The planting schedule follows the standard sizes that have been consistently approved by the Planning Commission.
- 4. Screening §1-19-6.400:** The Applicant has proposed a significant screening buffer around the perimeter of the site. The Applicant added additional plantings along the northern, western and eastern property boundaries in order to provide additional screening against the agricultural uses to the north.
- 5. Lighting §1-19-6.500:** No lighting is proposed as part of this development.

**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:** Site access will be achieved via a 30' wide full movement access point onto the existing 30' wide, paved common drive that also serves Lot 2. The comprehensive plan shows a future north/south oriented collector road just west of Dr. Perry Road. The future road is justified by the planned office/research/industrial uses in the corridor, in combination with the physical constraints that make Dr. Perry Road difficult to upgrade to suburban collector standards. However, when the lot was previously subdivided, no dedication or reservation for the alignment was identified. That, in combination with no alignment studies for the road, makes it impossible to identify it as part of this site plan. The proposed use and its location would not preclude the implementation of the future collector and therefore there is no need to make the effort to identify an alignment at this time.

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2. **Connectivity §1-19-6.220 (F):** CW Wright is currently occupying Lot 2, which is located to the west of Lot 1. A concrete walk is proposed between the parking area on Lot 1 and the CW Wright operation on Lot 2 with the intent of providing a pedestrian connection between the two sites in order to provide employees a safe and convenient way to access the office and storage area.
3. **Public Transit:** This site is not served by Transit.
4. **Vehicle Parking and Loading §1-19-6.200-through 1-19-6.220:** The Applicant is proposing a 672 square foot office. The required parking for an office use is one space for every 300 square feet of office area. Therefore, the Applicant is required to provide 2 parking spaces for the office use. The Applicant has proposed a total of 2 parking spaces including 1 ADA accessible parking space. In addition, the Applicant has provided 1 loading space in accordance with the requirements of 1-19-6.210.
5. **Bicycle Parking §1-19-6.220 (H):** In accordance with Z.O. Section 1-19-6.220, the Applicant is not required to provide bike racks.
6. **Pedestrian Circulation and Safety §1-19-6.220 (G):** The site is an industrial place of business used for a Contractor's Office and Storage without any retail component. All employees will park in the parking spaces adjacent to the respective buildings. The Applicant has proposed an ADA accessible route from the proposed office to the ADA accessible parking spaces. This site is proposing a concrete walk providing a pedestrian connection to Lot 2.

**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. **Private Well and Septic:** The site is currently served by private well and approved septic field and currently holds a W-5, S-5 classification. The property will be connected to public water and sewer when they become available, at the property owner's expense. Health Department has conditionally approved this site development plan proposal.

**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, the land slopes gently from north to south. The common entry drive sits down approximately 12 feet from the crest of the lot.
2. **Vegetation:** The site is clear of any existing vegetation.
3. **Sensitive Resources:** There are no floodplains, wetlands, or wetsoils located on this site.
4. **Natural Hazards:** There are no natural hazards located on this site.

**Common Areas §1-19-3.300.4 (E):** *If the plan of development includes common areas and/or facilities,*

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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 without any retail component. There are no common areas proposed.

**Other Applicable Regulations**

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

**Stormwater Management – Chapter §1-15.2:** Stormwater management quality to be provided by the regional SWM facility for the entire Frederick Preserve Lots 1-5 Subdivision as prepared by Daft, McCune & Walker, Inc. AP 6061 as approved by the Frederick County Planning Commission on 2/13/2008.

**APFO – Chapter §1-20:**

1. **Schools.** The site is a non-residential use and therefore exempt from school testing.
2. **Water/Sewer.** The Property has water and sewer classification of W-5/S-5 in the County’s *Master Water and Sewer Plan* and will be served by private well and septic facilities.
3. **Roads.** Adequate Public Facilities Ordinance approval was granted on February 13, 2008 for Lots 1-5 AP #5338 during the subdivision approval process, mitigation was paid, therefore this project is exempt from further testing. The approved APFO was tested to cap Lot 1 for 42 Morning and Evening peak hour trips, which this use would not exceed.

**Forest Resource – Chapter §1-21:** This site was mitigated for FRO in 2008 during the subdivision review process. No further FRO mitigation is required.

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

**Summary of Agency Comments**

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

## **RECOMMENDATION**

Staff has no objection to conditional approval of the Site 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 and is therefore valid until February 18, 2018.

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.

## **PLANNING COMMISSION ACTION** **MOTION TO APPROVE**

I move that the Planning Commission **APPROVE** SP 02-29 **with conditions** as listed in the staff report for the proposed 672 square foot Contractor's Office and Storage Yard, on a 2.47-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: Site Plan Rendering: Frederick Preserve Lot 1: C.W. Wright



**SITE LANDSCAPE PLANT SCHEDULE**

ID	SYMBOL	COMMON NAME	HT	PRNG	QTY	QTY/1000	COMMENTS
01	(Symbol)	RED BUD	12.0 FT	SHR	2		
02	(Symbol)	DOGWOOD	15.0 FT	SHR	2		
03	(Symbol)	DOGWOOD	15.0 FT	SHR	2		
04	(Symbol)	DOGWOOD	15.0 FT	SHR	2		
05	(Symbol)	DOGWOOD	15.0 FT	SHR	2		
06	(Symbol)	DOGWOOD	15.0 FT	SHR	2		
07	(Symbol)	DOGWOOD	15.0 FT	SHR	2		
08	(Symbol)	DOGWOOD	15.0 FT	SHR	2		
09	(Symbol)	DOGWOOD	15.0 FT	SHR	2		
10	(Symbol)	DOGWOOD	15.0 FT	SHR	2		
11	(Symbol)	DOGWOOD	15.0 FT	SHR	2		
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99	(Symbol)	DOGWOOD	15.0 FT	SHR	2		
100	(Symbol)	DOGWOOD	15.0 FT	SHR	2		

NOTE: FOR ALL SPECIES, PLANT SET HEREIN ON CENTER OF THE LANDSCAPE PLAN. THE QUANTITY SHOULD BE MULTIPLIED BY THE NUMBER OF SIMILAR PLANTING AREAS.