TITLE: Dollar General (Lot 1)

FILE NUMBER: SP-89-19, AP#14247

REQUEST: Site Development Plan Approval
The Applicant is requesting Site Development Plan approval for a 9,100-square-foot Department Store or Variety Store, on a 1.41-acre site.

PROJECT INFORMATION:
ADDRESS/LOCATION: North side of MD 180/Jefferson Pike at Holter Road in the Community of Jefferson
TAX MAP/PARCEL: Tax Map 84, Parcel 65, Lot 1
COMP. PLAN: Village Center (VC)
ZONING: Village Center (VC)
PLANNING REGION: Brunswick
WATER/SEWER: W-5/S-1

APPLICANT/REPRESENTATIVES:
APPLICANT: Ty Davenport, ACDH Maryland
OWNER: Jefferson Village Center, LLC
ENGINEER: Frederick, Seibert & Associates, Inc.

STAFF: John Dimitriou R.A., Principal Planner

RECOMMENDATION: Conditional Approval

ATTACHMENTS:
Exhibit 1- Site Plan Rendering
Exhibit 2 – Landscaping Modification Request
STAFF REPORT

ISSUE

Development Request

The Applicant is requesting Site Development Plan approval for a 9,100 square foot building and associated improvements on the 1.41 acre Cambridge Farms Lot 1. The proposed use is being reviewed as a "Department Store or Variety Store" land use under the heading of Commercial Uses – Retail per §1-19-5.310 Use Table in the Zoning Ordinance and is a principal permitted use in the VC-Village Center Zoning District subject to site development plan approval (PS). The Applicant has concurrently submitted a combined preliminary/final plat for the recordation of a 1.41 acre lot (S-811, AP#14246), within which the proposed development will be located.

BACKGROUND

Development History

This site was rezoned to B-3 Business in 1972. The zoning was changed to VC-Village Center in 1977. It has since been zoned VC-Village Center. The site is currently vacant and undeveloped. The 9.39 acre parcel is a remainder of the Cambridge Farms subdivision, a major residential subdivision developed largely in the 1990’s and predominantly zoned R5 with some R8 and VC zoning.

A Concept Site Development Plan was approved on November 13, 2013 (AP #13148) for this project. The Concept Plan included a generalized concept for the overall 9.39 acre site in an effort to ensure that a realistic and feasible transportation network and land use layout could be achieved subsequent to development of the variety store. The proposed site development plan is consistent with the approved Concept Plan.

Existing Site Characteristics

The proposed variety retail store will be located on a lot to be created from a larger 9.39 acre site (see Graphic 1). The site is currently vacant. The Cambridge Farms subdivision is to the north of the site across Holter Road and along the northeastern boundary of the site. There are residential uses adjoining the site along the eastern boundary and facing the site to the south along MD180. Additionally, there are commercial uses to the south and west of the site, including an auto service facility facing the site along MD180. The H.C. Summers Feed and Supply Store adjoins the site on the southwest.

The larger 9-acre site has almost 1,300 feet of frontage along Holter Road, and almost 560 feet of frontage along MD 180. There are two existing entrances located along Holter Road. One is directly across from Camden Drive, which leads into the Cambridge Farms subdivision.

The subject property is not forested and slopes to the west of the site. There are no wet soils or floodplain on the site.
Graphic 2 - Project Site Zoning
ANALYSIS

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 and §1-19-7.500(B)(2), (3): Front, side, and rear setbacks are determined in the Village Center zoning district based upon the average setbacks for structures located on all lots facing and adjacent to the proposed development. The maximum allowed building height is 30’. The Applicant has provided calculations describing the resulting setbacks as follows:
   Front: 27’6”  Side: 10’
   Rear: 40’  Maximum Height: 30’

2. Signage §1-19-6.300: Proposed signage is for a building mounted sign along the western façade and a pole mounted sign at the front of the Site. The total signage allowed for the site is 114 square feet with a maximum height of 25’. The Applicant proposes a total of 101 square feet of signage. The proposed signage complies with requirements.

3. Landscaping §1-19-6.400: The Applicant is requesting approval of an alternate planting design by the Planning Commission, as permitted under §1-19-6.400(A)(2)(c). Street trees are required to be provided on-site at a rate of 1 tree per 35 feet of building frontage. The lot has approximately 240’ of frontage along MD180. This equates to a requirement of 7 street trees. Only 5 are provided, 3 of which are off-site. The proposed configuration of street trees is due to easement restrictions along MD180. Therefore the Applicant has requested a landscaping modification of street tree requirements (see attached exhibit 2).

   §1-19-6.400(D) of the Zoning Ordinance, which requires 1 tree at least 6 feet in height at the time of planting and groundcover containing at least two shrubs for every 100 square feet of landscape area between and at the end of each bay of parking spaces. As proposed, the site plan does not meet these requirements. Required landscaping must be provided between and at the end of each parking bay.

4. Screening §1-19-6.400: The Project is for a commercial use that is not directly adjacent to residential, industrial, mineral mining or solid waste districts. The entire 9 acre site is planned to be developed in the future with similar uses. However, the eastern portion of the site is only partially screened from the nearby residential uses. This eastern portion of the site includes two loading areas and associated activities which may impact the nearby residential uses. However, only one loading area is proposed to be screened with vegetation. Adding a vegetative screen along the eastern building façade as well as extending the proposed loading area screening to the north along the property line will reduce the impacts of the proposed land use on existing residences. The vegetative screen along the building façade shall include plant species from the proposed plant list in a combination that will reach a minimum of 4’ in height at maturity.

5. Lighting §1-19-6.500: No proposed lighting exceeds .5 foot-candles at the property line.
**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:** The approved Concept Site Development Plan included a generalized concept for the overall site to ensure that a realistic and feasible transportation network and land use layout could be achieved subsequent to development of the variety store. The proposed site development plan adheres to the approved transportation layout. The site will be accessed from MD 180 via a 40' wide common access drive that continues through the site and connects to Holter Road to the north. In an effort to reduce impact of vehicle lights on adjacent properties, site access along Jefferson Pike is positioned to align with an existing alley to the south, which was achieved by working with Applicant.

2. **Connectivity §1-19-6.220 (F):** The proposed site plan begins to implement the proposed site circulation delineated in the generalized concept plan and interconnects with the potential future transportation network. The common access drive provides a connection between Holter Road and MD 180 that allows access to the proposed store without traversing the entire distance of the larger 9 acre site.

3. **Public Transit:** The Site is not served by public transit.

4. **Vehicle Parking and Loading §1-19-6.200-through 1-19-6.220:** Parking for the retail store is calculated at 1 space per 250 square feet of floor area excluding preparation and/or storage areas. Based on this standard, the Applicant proposes 30 on-site parking spaces. Two loading spaces are required and have been provided on the site plan.

5. **Bicycle Parking §1-19-6.220 (H):** The Zoning Ordinance requires 1 bicycle rack per each 20 auto spaces, therefore, 2 bicycle parking spaces are required and have been provided.

6. **Pedestrian Circulation and Safety §1-19-6.220 (G):** Pedestrian crosswalks, sidewalks, and walkways are proposed within the parking area, from the parking area to building entrances, and along MD180.

**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 Sewer and Private Well:** The site is to be served by a private well and public sewer. The site is classified W-5, S-1 on the County Water and Sewer Master Plan. The Health Department and the Division of Utilities and Solid Waste Management have reviewed and approved the proposed plan.
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
The topography of the Site has established the basis for the stormwater management plan, with the low point serving as a stormwater detention facility. The Site is not wooded, does not contain floodplains, wetlands, or restricted soils. There are no sensitive resources on the Site. Condition number 5 of the concept site development plan approval stated: “Prior to preliminary plan or site development plan approval the Applicant will be required to update the FSD to reflect the wetland location or to submit evidence to the contrary”. The Applicant has updated the FSD and provided information demonstrating the absence of wetlands on the property.

Other Applicable Regulations
All new development within the Village Center zoning district is subject to the Village Center Zoning District Overlay Standards and specifically the Design Standards in Section 1-19-7.500(C). The proposed development is consistent with the concept site development plan.

• Staff finds that the proposed configuration of the building relative to the parking and to MD180, with the main entrance located at the corner, with an entrance canopy feature on the building, with fenestration on the principal face, and with the gable end of the roof facing MD180, establishes the principal face of the building and provides the orientation toward MD180.

• Staff finds that, for the proposed variety store lot, the configuration and location of parking relative to MD180 does not result in an excessively long expanse of empty street frontage due to the limitation of the parking bay width, the distribution of parking facilities into discrete areas on the site such as locating parking on-street.

• Staff finds that the proposed overall concept plan does not result in excessive amounts of parking areas with street frontage along dominant adjacent streets.

• Staff finds that the proposed internal lot circulation links to the proposed site circulation network and follows the predominant proposed circulation pattern for the overall site.

• Staff finds that the overall form of the proposed building has a combination of height, setbacks, roof pitch, and length of building frontage that is similar to the surrounding buildings.

• Staff finds that the generalized location and building footprint size is consistent with the overall pattern and form of buildings in the surrounding zoning district and the concept site development plan.

Stormwater Management – Chapter 1-15.2:
A stormwater management concept plan has been submitted for this site and is under review. Stormwater requirements for this project were addressed as part of the combined preliminary/final plat review.

Adequate Public Facilities (APFO) – Chapter 1-20:
APFO review was conducted at the time of combined preliminary/final plat review.

Forest Resource – Chapter 1-21:
The Applicant submitted a Combined Preliminary/Final Forest Conservation Plan (AP 14249) and has received approval. The site contains no forest or sensitive environmental features. FRO mitigation has been provided with the purchase of 0.46 acres of forest banking credits. FRO requirements for this project have been met.
Historic Preservation – Chapter 1-23:
There are no historic resources on this site.

Summary of Agency Comments

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<td>Historic Preservation</td>
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RECOMMENDATION

Staff has no objection to conditional approval of the Dollar General Site Development Plan. If the Planning Commission conditionally approves the Site Development Plan, the Plan is valid for a period of three (3) years from the date of Planning Commission approval. Therefore, if approved, the Site Development Plan approval will be valid until August 13, 2017.

Based upon the findings and conclusions as presented in the staff report, the application meets Site Development Plan approval criteria subject to the following conditions:

1. Comply with all agency comments as the project moves through to completion.
2. Planning Commission approval of the requested modification of the street tree requirement to provide 5 street trees rather than the required 7, as requested by the Applicant.
3. Prior to final site development plan approval, the Applicant will work with Staff to add a vegetative screen to the site development plan along the eastern building façade. The vegetative screen shall include plant species from the proposed plant list in a combination that will reach a minimum of 4’ in height at maturity.
4. Prior to final site development plan approval, the proposed vegetative screening along the eastern loading area shall be extended north along the property line in order to screen both loading areas from adjacent residences.
5. Prior to final site development plan approval, parking area landscaping in the on-site parking area will be provided between and at the end of each parking bay.
6. Prior to final site development plan approval, record Lot 1 of Jefferson Village Center (Cambridge Farms) and list the liber and folio on the Dollar General Site Development Plan.
PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission APPROVE the Site Development Plan SP-89-19 AP#14247, including the modification for street trees, with conditions as listed in the staff report for the proposed Dollar General Department Store or Variety Store, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.
John,
On behalf of our client, ACDH of Maryland, we hereby request a modification to section 1-19-6.400 (A) and plant 5 street trees along Maryland 180 versus the required 7. The required ratio is 1 tree per 35’ of lot frontage, our lot frontage is 250’ along MD 180. Improvements such as underground storm drain structures, large pedestrian stairways and smaller landscape beds were placed in front of the building and parking area to enhance the appearance of the site. These improvements, storm drain more specifically, limited where street trees would survive. The developer did obtain permission from the owner of the remaining land along MD 180 to place 5 of the 7 street trees on the property directly east of the subject property. We believe the enhanced features shown along the building and parking area are an acceptable alternative to two (2) additional street trees along MD 180.

Ed Schreiber
Project Development

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