FREDERICK COUNTY PLANNING COMMISSION
July 13, 2016

TITLE: Kopit Dental Care
       Urbana Commons, Lot 3

FILE NUMBER: SP-99-08, AP #16198 (APFO #16199, FRO #16200)

REQUEST: Site Development Plan Approval

The Applicant is requesting Planned Commercial Site Development Plan approval for construction of a 5,595 sf building including a 3,510 sf medical (dental) clinic and 2,085 sf of commercial/retail uses on a 0.88-acre (38,367 sf) lot.

PROJECT INFORMATION:

ADDRESS/LOCATION: South side of Worthington Boulevard near its intersection with Fingerboard Road; adjacent to Royal Farms convenience store site, in Urbana

TAX MAP/PARCEL: Tax Map 96, Parcel 189, Lot 3
COMP. PLAN: General Commercial (GC)
ZONING: General Commercial (GC)
PLANNING REGION: Urbana
WATER/SEWER: W-3/S-3

APPLICANT/REPRESENTATIVES:

APPLICANT: Kopit Dental Care, PA
OWNER: Fingerboard Properties, LLC
ENGINEER/PLANNER: Fox & Associates, Inc

STAFF: Denis Superczynski

RECOMMENDATION: Conditional Approval

ATTACHMENTS:
Exhibit 1 - Site Plan Rendering
Exhibit 2 - Building Elevations (north & south facades)
Exhibit 3 - Modification Requests for: Light Spillage, Parking increase, Loading Space reduction, & Alternate Landscaping Plan
ISSUE
Development Request

The Applicant is requesting Planned Commercial Site Development Plan Approval for a 5,595 s.f., single-story building to include a medical (dental) clinic (3,510 s.f.) as well as commercial/retail uses (2,085 s.f.) to be constructed on a 0.88-acre commercial lot (Lot 3) in the Urbana Commons subdivision. The proposed use is being reviewed as “medical clinic” under the heading of Commercial Business and Personal Services and the various land uses allowed under the general heading of Commercial Uses – Retail per Section 1-19-5.310 (Use Table) in the Zoning Ordinance. It is unknown at this time what specific retail uses that may occupy the retail portion of the development. The proposed uses are principal permitted uses in the General Commercial Zoning District subject to site development plan approval. The two primary building entrances will be located on the interior of the site, facing south and east, respectively. Vehicular access will be provided via a private internal right-of-way – Welmar Drive – which will serve as a connection between Fingerboard Road at its southern terminus and Worthington Boulevard at its northern terminus. Other sites that will be served by this internal drive include the existing Frederick Memorial Hospital medical center on Worthington Boulevard (Lot 4 of Urbana Commons), future commercial/retail uses on Lot 2, the recently approved AutoZone store on Lot 1, the existing Royal Farms convenience store on Lot 5, and the Landon House complex on the adjacent Parcel 38 along the western boundary of the Urbana Commons subdivision site.

The current proposed medical clinic and retail uses will occur within a new structure. The existing parcel is currently vacant, rough-graded, undeveloped land (see graphic below).

The adjacent Lot 2 remains undeveloped at this time. Any development activity on that separate lot will be subject to Site Development Plan review and approval by the Planning Commission.
BACKGROUND

Development History

The Urbana Commons development (of which Lot 3 is a part) received Preliminary Subdivision Plan approval and Conceptual Site Plan approval for four commercial lots in 2006. Two restaurants, a commercial structure, and a medical office building were originally proposed for this site. Final Plat approval and Final Site Plan approval was granted only for the FMH medical office on Lot 4 (SP-99-08, now existing) in 2007. No additional activity progressed on the site after construction of the medical building until the Royal Farms convenience store received Site Development Plan approval for Lot 5 from the Planning Commission in April 2014. In March 2016, the Planning Commission approved a site development plan for an AutoZone retail store on Lot 1. Construction of that building has not yet commenced (as of 6/23/2016).

As part of the recent site development plan applications, an internal private right-of-way – Welmar Drive – was coordinated by the owners of the Urbana Commons site and the Landon House site. The re-working of the internal circulation maximizes usable acreage on both the Urbana Commons and Landon House sites and minimizes separate commercial entrance points for the separate parcels.

The Urbana Commons site was subject to an APFO LOU dated February 6, 2008, all requirements of which have been satisfied.
Existing Site Characteristics

The proposed Kopit Dental Care site is currently vacant, rough-graded, and slopes gently downward toward the north with a drop off of approximately 16 feet between the north façade and the sidewalk along Worthington Boulevard. The site is located at the intersection of Worthington Boulevard and Welmar Drive and results in a highly visible commercial site in this emerging neighborhood.

The subject site is currently zoned General Commercial (GC) (see graphic below). The site was rezoned from Village Center (VC) to GC in 2010 as part of the Countywide Comprehensive Plan update process. The Landon House development (zoned VC) is located immediately to the west of the Urbana Commons subdivision.

As is visible in the aerial imagery of Figure 1 (see Page 6), surrounding land uses in the vicinity of the proposed Kopit Dental clinic, present a mix of old and new Urbana. Directly across Worthington Boulevard (MD 355) from the subject parcel (north) are townhouses constructed as part of the Villages of Urbana PUD. The portion of Worthington Boulevard that passes along the northern frontage of the Urbana Commons site is constructed as the relocated MD 355 and will carry that state highway designation within two years. Adjacent to the site on its south side (Lot 5) is the relatively newly-constructed Royal Farms convenience store while further south the former Cracked Claw site is now mostly improved for commercial/retail development including a CVS Pharmacy (constructed in 2013), an auto parts store, a fast food restaurant, and a convenience store/gas station. The Landon House, located to the west and zoned Village Center (VC), is a pre-Civil War structure that is currently undergoing extensive renovations. The site is being adapted for use as offices, a restaurant and events facility. Immediately west of the site (west side of Welmar Drive) is an FMH medical office (Lot 4 of the Urbana Commons development). Lot 2, the parcel immediately east of the Kopit site, remains undeveloped at this time.

Generally, the proposed site has been prepared for development with the ingress/egress drives onto both Worthington Blvd and Fingerboard Road already completed and open to traffic via Welmar Drive.
ANALYSIS

In addition to the general site plan review criteria, Staff worked with the Applicant on several key issues related to the proposed development including:

- Building orientation, massing, and general architectural design
- Establishment of a street façade that addresses Worthington Blvd as well as the site’s interior face along the internal circulating lane, Hawks Tail Lane
- Maximizing the efficiency and clarity of the internal circulation on the site
- Managing multiple auto-oriented uses on a high traffic parcel while maintaining a safe and convenient pedestrian environment
- Managing driveway access from this site onto Welmar Drive and the public street network
- Accommodating site planning standards for multiple principal uses in the single proposed structure
Detailed Analysis of Findings and Conclusions

Planned Commercial Approval shall be based upon the criteria found in Section 1-19-10.300 of the Frederick County Zoning Ordinance.

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: In the General Commercial Zoning District, setback requirements, lot dimension requirements, and maximum height limitations for the proposed use are located in Section 1-19-6.100 (Design...
Requirements For Specific Districts). In the GC District, the required front yard for commercial uses is 25 feet; the side yard is 8 feet; and, rear yard is 25 feet. Per Section 1-19-6.140(C), in the case of corner lots, there shall be no required rear yard. These standards are satisfied in the proposed Site Plan. The dental clinic/retail store structure, at a proposed height of 20’, will not exceed the maximum height standard of 60 feet.

The existing recorded lot meets the dimensional requirements of 12,000 s.f. (for minimum lot area) and 100’ lot width (minimum lot width) for the proposed use in the GC zoning district. In addition, Staff finds that the setbacks on the proposed site plan match the setbacks provided on the recorded subdivision plat for this lot. The height dimensions are also consistent with those permitted in the Zoning Ordinance.

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<td>Proposed Front yard setback</td>
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<td>Maximum Required Building Height (GC)</td>
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2. **Signage, Section 1-19-6.300-6.340:** Signage proposed must comply with Zoning Ordinance Sections 1-19-6.300 through 1-19-6.340. The proposed signage plan identifies and distributes site signage based upon the following calculation:

- Maximum Signage Area Permitted: 249.0 sq. ft.
- Signage Area proposed on Site plan: 112.0 sq. ft.

Calculated 20 x Square Root of the Total Building Frontage:

Based on total public street-facing frontage plus the frontage providing the primary entrance to the building: 55-0” + 100-0” = 155-0”.

One free-standing pylon sign is permitted along Worthington Blvd frontage as shown. The proposed pylon sign is limited to 25 feet in height. The identification/branding area of this pylon sign is 12 sf. in size (where two sign faces are placed back-to-back, only the face of one side counts against the total signage area permitted).

The signage plan submitted as Sheet A3 of the Site Development Plan demonstrates that the Applicant will meet the requirements of the Zoning Ordinance for signs in the GC Zoning District for the proposed use (Commercial).

3. **Landscaping, Section 1-19-6.400:** The Applicant has submitted a landscape plan in accordance with Zoning Ordinance Section 1-19-6.400. In addition to those plantings which fulfill the vegetative screening and tree shading requirements of the ordinance, a number of trees and shrubs have been proposed along the facade of the building facing Worthington Boulevard in order to soften the architectural edges of this non-entry facade.
The Zoning Ordinance requires one street tree per 35 feet of road frontage. A total of five (5) street trees are required by Ordinance and the Applicant is proposing to plant 4 shade trees along the building façade facing Worthington Boulevard. The trees have been placed on-site along the (northern) façade to avoid interference with existing street lighting, road signs, and transitway reservation. The proposed 4 new trees will be planted in addition to the two (2) trees previously planted during the construction of Worthington Boulevard.

Vegetative screening of parking areas has been accomplished through the proposed planting of evergreen and deciduous shrubs at appropriate locations on the lot. The trash enclosure and bicycle parking area are also effectively screened through the planting of appropriate 4-season plantings.

The Applicant is requesting a modification (see attached Exhibit 3) to allow an alternate landscaping plan which would relieve the Applicant of the requirement to more fully landscape the bulb located at the southeastern corner of the building. A sidewalk occupies the narrow bulb, providing access to the intra-subdivision pedestrian route, but leaving little space for the planting of a tree or even a small shrub. The modification will also grant relief from the mandatory planting of three (3) additional street trees along the Worthington Blvd frontage as described previously.

Staff recommends approval of the alternate landscape plan by the Planning Commission based upon the Applicant’s proposed site design and well-considered selection of shade trees for this 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 pole-mounted lamps are proposed on site as shown on the lighting plan. Per Zoning Ordinance, the maximum height for pole mounted lighting for commercial uses is 18 feet. The cover sheet note 8 states that pole mounted lights will be installed at 14 feet above ground. The plan meets the standards in the Zoning Ordinance with one exception.

The Applicant is requesting a modification (see Exhibit 3) to allow a modest spillover of light (up to 2.4 fc) across the property line onto Lots 2 and 5 within or near the shared drive aisle and shared parking spaces.

Staff has no objection to this modification request and would generally support modest additional lighting in drive aisles and other areas of intensive vehicular or pedestrian use where deemed appropriate by the Planning Commission.

**Conditions:** The Applicant is seeking a modification of the lighting plan to permit a modest spillover of light in excess of 0.5 fc at the eastern, western and southern property boundaries. The Applicant is also requesting approval of an alternate landscape plan by the Planning Commission to allow for shifting of two street trees and one landscape bulb tree to other appropriate areas as shown on the plan.

**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.
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 Applicant proposes to utilize the existing, shared Welmar Drive (private driveway) for full movement access with MD 355 (Worthington Boulevard) and partial access with MD 80 (Fingerboard Road). A connecting internal circulation loop driveway (Hawks Tail Lane), that is partially constructed now and would be completed by the developer of the AutoZone site (Lot 1), would provide additional ingress/egress options for those visiting this site and others in this commercial subdivision. Staff and the applicant evaluated various layouts during the review of both the Urbana Commons subdivision and the Royal Farms site development plan. The intent of this analysis was to ensure that the access and circulation pattern minimizes conflict and aids traffic flow to and within this site, including access to adjacent lots. All drive aisles are sufficiently wide to provide for emergency vehicle access while minimizing the need for extensive paved surfaces.

2. **Connectivity, Section 1-19-6.220 (F)**: The site, as planned, will utilize existing and proposed links to the local road network as well as to adjacent development. These links increase connectivity to and within the site. The shared internal access drive is located so as to provide maximum benefit to multiple existing and planned uses as well as to serve as a convenient local pedestrian and vehicular connection to nearby adjoining sites in the neighborhood. The use of the private Welmar Drive provides for maximum connectivity within the site while minimizing the number of direct access points onto the adjacent public roadways.

3. **Public Transit**: This site is not directly served by any current County or regional transit service. The I-270 Transitway, identified in the County’s Comprehensive Plan as a long term future transit corridor following the right-of-way along Worthington Boulevard, would be located on the northern portion of this site. A 44-foot wide transitway reservation is provided on the Preliminary Subdivision Plan (across proposed Lots 1-3) and is reflected on the proposed Kopit Dental Care site development plan. Proposed development of the site is located outside of the reservation area.

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 for the proposed land use are as follows:

   **Dental Clinic & Retail Store**

   A total of 14 parking spaces are required for the project. As provided by Zoning Ordinance: *medical/dental clinic* is required to provide 1 space per 200 sf of floor area committed to patient use - 1,761 sf of net floor area is proposed and therefore 9 parking spaces are required; *retail store* requires 1 space per 250 sf of floor area excluding preparation and storage areas – 1,251 sf net floor area is proposed and therefore 5 spaces are required.

   The Applicant has proposed a total of 33 spaces which is 19 spaces above target.

   The Applicant has requested a modification (see Exhibit 3) under Section 1-19-6.220(A)(1) to allow for the nineteen (19) additional parking spaces on this site based on the characteristics of the proposed development. While Staff generally seeks to limit the number of vehicle parking spaces on development sites, the proposed number is consistent with overall
strategy of providing a shared parking environment for all users of the Urbana Commons project.

Shared parking opportunities have been maximized through the general configuration of the individual uses and structures on adjoining lots allowing for some flexibility during times of unusually high demand for vehicle parking at any given building in the development.

The Applicant has shown evidence of a shared parking agreement covering this and the other sites within Urbana Commons as well as a joint access easement.

The Zoning Ordinance requires 1 large or 2 small loading spaces for structures over 5,000 square feet with multiple commercial users.

The Applicant has also requested a modification of the loading space requirement of Section 1-19-6.210 (B) demonstrating that the loading space needs of the proposed uses will be satisfied by the provision of a dedicated small loading space sized at 9’x18’ and able to accommodate the small vehicles servicing the dental clinic and a typical small retail user. The additional parking spaces requested for this Site will provide a ‘safety net’ in the event that multiple delivery vehicles appear simultaneously.

5. **Bicycle Parking**: The Zoning Ordinance requires bicycle parking to be provided for buildings 5,000 s.f. in size or greater. Each commercial use requires the provision of one bicycle rack per 20 vehicle parking spaces. Each rack must accommodate two parked bicycles. The bike racks are generally located in well-illuminated, hard-surfaced areas within close proximity to front entrances. The Applicant is proposing two racks (4 bike spaces), a number that meets the County requirement applied based on the 33 vehicle parking spaces provided. The racks are located on their own pad, within 50 ft of the front entrance to the dental clinic (100 feet from the entrance to the retail store), are serviced by a roll-up curb, and are shaded by the proposed sugar maple tree. A note must be provided on the Site Plan that states the intention of the Applicant to maintain compliance with the Frederick County Bicycle Parking Design Guide.

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 within the site (western and northern boundaries) and from a proposed sidewalk connection from Worthington Boulevard along Welmar Drive. The site is planned to connect to the other commercial lots (Lots 2-5) within the Urbana Commons development through an internal pathway system.

While there is no direct sidewalk connection between Worthington Boulevard and the Kopit Dental Care site, a connection between the Urbana Commons subdivision and Worthington will be accomplished with the ultimate development of the adjacent Lot 2.

The developer of the AutoZone site (Urbana Commons Lot 1) is required to complete the missing link of Worthington Boulevard sidewalk along its own frontage and those of the adjoining Lots 1 and 2 in order to create a continuous pedestrian route along the new MD 355. No Certificate of Occupancy shall be released for the AutoZone site until this sidewalk link is complete and open to the public. In the event that the AutoZone development has not completed this improvement prior to the completion of the Kopit Dental Care site, no Certificate of Occupancy for the Kopit project shall be approved until such time as the sidewalk link has been constructed and is open to the public.
Conditions: The Applicant has included a request for modification of the parking space requirement to permit a total of 33 vehicle spaces and a modification of the loading space requirement to allow the provision of a single small loading space. (attached as Exhibit 3.)

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-3/S-3. While the public sewer and water facilities are currently adequate to serve the proposed use, the Applicant acknowledges that capacity is not guaranteed until purchased. The Division of Utilities and Solid Waste Management has reviewed and conditionally approved the proposed site plan.

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: Lot 3 generally consists of a construction-ready, fully stabilized site within a designated Community Growth Area. The proposed Site Plan will maintain the general grade of the existing lot.

2. Vegetation: The site is no longer in its pre-development vegetative state and has been prepared for development.

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

Common Areas, Section 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 area, property, and facilities for their intended purposes.

Findings/Conclusions

1. Proposed Common Area: No common areas are proposed as part of this Site Plan. The shared private internal driveway will be subject to a private agreement between the owners and users of the proposed Urbana Commons and Landon House developments. The provision of necessary maintenance and care of this internal driveway, as well as other shared infrastructure on the site, will be specified in private agreements. Completion of the internal drive, Hawks Tail Lane, which will connect the Royal Farms site on the southwest
and Welmar Drive on the north, will be undertaken by the developer of the AutoZone site (Lot 1) as previously conditioned by the Planning Commission in their March 2016 approval of that site development plan.

Other Applicable Regulations

**Stormwater Management – Chapter 1-15.2:** Storm water management (SWM) for this Site has been previously approved and constructed. Submittal of Improvement Plans will be required to confirm that the proposed impervious areas are in conformance with the approved SWM design.

**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-3/S-3. While the public sewer and water facilities are currently adequate to serve the proposed use, the Applicant acknowledges that capacity is not guaranteed until purchased.

3. **Roads** – The Urbana Commons subdivision where the site is located has an approved APFO Letter of Understanding (LOU) dated February 6, 2008. This site, along with all other developed sites within the subdivision, remain under the trip allotment identified in the traffic impact analysis. All requirements of the LOU have been satisfied and an exemption was filed and approved for this site development application (AP 16199).

**Forest Resource Ordinance (FRO) – Chapter 1-21:** FRO mitigation for this site was previously satisfied at the time of subdivision (AP 14156 Urbana Commons Preliminary Plan) and a FRO exemption was filed and approved as part of this application (AP 16200).

**Historic Preservation – Chapter 1-23:** The Stancioff Property (aka, Landon House), a National Register listed property, is located on a nearby parcel, west of the subject site. No adverse impacts to the historic property are anticipated as a result of this development proposal.

**Planned Commercial/Industrial Development Standards Section 1-19-10.300 of the Zoning Ordinance (Z.O.):** This development proposal adheres to all of the standards listed in Z.O. Section 1-19-10.300.

§1-19-10.300. (A) **Purpose and intent.** In summary, the Planned Commercial/Industrial Development process is intended to encourage a concentration of uses and limit strip development, to provide for controlled access/convenience/efficiency for users, and to allow more than 1 principal use or building on a single lot in the GC, ORI, LI and GI zoning districts where flexibility in planning can be permitted without disturbing the neighborhood. Within the General Commercial district the Planned Commercial/Industrial development process allows the use and development of a single structure for multiple users - that may rotate over time - without the necessity of subdividing the property. Staff has worked with the Applicant to achieve the purpose and intent of this development process as it applies to the General Commercial zoning district. The proposed development meets the requirements of this section.
§1-19-10.300. (C) *Design standards.* The proposed development meets the design standards of this section. The layout has been designed to provide safe and efficient arrangement of land uses facilitating vehicular access into and throughout the Site.

**Summary of Agency Comments**

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<td>Development Review Planning:</td>
<td>Conditionally Approved: Pending FCPC review/approval. Address all agency comments as the plan proceeds through to completion.</td>
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<td>Historic Preservation</td>
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**RECOMMENDATION**

Staff has no objection to Conditional Approval of the Kopit Dental Site Development Plan subject to the conditions and modifications noted below. If the Planning Commission conditionally approves the Site Plan, the plan is valid for a period of three (3) years, or until July 13, 2019.

Based upon the findings and conclusions as presented in the staff report, the application meets or will meet all applicable zoning, APFO, and FRO requirements once the following conditions are met:

1. Address all agency comments as the plan proceeds through to completion.

2. If at the time of completion of Kopit Dental Care/Retail store, the missing link of Worthington Boulevard sidewalk along the frontage of Lots 1-3 has not been completed as required by the site development plan for Urbana Commons Lot 1 SP-99-08/ AP # 15917, then no Certificate of Occupancy shall be issued for the Kopit Dental Care/Retail Store until such time as:
   a) Construction of the missing link of Worthington Boulevard sidewalk along the Lot 3 frontage and the frontage of the adjoining Lots 2 and 1 in order to create a continuous pedestrian route along the new Worthington Boulevard has been completed. The sidewalk shall be constructed and open to pedestrians prior to issuance of the certificate of occupancy.

3. Planning Commission approval of the requested modification of the parking requirements to allow 33 parking spaces instead of the required 14 spaces.
4. Planning Commission approval of the alternate landscaping plan to allow a shift in the planting location of street trees and landscape bulb trees in the locations as depicted on the site development plan.

5. Planning Commission approval of the requested modification to permit modest spillover of light – up to 2.4 fc – in certain areas as depicted on the site development plan along the eastern, western and southern property boundaries within the shared parking area and drive aisles.

6. Planning Commission approval to provide one (1) small loading space (9’x18’) where one (1) large or two (2) small spaces are required by the ordinance.

7. Add a note indicating that the bicycle parking provided on the site will be compliant with the Frederick County Bicycle Parking Design Guide.

**PLANNING COMMISSION ACTION**

**MOTION TO APPROVE WITH CONDITIONS**

I move that the Planning Commission **APPROVE** the Planned Commercial Site Development Plan SP-99-08 (AP 16198) with conditions and modifications as listed in the staff report for the proposed Kopit Dental Care-Urbana Commons (Lot 3), based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.
Site Plan Rendering – Enlarged view
Elevation – North façade facing Worthington Boulevard

Elevation – South façade facing Hawks Tail Lane (internal lane serving Urbana Commons)
April 5, 2016
Amended July 1, 2016 (Item # 4 and 5)

Frederick County Planning and Permitting Division
30 N. Market Street
Frederick, Maryland 21701

Attn: Mr. Denis Supczynski, AICP
Principal Planner II

Re: Kopit Dental Care
Final Site Plan, File #SP9908, A/P16198
Modification Request Justification

Dear Denis,

Please accept this letter as our formal request for modifications associated with the site plan for Kopit Dental Care on Lot 3 of Urbana Commons. We respectfully request five (5) modification requests as follows:

1. Lighting Spillage:
   Per Frederick County Zoning Ordinance Section 1-19-6.500(D) Lighting shall not exceed 0.50 foot candles as measured at the property line.
   
   The proposed lighting photometric shows lighting in excess of 0.50 foot candles along the east, west and south property lines. In all three locations, the increased lighting occurs within the parking and pedestrian areas causing a negligible impact to the surrounding properties.

2. Number of Loading Spaces:
   Per Frederick County Zoning Ordinance Section 1-19-6.210.B. Loading Space Requirements. For single user retail, total building net floor area the minimum loading spaces required is 1 large + 1 additional large space for each additional 10,000 S.F. or part thereof over 5,000 S.F.
   
   The total building area is 5,595 S.F. of which 3,510 S.F. is Medical Office and 2,085 S.F. is Commercial/Retail. Deliveries to the medical office will be minimal short duration stops made by passenger cars or small van. A small 9’x20’ loading space is provided for the commercial/retail space.

3. Number of Parking Spaces:
   Per Frederick County Zoning Ordinance Section 1-19-6.22A.4. Business or commercial uses permitted in any commercial district require 1 space for each 300 S.F. of floor area.
At the direction of staff, we are providing 1 space for each 250 S.F. of "public" space in order to account for the proposed 2,085 S.F. of mixed use commercial/retail portion of the building. The project proposes 33 spaces, 19 more than required, however the Urbana Commons project has a shared access and parking agreement for all users of the Urbana Commons project. The excess spaces provided allows for flexibility during times of high demand for this and other sites within the project.

4. Street Trees:
   Per Frederick County Zoning Ordinance Section 1-19-6.400(A)(1) One tree at least 6 feet in height at the time of planting shall be provided per 35 feet of roadway frontage.

   Five (5) street trees are required along the Worthington Boulevard frontage. Two (2) of the required street trees are existing. Three (3) shade trees are proposed on the north side of the building, facing Worthington Boulevard, which the applicant requests as an alternate on-site location for the street trees. The physical site constraints of existing utilities and sight distance precludes the planting of the trees on Worthington Boulevard.

5. Parking Area Landscaping:
   Per Frederick County Zoning Ordinance Section 1-19-6.400(D)(1) Parking areas shall be separated into bays. At the end of each bay of parking spaces there shall be a planting area at least 5 feet in width. Each planting area shall contain one tree and at least two shrubs for every 100 square feet of landscape area.

   The landscaping island near the southeast corner of the building, beside the 8 space parking bay, cannot be planted with a tree or shrubs. The island contains a 5 foot wide sidewalk which is required for pedestrian connectivity to the parking spaces and sidewalk across Hawks Tail Lane. The island also contains a water meter and water service connection line which precludes landscape planting in the island. There is additional landscape planting on the south side of Hawks Tail Lane to compensate for the landscape island planting.

For these reasons we request approval of the requested modifications for the Kopit Dental site. Should you have any questions or need additional information please feel free to contact me at jmazelon@foxassociatesinc.com.

Sincerely,
Fox & Associates, Inc.

John Mazelon, VP
Principal Project Manager

Michael Pesin – Kopit Dental