



**FREDERICK COUNTY PLANNING COMMISSION**  
**October 14, 2015**

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**TITLE:** Holtzople Heating and Air Conditioning

**FILE NUMBER:** SP-99-17 AP 15653, APFO 15654, FRO 15753

**REQUEST:** Site Development Plan Approval

The Applicant is requesting site development plan approval for construction of a 3,200 square foot storage building, on a 4.45-acre site with an existing HVAC contractor operation.

**PROJECT INFORMATION:**

ADDRESS/LOCATION: 16424 Old Frederick Road, south of US-15.

TAX MAP/PARCEL: Tax Map 008, Parcel 0149

COMP. PLAN: General Industrial

ZONING: General Industrial

PLANNING REGION: Thurmont

WATER/SEWER: W-5, S-5

**APPLICANT/REPRESENTATIVES:**

APPLICANT: Holtzople Heating and Air Conditioning

OWNER: Holtzople Heating and Air Conditioning

ENGINEER: Terra Solutions, LLC

ARCHITECT: N/A

ATTORNEY: N/A

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

**RECOMMENDATION:**

Conditional Approval

**ATTACHMENTS:**

Exhibit 1-Site Plan Rendering

Exhibit 2-Landscape Plan Modification Request

# STAFF REPORT

## ISSUE

### Development Request

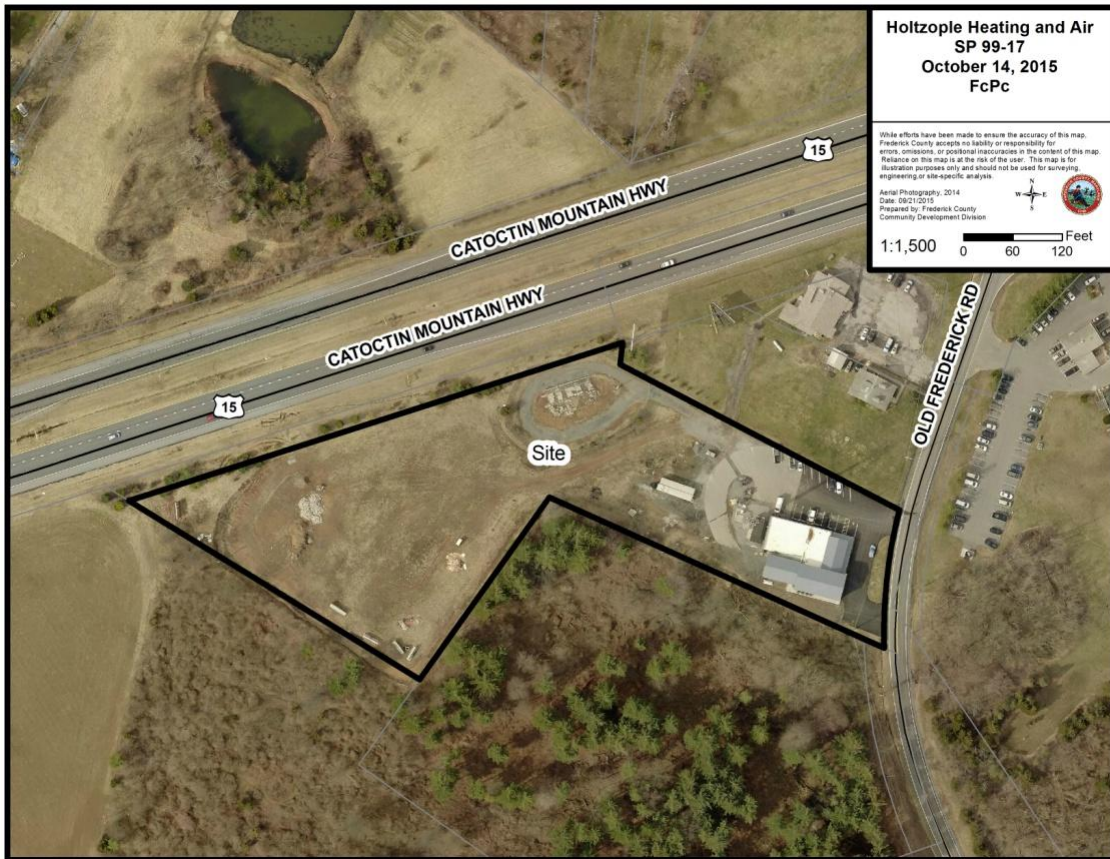
The Applicant is requesting site development plan approval for the construction of a 3,200 square foot storage building on the site of an existing HVAC contractor operation. The proposed use is being reviewed as “Contractors, fencing, pool, and siding” land use under the heading of *Commercial Business and Personal Services* per §1-19-5.310 Use Table in the Zoning Ordinance and is a principal permitted use in the General Industrial (GI) Zoning District subject to site development plan approval.

## BACKGROUND

### Development History

On August 8, 2001, SP 99-17 proposing a 150' cellular monopole with a 1,400 square foot compound was approved by the Frederick County Planning Commission (FCPC). In 2012, a site plan was approved for a 3,511 square foot addition onto the existing 3,590 square foot main office/warehouse building (see graphic #1).

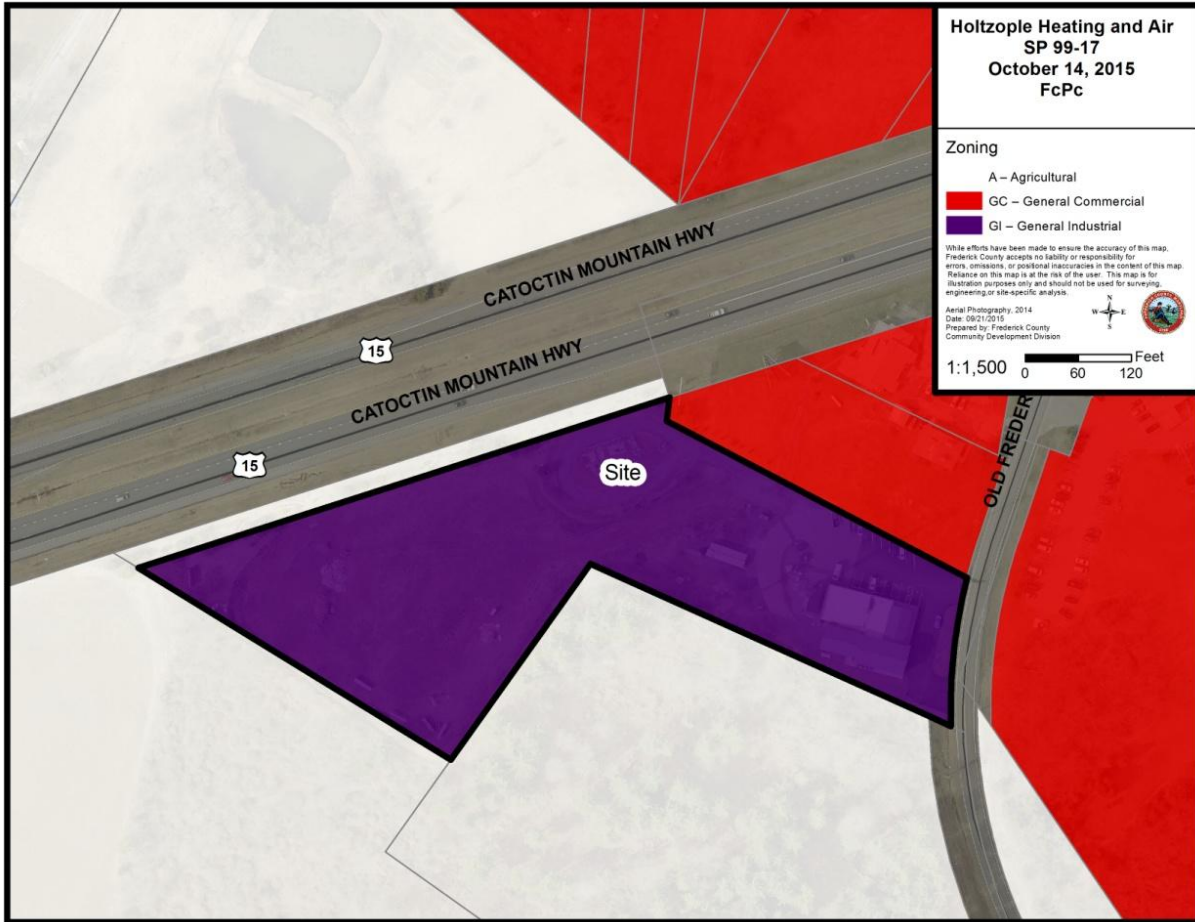
Graphic #1: Site Aerial



### Existing Site Characteristics

The site is currently zoned General Industrial (GI) (see graphic #2), and is developed with an 7,186 square foot office/warehouse building. The property to the north of the site is zoned General Commercial (GC) and is developed with a restaurant, the property to the south is zoned Agricultural (A) and is vacant, the land to the east is zoned GC and is developed with a rehabilitation facility, and the western boundary is US-15.

Graphic #2: Site Zoning



## ANALYSIS

### Summary of Development Standards Findings and Conclusions

The primary issues associated with this proposal were the development of a landscape plan that was commensurate with the proposed improvements to the site. The site also contains wet soils, wetlands and ephemeral stream and channels that had to be avoided.

### 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 for 'all permitted uses' in the GI zoning district are 25-foot front yard, 40-foot rear yard, and 15' side yards. The maximum height allowed is 60 feet. The minimum lot size for the zoning district is 43,560 square feet. The proposed plan exceeds the minimum setback requirements, the building height will not exceed the maximum allowed in the district. Therefore, the proposed plan meets the required Bulk/Dimensional requirements.

2. **Signage §1-19-6.300:** The applicant is not proposing any additional signage as part of this development application.
3. **Landscaping §1-19-6.400:** The proposed storage structure will be located to the rear of the existing developed site. As part of the current application, the existing site does not fully comply with current parking lot screening, tree canopy and street tree landscaping requirements within the Zoning Ordinance. As is typical with existing developed sites, the Applicant worked with Staff to propose a landscape plan that is commensurate to the current proposed improvements being made to this site. The existing lot configuration prohibits full compliance with the landscaping requirements listed in Z.O. 1-19-6.400.

Therefore, the Applicant has requested approval of an alternate landscape plan (see Exhibit 2) that concentrates on-site landscaping along the northern and western property boundaries while adding internal landscaping throughout the site in order to come into further compliance with the landscaping regulations listed within §1-19-6.400. The Applicant is proposing to plant 19 deciduous, flowering and evergreen trees throughout the site, which will provide increased parking lot screening, tree canopy cover, and overall site screening from adjacent properties and US-15.

4. **Screening §1-19-6.400:** The Applicant has proposed a screening buffer along the northern and western property boundaries, consisting of 6 red maples and has supplemented an existing buffer to the west with four white pines in order to screen the site from US-15 and the adjacent restaurant site.
5. **Lighting §1-19-6.500:** The Applicant is not proposing any additional lighting, with the exception of security lighting. Section 1-19-6.500. (E) of the Zoning Ordinance provides that temporary lighting and lighting provided for emergency or safety purposes are exempt from the requirements of the Zoning Ordinance. However, the Applicant has noted that all security lighting will be limited to a maximum of 0.5 foot candles at the periphery of the property.

**Conditions** Planning Commission approval of an alternate landscape plan (see Exhibit 2) that concentrates on-site landscaping along the northern and western property boundaries while adding internal landscaping throughout the site in order to come into further compliance with the landscaping regulations listed within §1-19-6.400.

**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 this site will be via two existing access points onto Old Frederick Road. The Applicant is not proposing any alterations to the existing access.
2. **Connectivity §1-19-6.220 (F):** Due to the different zoning, the various states of development and existing uses, no connectivity is proposed between the subject site and surrounding parcels.
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 proposed storage building does not require any additional parking. The Applicant is showing the existing parking on site for existing office and warehouse space. The Applicant has shown the existing 22 parking spaces

**Holtzople Heating and Air Conditioning**

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on site.

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 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.

**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 to be served by private water and septic tank and is classified W-5, S-5. The Health Department has conditionally approved this development review 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 rising roughly 15 feet from Old Frederick Road to US 15.
2. **Vegetation:** The site does not contain any natural vegetation.
3. **Sensitive Resources:** The site contains RmA, and PrB type wet soils, as well as an ephemeral stream and channels. All of the sensitive environmental features are outside of the limits of disturbance for the proposed storage building.
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 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, MPDUs are not required.

**Stormwater Management – Chapter 1-15.2:** The development proposal is disturbing less than 5,000 square feet and is therefore exempt from stormwater management regulations.

**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 on-site well and septic.
3. **Roads.** The proposed storage building does not generate more than 5 AM/PM peak hour trips and is therefore exempt from roads testing.

**Forest Resource (FRO) – Chapter 1-21:** The FRO requirement of 0.02 acres is being met through a combination of planting landscape trees (19 total) and utilizing the allowable credits (0.08 acres) which requires no further mitigation.

**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>	Approved
<b>Div. of Utilities and Solid Waste Mngt. (DUSWM):</b>	N/A
<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.

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. Planning Commission approval of the Alternate Landscape Plan proposing to plant 19 deciduous, flowering and evergreen trees throughout the site, which will provide increased parking lot screening, tree canopy cover, and overall site screening from adjacent properties and US-15, commensurate with the amount of proposed improvements to the site.

# PLANNING COMMISSION ACTION

## MOTION TO APPROVE

I move that the Planning Commission **APPROVE** Site Development Plan SP -9-17 AP 15653 **with conditions** and modifications as listed in the staff report for the proposed 3,200 square foot storage building, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.



Exhibit #1: Holtzople Site Plan Rendering





## **Terra Solutions Engineering, LLC**

*Commercial & Residential Land Planning and Engineering*

*"Solutions through experienced Engineering"*

5216 Chairman's Court, Unit 105  
Frederick, Maryland 21703

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Fax: 301-378-9846

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August 27, 2015

Mr. Tolson DeSa  
Frederick County Division of Permitting  
and Development Review (DPDR)  
30 North Market Street  
Frederick, MD 21701

Re: **Holtzople Heating & Air Conditioning**  
**Tax Map 8, Parcel 149**  
**Landscape Design Modification Request**  
Situating at 16424 Old Frederick Road  
**File #: SP-99-17, Project No.: 15653**

Dear Mr. DeSa:

Pursuant to the requirements of Frederick County Zoning Ordinance (§ 1-19-6.400 (2)):

- (2) *An alternate on-site location for trees may be approved by the Planning Commission or Planning Commission authorized representative when a specific finding is made that the alternate location is required due to:*
- (a) *Physical site constraints; or*
  - (b) *N/A*
  - (c) *Approval of an alternate planting design by the Planning Commission.*

This modification request letter is being submitted for approval since the existing parking lot and available landscaping areas cannot comply with all the landscaping requirements outlined in Section 1-19-6.400 of the Frederick County Zoning Ordinance.

In an effort to comply with Section 1-19-6.400, additional landscaping has been incorporated into the current Site Plan design, predominately around the perimeter of the existing parking lot and along the adjacent property line to increase our buffer screening; unfortunately, it isn't possible to meet all the parking lot shading and green space design requirements within the existing Holtzople parking lot.

The reduction in internal green space and lack of tree canopy shading (i.e., less than 20%) within the existing parking area has been discussed and appears to be acceptable and supported by the Frederick County Planning Department Staff.

At this time, we are requesting Planning Commission approval on behalf of our client, Holtzople Heating & Air Conditioning, for a landscape design modification approval as permitted under Section 1-19-6.400 of the Frederick County Zoning Ordinance due to physical constraints and our request for

Holtzople Heating & Air Conditioning  
Tax Map 8, Parcel 149  
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approval of an alternate planting design and layout. If there are any comments or concerns related to our request, please do not hesitate in contacting me at the address and phone numbers listed above.

Sincerely,  
**Terra Solutions Engineering, LLC**



Gerald Lee Miller, Jr., PE

Cc: Mr. Jerred Holtzople

Holtzople Heating & Air Conditioning