Monrovia Town Center - 75 & 80 Dragway
General Commercial Site

SP-13-03, AP #13427, FRO #13429 & APFO #13428

Planned Commercial
Site Development Plan Approval
The Applicant is requesting Planned Commercial Site Development Plan approval for 154,722 s.f. of commercial uses in fourteen (14) buildings on a 15.46-acre site.

Intersection of Green Valley Road (MD 75) and Fingerboard Road (MD 80) [northwest quadrant]; site of former 75-80 Dragway

p/o Tax Map 97, Parcel 00

General Commercial (GC)

Urbana

W-4/S-4

75-80 Properties, LLC

Harris, Smariga & Associates, Inc.

Denis Superczynski

Conditional Approval

Exhibit 1 - Site Plan Rendering
Exhibit 2 - Modification Requests - Loading Space Reduction, Parking Space Reduction, Alternative Loading Space Plan
Exhibit 3 - Signed APFO Letter of Understanding (LOU)
The Applicant is requesting Planned Commercial Site Development Plan Approval for a commercial center consisting of 14 buildings totaling 154,772 s.f. on a 15.46-acre site. The proposed uses are to be located in new structures on the site of the former 75-80 Dragway situated at the intersection of MD 80 (Fingerboard Road) and MD 75 (Green Valley Road), south of the village of Monrovia. The Site Development Plan is being reviewed as a planned commercial development, allowing for multiple principal uses or buildings on a single, un-subdivided site. The Site Plan would establish a clear and simple internal private drive pattern with primary State highway connections to MD 80 and MD 75 while providing multiple local street connections into the adjacent Monrovia Town Center PUD. The proposed uses are being reviewed as those uses permitted, or permitted with site development plan approval, in the General Commercial zoning district generally under the heading of Commercial Uses-Retail and Commercial Business and Personal Services per Section 1-19-5.310 (Use Table) in the Zoning Ordinance. Specific users have not been identified at this point in the project, therefore several headings have been identified within the Use Table. As the project moves forward each individual user will be required to obtain, at a minimum, staff level Site Development Plan approval to verify that the proposed land use meets the requirements of the zoning ordinance and adheres to the proposed plan.
The subject Site has been the location of the 75-80 Dragway since 1960. The proposed development is located approximately one mile south of the village of Monrovia where MD 75 passes under the CSX freight rail line. The two predominant land uses in the vicinity of the proposal are agriculture and low density residential. Much of the land situated to the east and northeast of the proposed site has been developed as low-density (well and septic) housing on 1-acre lots. To the west, large areas of farmland form a substantial undeveloped agricultural tract separating the future Monrovia Community Growth Area from development at Urbana. Immediately to the west of the combined Monrovia Town Center (PUD/GC) site sits the planned and previously-approved Landsdale PUD approved for a residential development of over 1,100 homes. At the intersections of MD 75 and MD 80 a few commercial and institutional uses operate including a small liquor store, a bank, a fire station, and the Green Valley Elementary School.

In 2014, the Monrovia Town Center PUD – with an associated DRRA and APFO Letter of Understanding that includes the commercial center property - was approved by the Board of County Commissioners.

The site plan for this project (SP-13-03) is intended to serve the Monrovia Town Center PUD and act as a focal point and activity center for the neighborhoods in the greater growth area.
Existing Site Characteristics

The Monrovia Town Center General Commercial Site is occupied by several small buildings and other structures that comprise the former 75-80 Dragway. The first 1200 feet of the race track itself is contained within the site, though the track continues northwesterly well into the PUD-zoned parcel. The site is generally triangular in shape with its western point defined by the boundary between the PUD and GC zoning districts. The site slopes gently downward toward the west and south. Much of the site is in impervious cover. While the site is situated near the intersection of MD 75 and MD 80, two intervening parcels – the Wilcom Inn and a Potomac Edison substation – prevent the parcel from claiming substantial MD 80 frontage. The realignment of the intersection of MD 75 and MD 80 will consume the property currently home to the Wilcom Inn. In its post-development state, the commercial center property will have frontage on the northwestern corner of the intersection.

Most of the Site remains cleared of woody vegetation, although there remain isolated areas with a small number of trees. Development grading will result in a significantly flatter character to the site. Notably, at what is proposed as the primary entrance onto MD 75 from this development (at Town Center Drive), a retaining wall is proposed to allow for a steeper drop-off than would otherwise be practical given the design of the Site.
ANALYSIS
Summary of Development Standards, Findings, and Conclusions

The site of this proposed Planned Commercial Development is located in the General Commercial (GC) zoning district and must comply with the general Site Plan Review standards (Section 1-19-3.300.4) as well as the Planned Commercial/Industrial Development standards established in Section 1-19-10.300 of the Zoning Ordinance.

Key issues related to the proposed Site Plan include:
- Building orientation, massing, and design
- Integration of the commercial town center into the residential PUD
- Minimization of a ‘pad site’ pattern on this site by encouraging the development of a commercial street or boulevard as the central organizing feature
- Maximizing the efficiency and clarity of the internal circulation on the site
- Seeking an appropriate compromise between drive aisle width and parking space depth
- Managing multiple auto-oriented as well as pedestrian-oriented uses on a constricted and oddly configured parcel
- Managing access from this site onto the public and private street network
- Encouraging reduced parking/dedicated loading spaces to allow for a denser collection of commercial uses
- Seeking safe pedestrian access to and within the site
- Creation of a common public space linking the PUD and GC portions of the Monrovia Town Center developments

Staff worked with the Applicant over the course of 18 months to refine the Site Development Plan for this project and provide for a functional layout that includes a high density of uses on a somewhat restricted site. The Applicant is pursuing Planned Commercial Development approval, rather than subdividing the site into individual parcels, in order to provide for the most efficient and cohesive use of land. This process minimizes the need for separate access points for each individual land use, and attempts to create a seamless transition between the residential, institutional, and commercial components of the overall project.

Detailed Analysis of Findings and Conclusions
Site Development Plan Approval shall be based upon the criteria found in Section 1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County Zoning Ordinance.

Site Development, Section 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.

Findings/Conclusions
1. Dimensional Requirements/Bulk Standards, Section 1-19-6.100: As provided in section 1-19-10.300(C)(3)(b) of the Zoning Ordinance, setbacks and height for Planned Commercial developments are established by the Planning Commission based upon the underlying zoning, the location of the proposed development within the county, consideration of existing and planned development, and applicable county community and corridor plans. The site is zoned GC which requires a front yard setback for commercial uses of 25 feet; a side yard
setback of 8 feet; and, a rear yard of 25 feet. These standards are generally satisfied in this Site Plan. Despite the irregularity of the shape of the lot, and the absence of a regulatory purpose in defining a rear yard within the context of a planned commercial site, Staff finds that the Site under a conventional General Commercial development would be determined to be a corner lot and would thus have no rear yard. The maximum building height in the GC district is 60 feet. Although all structures are labeled as being one story in height, the dimensional note (Note #2, Sheet 1) provides additional detail in stating that typical building height will be 20 feet for all but Building #12 which will have a maximum height of 35 feet. Although no community or corridor plans exist for this area, the site is located in a growth area intended for commercial and residential development.

The proposed Site Plan is designed to resemble, in layout and function, a commercial town center. Although the buildings will be constructed on one parcel, their location and arrangement respects the notion of setbacks and building restriction lines as they are outlined in the Zoning Ordinance. The buildings are separated by more than the minimum 10' as required by the Planned Commercial Development standards. Staff would encourage the Applicant to consider utilizing architectural solutions in the town center that provide for additional building height taking into consideration traditional architectural elements such as clock towers, steeples, parapet walls, and other vertical features that contribute character to pedestrian-oriented streetscapes and neighborhoods.

The minimum lot area required in the GC District is 12,000 s.f. and is far exceeded by this project. Required lot width is 100 feet and is exceeded by this project. Staff recommends approval of the proposed setbacks and building heights, as proposed on the Site Development Plan for redevelopment of this site as a coordinated grouping of commercial uses.

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2. **Signage, Section 1-19.6.300:** Signage proposed must comply with Zoning Ordinance Sections 1-19-6.300 through 1-19-6.340. As a Planned Commercial Development, the signage for the proposed project is based on the following calculation: 20 times the square root of the total building frontage per primary structure. Structures with multiple primary entrances are allotted additional frontage to accommodate signage needed to identify commercial users at the points of entry. Total building frontage for the purpose of determining the permitted signage for this Site is 2,554 feet. The Applicant has provided a table on Sheet 1 of the Plan (Note 7) that explicitly lists the calculated frontage for each of the fourteen buildings proposed. Based on this calculation, the total permitted signage allowance (in square feet) for this site would be 1011 s.f. with the total allotment to be distributed among the individual uses. Each individual use will be required to submit a sign permit for review and approval to ensure that the maximum sign allotment is not exceeded. Two monument signs...
are proposed at the primary entrances to the development (from MD 80 and from MD 75). Staff concurs with the calculations for allowable signage derived from building frontage as shown in the table in Note #7.

3. **Landscaping and Screening, Section 1-19-6.400**: The Applicant has provided a landscape plan in accordance with Zoning Ordinance Section 1-19-6.400. Landscaped screening of parking areas is generally sufficient as shown. However, an additional row of screening shrubs should be planted to further screen the dumpster enclosures serving Buildings #8 and #14. Street trees are adequate to meet the requirements of the Zoning Ordinance and are appropriately specified in the Plant List to provide a variety in species. The Site includes 1,030 feet of frontage along two public roadways for the purpose of calculating the required number of street trees in the Site Plan. Twenty-two street trees (plus 7 Kwanzan Cherry Trees) are proposed along these frontages. While the Cherry trees are not typically considered street trees for the purpose of the Ordinance, the smaller section of road frontage – along MD 80 on the southern tip of the Site – does not run parallel to MD 80. It is the recommendation of Staff that the Planning Commission accept the 29 trees provided as adequate to satisfy the requirement given that the Applicant is proposing a continuation of the street tree planting along the entirety of its MD 80 frontage despite the existence of an intervening property. The proposed street tree spacing throughout the Site also generally satisfies the Ordinance requirement of 35 feet between trees.

Utilizing a mature canopy cover of 707 square feet per tree, the Applicant provides a calculation in a note on the landscape plan that the tree canopy standard of 20% coverage is satisfied through the planting of 66 trees on the Site. While a visual inspection of the Site Plan appears to verify this note, the Applicant must submit further information demonstrating that the tree canopy shading actually falls upon the paved surfaces serving as vehicular parking spaces on the Site.

4. **Lighting, Section 1-19-6.500**: The Applicant has provided a lighting plan in accordance with Zoning Ordinance Section 1-19-6.500. Multiple 18 ft. tall pole-mounted lamps – and some building mounted fixtures - are provided on site as shown on the lighting plan. The pedestrian-oriented area along Town Center Drive is also illuminated through the use of the 18 ft. pole-mounted fixtures but must utilize fixtures mounted no higher than 14 feet high per Section 1-19-6.500 (B) (1).

**Conditions:** The Applicant must reduce the height of pole-mounted lighting along Town Center Drive as well as in transition areas located between the PUD boundary and the north sides of Buildings #1, 2, 6, 7 & 9.

Additional vegetative screening shall be provided along the sides of the recycling/refuse enclosures facing MD 80 and MD 75.

The Applicant must provide an actual calculation demonstrating that the tree canopy shading falls upon the paved surfaces serving as vehicular parking spaces on the Site and that the amount of canopy coverage exceeds 20% of the total parking area.

**Transportation and Parking, Section 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...
Findings/Conclusions

1. **Access/Circulation**: The Applicant proposes a Site Plan that gains access to the State Highway network through direct connections to Green Valley Road (MD 75) and Fingerboard Road (MD 80) while providing full integration into the street network being developed in the Monrovia Town Center PUD. This design approach to vehicular and pedestrian circulation maintains the necessary access for regional trips via the State roads while allowing local traffic – in cars and on foot – to choose the most convenient mode and route. With more than seven (7) local street interconnections planned for the Site, much of the local and neighborhood traffic should be dispersed amongst these roads including an anticipated higher number of pedestrians than is typical in mid-size commercial retail developments. An internal road connection through the PUD will provide an additional indirect access point onto MD 80 near the proposed site of the fire station. Staff and the applicant evaluated multiple layouts to ensure that the access and circulation pattern minimizes conflict and aids traffic flow to and within the site, including access for retail deliveries to all proposed buildings on the Site. While Town Center Drive forms the circulation spine of this development, the two main cross streets also aid significantly in providing a functional pattern for vehicular movement within the greater Monrovia Town Center development (PUD and GC properties). Monrovia Town Way forms a primary north-south pathway for vehicles entering or exiting the State road network at MD 80 or MD 75 and also provides a convenient street connection into the PUD connecting to Mallard Run Road. Monrovia Town Way acts as part of the functional east-west collector joining MD 75 and Ed McClain Road and serving as the primary artery between the Landsdale and Monrovia Town Center communities. Monrovia Town Way also serves as the frontage aisle facing the presumed grocery store (Building #12) and has been designed to calm through-traffic passing the store or seeking access to the commercial pad sites located on the edges of the parking lot. Sweet Straw Drive and Westside Drive provide the primary link to the commercial Site from within the PUD, serving as a slow-speed neighborhood collector defined by the Neighborhood 2 recreational amenities (‘Future Clubhouse’) site, the village green, and ultimately a dual terminus point at a vehicular roundabout on Town Center Drive. The street network is designed in such a way so as to create the opportunity for a centralized public space at the junction between residential and commercial uses. As is the case at all four of the primary pedestrian connections between the PUD and GC developments, crosswalks emanate from bump-outs designed to shorten the length of the street crossing for visitors on foot.

Circulation surrounding the two drive-through uses on the site – Buildings #11 and #13 – is adequate and functional with significant queueing space provided at both sites.

2. **Connectivity, Section 1-19-6.220 (F)**: The Site, as planned, is well connected to the local road network as well as to the State highway system. As previously noted, the north-south streets serving the GC project provide good connectivity to the planned east-west collector road which will allow for direct and local access to this Site by residents of Landsdale.

3. **Public Transit**: This site is not currently served by any County or regional transit service. The design and arrangement of roads and buildings, as well as the integration of the PUD and GC components of the Monrovia Town Center project, provide a strong foundation for future bus transit through the Site.
4. **Vehicle Parking and Loading, Section 1-19-6.200 through 1-19-6.220:** Pursuant to Section 1-19-6.220 of the Zoning Ordinance, parking space requirements have been derived from a base calculation for Shopping Centers, or 4.5 spaces per 1,000 s.f. of gross retail space.

With an indeterminate mix of commercial uses proposed at this time, a precise calculation based upon each single use and each individual structure is impractical and does not allow for the likelihood that specific uses will change and evolve over time on this Site. Furthermore, the design of the commercial town center substantially increases the probability that shoppers will visit multiple locations on any given trip thus reducing the total number of parking spaces needed to support the individual uses if located on autonomous sites.

**Total Parking Spaces Required (4.5 spaces/1,000 s.f. commercial use):** 697 spaces

**Total Parking Spaces Provided:** 661 spaces

The Applicant has requested a parking modification (see attached) under Section 1-19-6.210(A) to allow 36 spaces fewer than the required number of parking spaces on the Site.

Parking is evenly distributed across the site and is adequate to support an array of uses typical in a commercial retail development. Shared parking opportunities are available due to the general configuration of the individual uses and structures allowing for some flexibility during times of unusually high demand for vehicle parking at any given building in the development. On-street parking along Town Center Drive is also provided, in consultation with Staff, with the ultimate goal of providing high-convenience parking spaces that can provide access to multiple structures and destinations within the development. These on-street spaces are included in the parking calculations. Staff is satisfied that the requested reduction in parking spaces will meet the functional requirements for the Site due to the likelihood of space sharing, off-set hours of peak operation, convenient pedestrian access to the site, and multi-destination visits to the commercial center. The reduced parking also reflects the on-going effort of the County to minimize the overall footprint of impervious surface area within new and redeveloping projects.

The Applicant has requested a modification (see attached) under Section 1-19-6.210(D) to allow for the proposed alternative loading space plan for the Site. This plan seeks to allow two (2) large loading spaces serving Building #12 instead of the required six (6) large loading spaces; and, to allow two (2) large and the equivalent of sixteen (16) small loading spaces (through the use of restricted parking hours along on-street parking locations distributed throughout the Site) serving Buildings #1 through #11. An attached exhibit illustrates the proposed locations for off-hours deliveries using restricted parking regulations as is the norm in most town and city commercial districts. The largest commercial structure proposed on this Site, Building #12, will provide two large loading spaces directly serving that particular use. Buildings #13 and #14 will have access to proprietary loading spaces while Building #11 would rely solely on restricted hours loading opportunities if needed.

5. **Bicycle Parking:** The Zoning Ordinance requires 1 rack of bicycle parking to be provided for each 20 auto spaces - a minimum requirement of one, a maximum requirement of ten - for buildings 5,000 s.f. in size or greater. One bicycle rack can accommodate two parked bicycles. The Applicant has provided the maximum requirement of 10 bicycle racks (accommodating 20 bicycles) and the racks are distributed throughout the Site in a reasonable attempt to provide ample bike parking for users throughout the commercial area. The Applicant has included the appropriate reference to the Frederick County Bicycle Parking Design Guidelines on sheet 2 of the Site Plan.
6. **Pedestrian Circulation and Safety, Section 1-19-6.220:** Pedestrian access to and from the site is accommodated primarily via the sidewalk connections emanating from the north western edges of the site and connecting to the PUD adjacent to this Site. Direct pedestrian connections across MD 75 are considered and accommodated at the intersection of Town Center Drive and MD 75. This will likely form a key pedestrian connection to the eastern side of the PUD as well as the site of the future high school less than a quarter of a mile from the commercial development on this Site. Pedestrian connections to the PUD are plentiful and well-articulated and should function well enough to result in a reduced parking demand at the commercial shops as nearby residents choose instead to walk to their destinations. Furthermore, the divided 'boulevard' layout of Town Center Drive permits safe, intermediate stopping points for late or slow pedestrian crossing this main thoroughfare.

The Applicant is proposing three pedestrian aisles within the large parking area serving Buildings #11-14. Staff requested two internal, dedicated pedestrian aisles located within or alongside ESD Areas #11 and #12. The Applicant has provided a dedicated pedestrian aisle parallel to ESD #11 and is proposing only a dedicated crossing point leading from ESD Area #12 to the storefront of Building #12 where it crosses Monrovia Town Way. Under most conditions, pedestrians will be able to negotiate the parking aisle safely before having to cross this large parking area. However, a pedestrian aisle alongside ESD #12 will provide a convenient and safe pedestrian access to serve the parking field between Building #12 and Building #14.

**Conditions:** The Applicant must receive approval for a modification of the loading space requirements to permit the alternative loading space plan as proposed.

The Applicant must receive approval for a modification of the parking space requirements to permit 661 spaces where 697 spaces are required under the Zoning Ordinance.

The Applicant shall provide an additional dedicated pedestrian aisle within or alongside ESD #12 in the large parking lot serving Buildings #12 - #14.

**Public Utilities, Section 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.

**Findings/Conclusions**

1. **Public Water and Sewer Service:** The site is to be served by public water and sewer and is classified W-4/S-4. The Applicant has submitted an application to amend the Water and Sewer Plan designation of this property to W-3/S-3. The Board of County Commissioners hearing on this request is currently scheduled for November 20, 2014.

**Natural Features, Section 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**: Although much of the site on either side of the existing race track is relatively flat, the Site does rise significantly along its northern edge and drop off along its southern and western edges. The proposed Site Plan will include significant re-grading of substantial portions of the center of the site particularly in the areas surrounding the largest structure (Building #12). Re-grading of the Site at this location is necessary to provide optimal functionality in terms of building placement, street alignment, and interconnectivity with the PUD adjacent to the commercial center. Final grade at the Town Center Drive entrance onto MD 75 will dictate the use of a retaining wall in order to maintain a level and functional street entrance from the state highway.

2. **Vegetation**: The Applicant is proposing a landscape plan in accordance with Zoning Ordinance Section 1-19-6.400. The site is no longer in a pre-development vegetative state having been the site of an operating dragway since 1960 and in agricultural use in previous centuries.

3. **Natural Hazards**: Based on available mapping, no wetlands, flooding soils, or FEMA floodplain are located on the site.

Other Applicable Regulations

In making a determination as to whether the Planned Commercial Development shall receive approval, the Planning Commission shall consider the purpose and intent found in §1-19-10.300(A) as well as the Design Standards in §1-19-10.300(C) of the Frederick County Zoning Ordinance:

**Planned Commercial/Industrial Development §1-19-10.300(A):** The intent of the Planned Commercial/Industrial Development standards is to encourage the concentration of complementary uses grouped adjacent to major thoroughfares, provide for well-planned development on sites with adequate frontage and depth to permit controlled access and maximum convenience and efficiency for users, and to allow for more than one principal use or building on a single lot where, due to the size and location of the development, and its relationship to surrounding properties, a flexibility of planning may be permitted without disturbance to the harmony of the neighborhood.

1. Purpose and Intent: Staff finds that the design of the Site provides for a concentration of complementary uses and creates the opportunity for commercial development that avoids some of the disadvantages of conventional sprawling strip development while allowing for the development of controlled and safe vehicular and pedestrian access points serving the Site. The allowance for multiple buildings and uses on this single Site serves the purpose of creating a flexible layout that is best suited for integration with the adjoining residential neighborhoods planned in the Monrovia Town Center PUD.

**Planned Commercial/Industrial Development §1-19-10.300(C):** The Planning Commission shall consider the following design standards when reviewing the plan and setting conditions for approval:

1. **Layout:** Staff has worked with the Applicant to create a plan for the site that allows orderly, safe, and efficient vehicular and pedestrian movement within and across the property while supporting uses likely to serve both a neighborhood and regional purpose. To the extent possible with this site layout, the Applicant has eliminated points of severe vehicular conflict and provided a legible circulation structure that should be navigable by frequent, as well as new, visitors to the development. The provision for a commercial ‘main street’ – Town Center...
Drive – as the key organizing feature of the development is critical as it establishes opportunities for practical transitions into the adjacent residential uses within the PUD. The buildings planned for this project are arranged in a unified and organized manner and make the future subdivision of individual lots a viable proposition. The internal circulation on the site would also support such future subdivision since all building locations would maintain road frontage.

2. **Use:** The proposed uses are noted (Note #1, Sheet 1) as being in accordance with the underlying General Commercial zoning. The proposed uses are being reviewed as those uses permitted, or permitted with site development plan approval, in the General Commercial zoning district under the heading of *Commercial Uses-Retail* and *Commercial Business and Personal Services* per Section 1-19-5.310 (Use Table) in the Zoning Ordinance. As the project moves forward each individual user will be required to obtain, at a minimum, staff level Site Development Plan approval to verify the land use meets the requirements of the zoning ordinance and adheres to the proposed plan.

3. **Bulk regulations:** Setbacks and height restrictions are to be established by the Planning Commission based upon the underlying zoning. Setbacks as shown in the Site Plan are appropriate within the planned arrangement of commercial buildings and uses.

4. **Building separation:** All structures on the site are separated by at least ten (10) feet of distance. Buildings #10 and #12 are attached structures and do not require such separation.

5. **Minimum off-street parking requirements:** Off-street parking is provided in a way that meets the requirement for each use, yet is distributed across the site to allow for informal shared parking opportunities. Parking requirements will be met if the Planning Commission approves the requested modifications.

6. **Minimum landscaping, screening, lighting, and signage:** The Site Development Plan meets the minimum requirements for these elements as discussed earlier in this report with the exception of the necessary reduction in lighting pole height, and vegetative screening of refuse/recycling enclosures serving Buildings #8 and #14.

7. **Reference to Supplementary Regulations:** This Site Development Plan is subject to the supplementary regulations in §1-19-7.510:

   (A) **Access requirements §1-19-7.510(A):** All access points into the Site are combined (entry/exit) and shared by multiple users within the project. All dimensional regulations are satisfied.

   (B) **Vehicle and pedestrian circulation:** The internal circulation plan for this site meets the requirements of the Zoning Ordinance as reviewed and discussed previously within this staff report.

   (C) **Signs:** The use of free-standing signs at the entrances to the Site precludes the allowable 25% increase in signage area.

   (D) **Storage and operations:** No outdoor storage is requested other than that required for the temporary keeping of refuse and recyclable material. A note must be placed on the Site Development Plan to this effect.
(E) Refuse and recycling: Appropriate shared locations for dumpsters and their enclosures are provided for the buildings identified in this Site Plan. While no specific architectural treatment of refuse/recycling enclosures has been provided by the Applicant, most of the enclosures are heavily screened from public view. The exceptions - Building #8 and Building #14 – should include some additional vegetative screening along their sides facing public roadways (MD 80 and MD 75). The Applicant shall also demonstrate, through the submittal of typical architectural treatments for these enclosures, that the construction of these enclosures will provide a complete and opaque screen of the receptacles within.

Stormwater Management – Chapter 1-15.2: Stormwater management (SWM) shall be designed in accordance with the 2009 Maryland Storm Water Design Manual, including all revisions and all supplements. A stormwater management Concept Plan has been reviewed and approved by County engineering staff.

APFO – Chapter 1-20:

1. **Schools** – Schools are not impacted because the proposed development is a non-residential use.

2. **Water/Sewer** – The site is to be served by public water and sewer and is classified W-4/S-4. The Applicant has submitted an application to amend the Water and Sewer Plan designation of this property to W-3/S-3. The BoCC hearing on this request is currently scheduled for November 20, 2014. Public water and sewer will be extended to the Site as provided for in the APFO LOU signed on May 29, 2014 as part of the Monrovia Town Center DRRA (#12-06).

3. **Roads** – An APFO Letter of Understanding for this Site, and the Monrovia Town Center PUD project, was signed on May 29, 2014 as part of the Monrovia Town Center DRRA (#12-06). The Applicant will be required to mitigate failing conditions and make payments into established escrow accounts for local road improvements.

Forest Resource Ordinance (FRO) – Chapter 1-21: This development is subject to FRO. A Preliminary FRO plan - which includes the properties of the Monrovia Town Center PUD and the Monrovia Town Center 75 & 80 Dragway commercial center - has been submitted and is currently under review. The subject Sites contain 50.61 acres of forest, of which approximately 19.74 acres are proposed to be removed. The Applicant is meeting FRO requirements by preserving approximately 30.87 acres of existing forest and planting 58.52 acres of new forest. The Applicant is proposing to remove 4 specimen tree (trees 30” or greater in diameter). Per 1-21-40 (B) of the FRO, nonhazardous specimen trees must be retained unless a modification is granted by the FCPC. All four specimen trees are in poor condition, exhibiting structural defects, and are potentially hazardous. Hazardous trees may be removed without a FCPC modification. All other specimen trees will be retained and protected. The Preliminary FRO plan must be approved (stamped and signed) prior to Site Development Plan approval, and a Final FRO plan must be approved and the required FRO mitigation must be provided prior to applying for grading permits, building permits, or lot recordation, whichever is applied for first.

Historic Preservation – Chapter 1-23: No sites identified in the Maryland Inventory of Historic Places are located within, or in close proximity to, the Site of the proposed Planned Commercial Development.

However, in preparation for a likely Section 106 review process, the Applicant has hired an historic preservation consultant to assess the status of the 75-80 Dragway and to determine if the proposed Monrovia Town Center - 75 & 80 Dragway General Commercial Site

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activity on the Site would adversely impact any historic resources. The consultant will prepare material documenting the site of the dragway as well as the remaining structures associated with its operation. The Applicant must submit to County Staff a copy of any MIHP Forms or Determination of Eligibility documentation for this Site required as a result of Section 106 review by MHT. Other appropriate documentation of the historic resources on the property may be substituted if MIHP or DOE documentation is not required by MHT.

**Phase 1 PUD Conditions of Rezoning:** Condition #7 of the Monrovia Town Center rezoning approval (ordinance #14-04-659) requires the Applicant to provide for consistency in the architectural treatment of the structures in the commercial center (zoned GC) and those adjacent structures in the Monrovia Town Center PUD. In order to assess the adequacy of the design treatment given to structures on the GC portion of the Monrovia Town Center Site, the Applicant shall submit architectural details for the proposed commercial structures prior to final Site Development Plan approval.

**Summary of Agency Comments**

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<td>State Highway Administration (SHA):</td>
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<td>DUSWM Div. of Utilities and Solid Waste</td>
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<td>Health Dept.</td>
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<td>Office of Life Safety</td>
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<td>Forest Resource Ordinance</td>
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<td>DPDR Traffic Engineering</td>
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<td>Soil Conservation</td>
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<td>Street Name Review</td>
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<tr>
<td>APFO</td>
<td>Approved (DRRA/LOU – May 2014)</td>
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RECOMMENDATION

Staff has no objection to Conditional Approval of the Site Development Plan subject to the conditions noted below. If the Planning Commission conditionally approves the Site Plan, the plan is valid for a period of three (3) years from the date of Planning Commission approval, or until November 19, 2017.

Based upon the findings and conclusions as presented in the staff report, the application meets or will meet all applicable zoning, APFO, SWM, 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 requested parking modification to allow 661 parking spaces where 697 are required by the Zoning Ordinance.

3. Planning Commission approval of the requested modification to allow two (2) large loading spaces serving Building #12 instead of the required six (6) large loading spaces; and, to allow two (2) large and the equivalent of sixteen (16) small loading spaces (through the use of restricted parking hours along on-street parking locations distributed throughout the Site) as depicted on the Alternate Loading Space Plan.

4. Prior to final Site Development Plan approval, the Applicant shall submit information, including a calculation, that demonstrates to the satisfaction of DPDR Staff that the tree canopy shading falls upon the paved surfaces serving as vehicular parking spaces on the Site and that the amount of canopy coverage exceeds 20% of the total parking area.

5. Prior to final Site Development Plan approval the Applicant shall amend the lighting plan to reduce the height of the pole mounted light fixtures from 18’ to 14’ in the pedestrian-oriented area along Town Center Drive and in the transition areas located between the PUD boundary and the north sides of Buildings #1, 2, 6, 7 & 9.

6. Prior to final Site Development Plan approval the Applicant shall submit and obtain approval for an Addition Plat to adjust the property line along the western portion of the project (near buildings 1 and 3) to more accurately align, to the satisfaction of DPDR staff, with the proposed shared parking area and Town Center Drive.

7. Prior to final Site Development Plan approval the Applicant shall submit evidence of a Shared Parking agreement.

8. Prior to final Site Development Plan approval the Applicant shall submit architectural exhibits demonstrating that the refuse/recycling enclosures are capable of providing complete and opaque screening of the material within. The Applicant shall also provide additional vegetative screening of the enclosures serving Building #14 and Building #8 such that the view of these structures from the public roadways is obscured by planted material.

9. Prior to occupancy of the proposed structures the Applicant shall obtain, at a minimum, staff level Site Development Plan approval for the individual users to verify adherence to Zoning Ordinance requirements and the approved site plan.

10. Prior to final Site Development Plan approval the Applicant shall amend the plan to provide a dedicated pedestrian path within or parallel to ESD #12 (within the large parking area) to
provide for safe and efficient pedestrian access within the parking area serving Buildings #12, #13 and #14.

11. Prior to final Site Development Plan approval the Applicant shall submit architectural drawings (renderings or elevations) of the proposed commercial structures demonstrating how the Applicant achieves consistency in architectural treatment between the structures in the commercial center (zoned GC) and those adjacent structures in the Monrovia Town Center PUD as required in rezoning condition #7 (ordinance #14-04-659).

12. The Applicant must submit to County Staff copies of any documentation prepared for the Maryland Historic Trust’s (SHPPO) Section 106 review (consultant's report and photographic documentation, MIHP form, or DOE documentation) prior to final signature approval of the Site Development Plan.

13. FRO mitigation must be provided prior to applying for grading or building permits, whichever is applied for first.

14. Additional vegetative screening shall be provided along the sides of the recycling/refuse enclosures facing MD 80 and MD 75.

PLANNING COMMISSION ACTION

MOTION TO APPROVE WITH CONDITIONS

I move that the Planning Commission APPROVE Site Development Plan SP-13-03 (AP #13427) with conditions as listed in the staff report for the proposed Planned Commercial Development, Monrovia Town Center-75&80 Dragway, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.
October 29, 2014

Mr. Denis Superczynski  
Frederick County Department of Planning & Development Review  
30 North Market Street  
Frederick, MD 21701

Re: Monrovia Town Center Commercial Site Plan AP#13427  
Frederick County Zoning Ordinance Modification Requests to:  
Section 1-19-6.210(B) – Loading Space Requirement;  
Section 1-19-6.220(A) – Parking Space Requirements

Dear Mr. Superczynski:

The purpose of this letter is to provide a formal petition and supporting information on the modifications being requested for the proposed Monrovia Town Center Commercial project to be constructed within a General Commercial zone district located at the northwest corner of MD 75 and MD 80. The following two Planning Commission modifications are requested as part of this site plans approval;

Section 1-19-6.210(B) – Loading Space Requirements

Request to modify the number of required large off-street loading spaces from six to two for Building #12 and to permit the use of restricted parking/shared loading spaces for buildings 1 to 7, 9 and 11. The loading required per 1-19-6.210(B) for the large grocery type retail building #12 is 6 large spaces. Planning Commission approval to permit two loading spaces for this use is requested. Although the retail tenant has not been determined, average grocery retailers typically only need two loading spaces instead of the higher number derived from the loading space formula in the zoning ordinance. The grocery store footprint used on the plan only required two large loading spaces and Planning Commission approval of two large 12’ x 50’ loading spaces is requested for building 12.

It is anticipated that loading for buildings 1-11 will likely occur via smaller trucks. For these smaller stores over 5,000sf, the Zoning Ordinance requires one large or two small loading spaces. A total of 9 large or 20 small loading spaces are required for buildings 1-11. Loading for these buildings can be and is anticipated to be primarily by the 9’ x 20’ size or small loading spaces. Therefore, restricted parking hours are proposed at either the front and/or back of these stores to provide for delivery of goods at off peak times similar to the restricted parking
hours along Market Street. We have provided two large loading spaces between buildings 8 and 10 for any larger deliveries, and through the use of restricted hours parking that will be designated thru signage, 16 small loading spaces will be provided adjacent to buildings 1 to 7, 9 and 11. At this time we do not know the final tenant mix or where they may desire their loading, but we have attached a schematic to this letter that shows the potential location of the 16 shared small loading / parking spaces. As shown, these spaces can be either along the one way road or in the parking fields on the other sides of the buildings. Small loading spaces have been provided for buildings 13 & 14 in accordance with the zoning ordinance requirements.

Section 1-10-6.220(A) – Parking Space Requirements

A Planning Commission modification to provide less than the required number of parking spaces is requested as part of this site plan approval. The Frederick County parking requirements for the use that most closely matches the proposed uses anticipated in this planned commercial center is 4.5 spaces for each 1,000 square feet of gross leasable area. Parking required at this rate results in 697 spaces (154,722/1000 x 4.5). This is the Zoning Ordinance requirement for a shopping center of 100,000sf or greater and this rate allows flexibility for the mixing of potential uses permitted in the general commercial zone that require more parking such as; banking/financial institutions or other similar uses (1 parking space/150 sf), Medical or dental offices or clinics (1 parking space/200 sf) or restaurant uses (1 parking space/50 sf). All of these uses could be located within the buildings shown on the plan. It should be further noted that parking the site as straight retail would have resulted in a parking requirement of 619 spaces (154,722/250) and parking the site as all other types of business or commercial uses permitted in any commercial district results in a requirement of 516 spaces (154,722/300).

A total of 661 parking spaces or approximately one space per 234sf has been provided, as shown on the plan. A modification to allow 36 fewer spaces than that required is requested. The basis for this request is the fact that this site forms the Commercial Center of the adjacent Monrovia Town Center PUD. This proposed community of 1,250 residential units consisting of 625 age restricted and 625 open market units is an integrated part of the commercial site. It is anticipated and our desire that a large number of visits to the commercial center will be by foot or bicycle given the integrated nature of the commercial and residential areas. The highest density residential areas are located immediately adjacent to the center and are linked by sidewalks and trails to the center. As such there will be convenient, well integrated walkable and bicycle connections from the community to the center. A majority of the future residents of Monrovia Town Center are within a short walk or bike ride to the planned commercial area. Lastly, the design has provided for a clear distinction between parking for the commercial center and parking for the adjacent residents. Parking for the center is physically separated by
landscaped islands that include screening walls and limited vehicle connection points which will mitigate the chance of any potential cross parking problems. For these reasons Planning Commission approval of this modification is requested.

Note: Should the Planning Commission not approve the shared small loading / parking spaces the parking modification will need to be increased by 16 spaces to a total of 52 spaces.

Sincerely,

[Signature]

Samuel Francis Zeller
Project Manager

Attachment: Exhibit of shared small loading / parking spaces