TITLE: Casabella Commons

FILE NUMBER: SP-06-04, AP# 16592, AFPO# 16593

REQUEST: Site Development Plan Approval
The Applicant is requesting Site Development Plan approval for a Village Center mixed use development of four structures (expansion or re-use of 2 existing buildings and construction of 2 new buildings) to include 14,659 s.f. of office, retail, medical, and restaurant uses, a 4,657 s.f. private school, and one residential apartment located on a 2.3-acre site.

PROJECT INFORMATION:
ADDRESS/LOCATION: Located on the west side of Urbana Pike adjacent to, and south of, Urbana Elementary School in Urbana
TAX MAP/PARCEL: TM 96; Parcels 28, 96, 97, & 98
COMP. PLAN: Village Center (VC)
ZONING: Village Center (VC)
PLANNING REGION: Urbana
WATER/SEWER: W-4; S-4 (P.96, 97, & 98) W-5; S-5 (P. 28)

APPLICANT/REPRESENTATIVES:
APPLICANT: Casa Bella LLC
OWNER: - same -
ENGINEER: N/A
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Denis Superczynski

RECOMMENDATION: Conditional Approval

ATTACHMENTS:
EXHIBIT 1- Site Plan Rendering
EXHIBIT 2- Parking Modification
EXHIBIT 3- APFO LOU
STAFF REPORT

Development Request
The Applicant is requesting Site Development Plan approval for a mixed use development consisting of the expansion or re-use of 2 existing structure and the construction of 2 new structures to be used for office/retail/restaurant/medical/private pre-school and 1 apartment on a 2.3-acre parcel. The proposed plan includes:

Plan Details:
- Existing Building - 3538 Urbana Pike (Parcel 97) - Adaptive re-use of existing 2-story residential structure (building footprint of 1,380 s.f.) to include 2,380 s.f. of office/retail uses
- New Building - 3536 Urbana Pike (Parcel 98) - New 1-story structure (building footprint of 4,657 s.f.); for use as a private school
- New Building - 3534 Urbana Pike (Parcel 96) - New 2-story structure (building footprint of 3,380 s.f.); 1st level use as medical office (3,380 s.f.); 2nd story use as office (3,380 s.f.)
- Existing Building (w/new addition) - 3532 Urbana Pike (Parcel 28) - Adaptive re-use of existing 2-story residential structure with new addition (total footprint 3,829 s.f.); 1st level for restaurant and medical office (3,373 s.f.); 2nd level for one (1) residential apartment (1,000 s.f.) and office (2,146 s.f.)

The Applicant is working to finalize the proposed land uses that will include a mix of commercial activities. The land uses included on the site development plan are categorized as restaurant, private school, medical clinic, office professional, office business, retail, and residential dwelling per §1-19-5.310 Use Table in the Zoning Ordinance. All proposed uses are principal permitted uses in the VC Zoning District subject to Site Development Plan approval.

The Applicant is utilizing the addition plat process to combine the four existing parcels into a single 2.3-acre parcel concurrently with this Type I Site Development Plan review. If approved by the Planning Commission, the Site Plan will not be finalized (stamped and signed) until such time as the addition plat has been recorded.
BACKGROUND

Development History

As required by Zoning Ordinance §1-19-7.500(D), Site Development Plan proposals in the VC Zoning District are required to submit plans to the Planning Commission (or its representative) for Concept Site Development Plan Approval as the first step in the development review process. This Concept Site Development Plan must demonstrate how the proposed activity will meet development standards listed in §1-19-7.500(C).

In June 2016, the Applicant received Concept Plan approval for the 4-structure, 20,600 s.f., mixec use development (office/medical/pre-school/restaurant/residential) on Parcels 28, 96, 97, & 98 (AP 16307). The proposed Site Development Plan is consistent with the approved Concept Plan. The various building footprint square footage approved at Concept Plan were as follows: Bldg 1 (3538) 1,500 sq ft, Bldg 2 (3536) 4,400 sq ft, Bldg 3 (3534) 3,600 sq ft, Bldg 4 (3532) 3,000 sq ft.

The Applicant is returning to the Planning Commission for review of this Site Development Plan which refines and seeks to finalize the key elements of the approved Concept Plan. Footprint square footage has been reduced from Concept Plan to Site Development Plan for Buildings 1 (3538) and 3 (3534) but has increased slightly for Building 2 (3536) and Building 4 (3532). Proposed setbacks, building height: and architectural elements are consistent with the approved Concept Plan.

Existing Site Characteristics

The Site is currently occupied by one older home (late-19th century) and three relatively new single-family detached homes (1963, 1984, & 2002) and several large specimen trees. The Site is currently served by individual driveways providing direct access onto Urbana Pike, a state roadway with Collector status as shown on the County Comprehensive Highway Plan. The land slopes gradually toward the rear of the site with a small number of small trees and shrubs at its westernmost and southern edges. All parcels are currently served by existing wells and septic systems which would be abandoned under this proposal in favor of the extension of public water and sewer lines to the site.

The total area of the four parcels – all zoned Village Center (VC) - is approximately 2.3 acres (see Figure 1 below).
Surrounding land uses include: Urbana Elementary School northwest of the Site, single-family residential uses along Urbana Pike (east and west sides), a church, and several small retail and office uses within a few hundred feet of the subject Site. A small former church sanctuary and historic cemetery are located southeast of the Site on an adjoining property.

The Villages of Urbana PUD is located across Urbana Pike to the rear of the existing facing structures, approximately 250 feet from the subject Site.
ANALYSIS

Summary of Development Standards Findings and Conclusions

Site Development §1-19-7.500: All new development within the Village Center Zoning district shall incorporate the following design standards in addition to all other applicable requirements of the Zoning Ordinance; The Planning Commission shall consider these standards in its review of all development within the Village Center Zoning District.

Site Development and Layout §1-19-7.500(C)(3) & Building Massing and Bulk §1-19-7.500(C)(4)

Form and Layout
The Applicant proposes to develop two new structures on the Site, situated between the two older existing structures slated to remain as part of the redevelopment. The easternmost of the two existing homes will increase its building footprint with a 2-story addition proposed for the rear of this structure. A single new entrance driveway - located between Parcels 97 and 98 - will serve the entire site and place the vast majority of parking spaces at the rear of the buildings. Careful placement of public plaza space and landscaping will effectively minimize the appearance of on-site parked vehicles from Urbana Pike while offering convenient access to all of the structures. Some on-street parking is anticipated in keeping with the County's preferred street section on this segment of Urbana Pike. Semi-public spaces (café seating, small entrance plazas) are proposed along the frontage of at least three of the buildings. These spaces also provide access to the rear parking and activity areas while meeting the standards for green space and public plaza areas in the Village Center District.

Figure 2- Zoning of Site and vicinity in Urbana.
Proposed structures - from west to east within the Site (refer to Exhibit 2-Architectural Renderings and Elevations):

**3538 Urbana Pike** – This 2-story structure faces Urbana Pike and is typical of houses constructed in Urbana in the late 19th and early-20th centuries. The main entrance to the building will continue to gain its primary pedestrian access from the Urbana Pike side of the structure. The proposed uses are office and retail.

**3536 Urbana Pike** – This proposed new 1-story structure constitutes a significant portion of the mixed-use complex and faces both Urbana Pike and the interior of the parcel. The building is designed to appear as two separate building forms being joined by a recessed and shorter central entry space. This design approach allows a structure of nearly 5,000 s.f. to visually approximate (as viewed from the street) the scale of other structures in the older village of Urbana without the lost efficiency of a larger structure. The proposed use is a private school.

**3534 Urbana Pike** – This proposed new 2-story structure is an architectural reflection of similarly-designed homes in the village. Again, the Applicant has used roof elements to imply the existence of two structures where only one exists. A small semi-public plaza along the street front (shown with a cafe seating area) provides additional open space that creates a bridge to the public realm. The need to maintain as much of the critical root zone of the adjacent specimen tree required a reduction in the massing of this structure along its Urbana Pike frontage, resulting in a building much closer in size to the older structure on Parcel 97 (3538 Urbana Pike). The proposed uses are medical offices on the first level and business/professional offices on the second level.

**3532 Urbana Pike** – This existing two-story structure, constructed in the early 1980’s, doubles in size in the proposed Site Plan with a significant addition to the rear of the house. The original portion of the house will remain, but will be modified architecturally to more closely align with the form and style of older structures in the village. The proposed building would provide space for a restaurant on the lower level and a residential apartment on the 2nd level. The existing attached garage, a feature that had been removed in the approved Concept Plan, will remain as part of the reconstructed building.

The scale of all structures shown on the Site Plan is consistent with those approved in the Concept Plan in June 2016. While the private school building remains the largest structure of the four in terms of building footprint, the other structures will appear similar in scale as seen from the public street or sidewalk.
Access and Parking
The proposed centralized driveway will provide direct access into the Site from Urbana Pike and will lead to a common central parking/loading area located behind and to the side of the four structures. This placement of the parking area would meet the design criterion of placing parking and drive aisles to the side or rear of structures in the VC District. The applicant has also provided for a potential future transportation connection to Parcel 29 located east of the Site via the proposed 54 ft.-wide access easement which could establish a secondary site access point from Urbana Church Road.

The Site fronts along Urbana Pike (former MD 355) which will be turned over to County ownership in the near future. The County and SHA are cooperating on interim designs that allow for a reduced road section more appropriate to the planned village scale and function of the roadway.

Areas available for both on-site, and off-site (including some on-street) parking as well as loading space capacity are generally adequate to meet the requirements of the mix of uses planned for this development. Staff has reviewed the Site Plan to insure that the proposed private school drop-off and pick-up strategy of providing a short loading and drop-off lane on the building’s west side will function adequately during peak times.
Development Density
Non-residential density in the VC district is not limited explicitly other than by practical site, circulation, design, dimensional regulations, and infrastructure constraints. The residential development density of this proposal is approximately 0.43 dwellings/acre (gross). VC-zoned parcels may not exceed 5 dwellings per acre in a Community Growth Area.

Conformity with Community or Corridor Plan
No County community or corridor plan has been adopted for the Urbana Pike corridor or Urbana Community Growth Area. Generally, the proposal demonstrates adherence to the principles for compact development outlined in the County’s Comprehensive Plan through seeking the expansion of a mix and intensity of uses conducive to the continuing development of compact neighborhoods in areas generally served by public infrastructure and facilities.

Mixed Uses
Pursuant to Section 1-19-7.500(B)(4) regarding the encouragement of mixed use development in the Village Center Zoning District, the Applicant is including one residential dwelling (2nd floor apartment) at 3532 Urbana Pike. The mixed use/multiple structure provisions for development within the Village Center zoning district require that a mix of integrated residential and commercial uses are provided. As a second story dwelling unit, the residential use is a component of the overall development and integrated naturally into the proposed commercial portion of the project. In addition the Site Plan reflects a layout that meets
the requirements listed in Section 1-19-7.500(B)(4) of the Zoning Ordinance:

- Service entrances, utilities, and other shared site infrastructure is more efficiently provided by grouping the proposed structures along the street frontage between the two structures that will remain. Creating a minimally-interrupted mass of building frontage along the roadway provides a separation between the common plaza/green area and site infrastructure.

- The provision of at least 9,900 s.f. of common plaza/green area is accommodated in the layout of the Site Plan:

<table>
<thead>
<tr>
<th>Plaza/Green Area Required:</th>
<th>7,540 s.f.</th>
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<tbody>
<tr>
<td>(726 s.f. green area per 2,000 s.f. of GFA)</td>
<td></td>
</tr>
<tr>
<td>Gross Floor Area Proposed:</td>
<td>20,316 s.f. GFA</td>
</tr>
<tr>
<td>Plaza/Green Area Proposed:</td>
<td>approx. 9,900 s.f.</td>
</tr>
</tbody>
</table>

- Parking is illustrated as a shared resource in the proposed development. A shared parking agreement with a nearby church – in addition to proposed on-street parking spaces – will maximize parking choice while reducing the need for new paved parking area on the Site.

- An integrated mix of commercial and residential uses is provided. The layout, architecture, and scale of the structures and open areas will provide flexibility in future years as new users seek to locate in the mixed use complex.

- No extant historic resources within the boundaries of the Site Plan area will be adversely impacted by development as proposed.

Public Facilities
The Applicant proposes to extend public water and sewer service to the site by constructing connection lines north to the Villages of Urbana. At such time as public water and sewer is available to the site, the private well and septic system will be properly abandoned in compliance with Health Department regulations. The Site is currently classified S-4/W-4 in the County’s Water and Sewer Plan with the easternmost parcel (P. 28) currently S-5/W-5. A water and sewer plan designation change application has been submitted and is under review by the County.

Detailed Analysis of Development Standards
Site Development Plan Approval shall be granted based upon the criteria found in:

**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:** The Zoning Ordinance establishes the basis for determining dimensional standards in the VC District. Per §1-19-7.500(B)(3) the VC
district provides for the establishment of dimensional standards on a site-by-site basis, using adjoining and facing buildings as a guide. Given the nature and location of the existing structures, the setbacks as provided are in keeping with the guidelines of the VC district and are consistent with those requirements approved in the Concept Plan. The proposed additions do not encroach any further into the existing side or front yards.

**Maximum Height Allowed:** 30 ft.  
**Maximum Height Proposed:** < 24 ft.

**Front Yard Required:** 30.9 ft. (based on average of adjacent and facing structures)  
**Front Yard Provided:** 30 ft. (at closest point to property line)/ 25 ft. (to R.O.W. Dedication line)

**Rear Yard Required:** 40 ft.  
**Rear Yard Provided:** 100+ ft.

**Side Yard Required:** 10 ft.  
**Side Yard Provided:** 7+ ft. (east side-existing)/ 10+ ft. (east side-new structure)

**Side Yard Provided:** 11 ft. (west side-existing)/ 70+ ft. (west side-new structure)

**Building Massing and Bulk –**  
Village Center Foo:print Thresholds §1-19-7.500(C)(4)(d)

Since Urbana is a growth area the following building footprint thresholds for non-residential uses apply:

- Base Footprint Allowance – 5,000 sq ft. within a community growth area.
- Interim Footprint Allowance – 8,000 sq ft. w/planning commission approval
- Maximum Footprint Allowed – 10,000 sq ft. subject to additional criteria w/planning commission approval

- 3538 Urbana Pike – 1,380 s.f. (existing)  
- 3536 Urbana Pike – 4,657 s.f. (new)  
- 3534 Urbana Pike – 3,380 s.f. (new)  
- 3532 Urbana Pike – 3,829 s.f. (existing with addition)

The proposed footprint of the largest of the four buildings shown on this Site Plan is 4,657 s.f. and thus does not require special consideration by the Planning Commission. Footprint square footage has been reduced from Concept Plan to Site Development Plan for Buildings 1 (3538) and 3 (3534) but has increased slightly for Building 2 (3536) and Building 4 (3532). The modest increase in the size of Building 2 resulted from a more accurate accounting of the required area needed by the private school operator. The decrease in size in Building 3 resulted from the need to increase protection for the 2 specimen trees located in close proximity to the proposed structure. Proposed setbacks, building height and architectural elements are consistent with the approved Concept Plan.

All of the buildings in this project are oriented to show their primary access/entry features to the public street (and private internal drive where applicable). The plan maintains human-scaled architectural elements and plaza areas as illustrated in the architectural renderings.

The Applicant has submitted elevations and several three-dimensional renderings of the proposal which demonstrate that proposed building design and finishes are internally cohesive

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and respectful of the existing structures on, and in the vicinity of, the Site.

2. **Signage §1-19-6.300**: The Applicant is not proposing any specific signage in this Site Development Plan. Future requested signage for identification or directional purposes will be subject to the sign requirements of the Zoning Ordinance and will be subject to a Sign Permit. The calculation for permitted signage for commercial uses:

Building Frontage = 201' -8"
Max. Permitted sign area = 10 x Square Root of 201.67 = 142 s.f.

The Signage note on the proposed Site Development Plan shall be updated to reflect the correct total signage allotment.

3. **Landscaping §1-19-6.400**: The landscaping plan, which contains a variety of native and non-native plant species, provides screening and shade cover over a significant portion of the parking area, and successfully integrates existing trees into the new landscape.

**Street Trees**
The Applicant has provided all of the nine (9) required street trees along the Urbana Pike frontage (318 feet). The Applicant proposes the planting of seven (7) red maples and one (1) pin oak while maintaining the existing silver maple (45" dbh specimen tree) located between 3532 and 3534 Urbana Pike. A second specimen tree (31" dbh Kentucky coffee tree) is situated directly behind the silver maple and together these two existing trees serve as an important visual anchor for the project, serving to fill a visual gap between two structures while connecting the new development to the past. The street trees also provide canopy cover for the paved plaza areas fronting all but the westernmost building on the plan, and will serve admirably in future years as shade to the on-street parking spaces provided along the street frontage of this development site.

**Land Use Buffering and Screening**
Buffering of adjacent institutional and residential land uses is largely accomplished through the establishment of new plantings, but is also dependent on existing vegetation helping to create a more effective screen for the cemetery located along the Site's southeastern edge. The parking area located in back of the buildings on this site is to be screened by rows of evergreen trees & shrubs, as well as by ornamental trees such as the Japanese Cherry.

**Parking Area Landscaping**
Planting areas bracketing the parking bays are planted adequately given the constraints of the Site and the abundance (and species) of trees to be planted in support of the parking lot canopy cover requirement. The Applicant must submit a modification seeking approval by the Planning Commission of an alternate landscaping plan to allow the following plantings in the eight planting areas:

<table>
<thead>
<tr>
<th>Planting</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trees</td>
<td>8</td>
<td>15</td>
</tr>
<tr>
<td>Shrubs</td>
<td>28</td>
<td>0 (white fringe trees)</td>
</tr>
</tbody>
</table>

As proposed, the planting area trees provide canopy cover (warm-season shade) to approximately 48% (4,565 s.f.) of the parking areas. The required canopy cover is 20% or 1,980 s.f.

4. **Lighting §1-19-6.500**: the Applicant proposes the installation of four (4) 12-ft. tall, pole lamps to illuminate the driveway and parking areas. Illumination levels at all property lines will measure below 0.5 foot candles.
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.

1. Access/Circulation: The design of the proposed development relies on an internal driveway and drive aisle network that facilitates efficient movement through and within the Site. The Applicant has proposed one new full movement driveway onto Urbana Pike from the Site that supports efficient traffic movement while not disrupting vehicle flow on the public street. Additionally, two short, existing driveways – one on either end of the site – will be maintained for use by each of the existing structures. Circulation patterns for the proposed private school remained a primary issue on this Site and are resolved through two design features. The first is a 44 ft. diameter ‘island’ in the southwestern corner of the site which provides physical guidance to facilitate a convenient turnaround for drivers dropping off or picking up students without having to execute a 3-point turn. The second is the allowance for a drop-off/pick-up lane on the private school’s western building entrance. These two features will facilitate the orderly and safe movement of vehicles during AM and PM peak hours without forcing drivers to execute a complete lap of the parking lot. A similar secondary loop to the rear of the three easternmost buildings will allow for easy access and movement and provides access to a small loading area.

Pedestrian facilities in this Site Plan are designed to provide safe and convenient access throughout the site by providing sidewalks that interconnect through the plaza areas. There are three pedestrian connections between the front and rear of the buildings which allow free movement in and around the site without having to cross driveways, drive aisles, or open parking areas. A five foot wide sidewalk is proposed along the site frontage adjacent to Urbana Pike.

2. Public Transit: The Site is not directly served by public transit, however the Urbana Park and Ride facility is located within a short walk of the Site (1,000 feet) where access to commuter bus connections are available.

3. Parking: Section 1-19-6.220 of the Zoning Ordinance:

<table>
<thead>
<tr>
<th>Required Parking Spaces</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Private school – 10 employees/100 students =</td>
<td>25 spaces</td>
</tr>
<tr>
<td>Office – 1 space/300 s.f. =</td>
<td>21 spaces</td>
</tr>
<tr>
<td>Medical – 1 space/200 s.f. =</td>
<td>21 spaces</td>
</tr>
<tr>
<td>Restaurant – 1 space/50 s.f. =</td>
<td>18 spaces</td>
</tr>
<tr>
<td>Retail – 1 space/250 s.f. =</td>
<td>4 spaces</td>
</tr>
<tr>
<td>Residential – 1 space + ½ space per bedroom =</td>
<td>2 spaces</td>
</tr>
<tr>
<td>Total Required Spaces:</td>
<td>91 spaces</td>
</tr>
</tbody>
</table>

| Proposed On-Site Parking Spaces – | 62 spaces |
| Proposed On-Street parking Spaces – | 9 spaces |
| Proposed Off-Site Parking Spaces – | approx. 17 spaces (parking agreement with church property) |
| Total Available Spaces (non-worship hours) - | 88 spaces |

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In accordance with requirements for uses within the VC district, the existing and proposed parking areas have been located to the side or rear of buildings. The location and orientation of the buildings (existing and proposed) on the Site, have dictated the placement of vehicular parking. In accordance with the standards of Section 1-19-6.240 (Shared Parking), the Applicant has negotiated an agreement with the Wesley Chapel United Methodist Church to make up to 17 spaces available curing non-worship hours. The Casabella development, in turn, will provide parking access to its lot during Sunday worship hours. There is little overlap in the hours of operation between the church and the uses in the proposed development. This arrangement provides an opportunity for a general reduction in overall paved parking areas in the VC zoning district, provides some cost savings to all parties involved, and strengthens the social connections between neighboring uses in the village. Staff has no objection to the proposed Parking Modification request submitted by the Applicant to allow for a combination of 62 on-site and 26 off-site parking spaces (for a total of 88 parking spaces provided) to be utilized to meet the 91 space target.

**Loading Spaces**

Three loading spaces are identified on the Site Plan in compliance with the requirement for:

1 large or 2 small loading spaces for commercial uses over 5,000 s.f./gfa = 2 small spaces provided
1 large space provided for each 15,000 s.f. above 20,000 s.f./gfa = 1 extra-large space provided

The proposed loading spaces meet the minimum requirement of Section 1-19-6.210 of the Zoning Ordinance. The Applicant is requesting a modification from the Planning Commission to allow an extra-large, dual use loading space that will be utilized as a drop-off/pick-up zone of the school as well as a conventional loading space for other uses on the Site. This loading space is designed and sited appropriately to allow for this dual use.

4. **Pedestrian Circulation and Safety §1-19-6.220 (G):** Pedestrian facilities in this Site Plan are designed to provide safe and convenient throughout the site by providing sidewalks that interconnect through the plaza areas and through dedicated 5'- 6' sidewalks. There are three pedestrian connections between the front and rear of the buildings which allow free movement in and around the site without having to cross driveways, drive aisles, or open parking areas. A continuous sidewalk is provided along the Urbana Pike frontage with direct connections to the semi-public plaza areas in front of, and between, the new and existing structures.

The Applicant has demonstrated that the Site meets the pedestrian access requirements as established by the Zoning Ordinance and other relevant codes and standards.

5. **Bicycle Parking §1-19-6.220 (H):** The Applicant has provided a location for bicycle parking that appears to be sufficient in accordance with the Zoning Ordinance:

Child care center (1 rack per 20,000 s.f. of gross floor area; minimum of 1 rack)
Proposed GFA: 4,657 s.f.

Required: 1 bike rack (space for 2 bicycles)
Provided: Undetermined

Commercial uses (1 rack per 20 parking spaces; minimum of 1 rack)
Proposed Parking Spaces for these uses: approx. 22 spaces.

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Required: 2 bike racks (space for 4 bicycles)  
Provided: Undetermined  
Office/Medical (1 rack per 40,000 s.f. of gross floor area; minimum of 1 rack)  
Proposed GFA: 11,052 s.f.  
Required: 1 bike rack (space for 2 bicycles)  
Provided: Undetermined  

While the Applicant has provided a bike parking area on the Site Plan, there is insufficient detail to determine whether or not the requirements of the Ordinance have been satisfied.

Conditions:

1. The Applicant shall include a note on the plan acknowledging compliance with the Frederick County Bicycle Parking Design Guide and provide a note indicating that the Applicant will install 4 bike racks. Bike racks shall be identified on the plan as follows: Two of the racks shall be placed on the site indicated, while the other two racks shall be placed on the southern (internal) side of the development within 100 feet of a building entrance.

2. The Applicant shall provide evidence of an executed shared parking agreement prior to final signature set approval.

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 Water and Sewer: The Site is to be served by public water and sewer infrastructure and is classified W-5/S-5; W-4/S-4 in the Frederick County Water and Sewerage Plan. Private wells and septic systems on the existing properties must be abandoned in compliance with health Department regulations.

Natural features §1-19-3.300.4 (D): Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.

Findings/Conclusions

1. Topography: The Site is relatively flat with a difference of no more than 10 feet across the parcels.

2. Vegetation: Most of the Site is developed with buildings, driveways, parking areas dominating the areas closest to Urbana Pike). Several trees are located on the rear portion of the site and the southernmost portion of the two western lots will be placed in a FRO forest easement.

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3. **Sensitive Resources:** There are no sensitive resources located on the site.

4. **Natural Hazards:** There are no natural hazards located on the site.

*Common Areas §1-19-3.300.4 (E):* If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.

**Findings/Conclusions**

1. The provision of at least 9,900 s.f. of common plaza/green area is accommodated in the layout of the Site Plan:

   - **Plaza/Green Area Required:** 7,375 s.f.
   - **Gross Floor Area Proposed:** 20,316 s.f. GFA
   - **Plaza/Green Area Proposed:** approx. 9,900 s.f.

   The design and location of the common areas on this Site maximizes their practical use as pedestrian connectors while providing the potential for their use as informal gathering areas, café spaces, and semi-public ‘pocket parks’. The Applicant has embraced the spirit and intent of the zoning requirements for common plaza spaces and utilized them to full advantage in this Site Plan. In doing so, the Applicant has improved his project and contributed to the evolution of the village into a vibrant mixed use neighborhood.

**Other Applicable Regulations**

*APFO – Chapter 1-20:*

A Letter of Understanding (LOU) is attached (Exhibit 4) that sets forth the Applicant’s obligations associated with the construction as depicted on the site plan.

**Schools:** Schools are not impacted because the development of the property is below the six residential unit threshold.

**Water and Sewer:** The Property has a water and sewer classification of W-4/S-4 and W-5/S-5. While the public sewer and water facilities are currently adequate to serve the project, the Developer recognizes that capacity is not guaranteed until purchased. APFO approval for sewer and water does not guarantee that plats will be recorded and building permits will be issued. Plat recordation and building permit issuance are subject to compliance with the Annotated Code of Maryland, Environment Article Section 9-512, et seq and all applicable county regulations, including but not limited to Sec. 1-16-106 of the Frederick County Subdivision Regulations.

**Road Improvements:** A Traffic Impact Analysis (TIA) was submitted by Street Traffic Studies dated August 11, 2016. The Project will generate up to 170 a.m. and 125 p.m weekday peak hour driveway trips. The Developer is required to provide fair share contributions to existing escrow accounts per §1-20-12(H).

In satisfaction of APFO requirements to provide fair share contributions to existing escrow accounts per
§1-20-12(H), the Developer shall pay into County-held escrow accounts. Therefore, prior to building permit issuance, the Developer hereby agrees to pay $34,355 to the escrow accounts for these Road Improvements. Should these payments not be made within one year of the execution of this Letter, the County reserves the right to adjust this amount, based on an engineering cost index.

The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval expires November 9, 2019.

Forest Resource – Chapter 1-21:
The Applicant has submitted a Combined Preliminary/Final FRO plan, which is currently under review. The site contains 0.28 acres of forest, which is located in the rear triangular portion of the site. This forest will be retained and protected with a perpetual conservation easement. In addition to preserving the on-site forest, the application generates an additional mitigation requirement of 0.07 acres, which will be met by either purchasing forest banking credits or paying fee-in-lieu.

The site contains 2 specimen trees (trees that are 30 inches or greater in diameter). Per 1-21-40 of the FRO, nonhazardous trees that are specimen trees must be retained unless a modification is approved by the Planning Commission.

<table>
<thead>
<tr>
<th>Tree ID #</th>
<th>Size and Species</th>
<th>Issue</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>45&quot; Silver Maple</td>
<td>None</td>
<td>Good</td>
</tr>
<tr>
<td>2</td>
<td>31&quot; Kentucky Coffee</td>
<td>None</td>
<td>Good</td>
</tr>
</tbody>
</table>

Although the Applicant is proposing to retain both specimen trees, Staff has been concerned about the amount of critical root zone impact to the trees. The root zoned are being impacted in all directions, by street improvements, patios, and the proposed two-story medical office building.

At the request of Staff, the Applicant consulted a licensed arborist to evaluate the trees and the development proposal. The arborist found both trees to be in good condition and believes they can be protected during construction and will survive the proposed construction activities. The arborist recommends that a qualified arborist be involved at the beginning of any site construction phase in order to discuss a safe construction process for the trees. This meeting will determine how to better protect the trees during construction and how to reduce any long term stress on them by implementing better construction means and methods, including but not limited to improved aeration, lower soil compaction, minimize root damage, and install protective sealants, etc. during construction.

The FRO Plan must be approved prior to site plan approval. FRO mitigation must be provided prior to applying for grading permit(s) or building permits or whichever is applied for first. A qualified arborist shall be involved at the beginning of any site construction phase in order to discuss a safe construction process for the trees. This meeting will determine how to better protect the trees during construction and how to reduce any long term stress on them by implementing better construction means and methods, including but not limited to improve aeration, lower soil compaction, minimize root damage, and install protective sealants, etc. during construction.
Historic Preservation – Chapter 1-23:
No existing historic or cultural resource is adversely affected by the proposed Site Plan. The site proposed for Building #3 is identified as the site of the former Windsor House (Baker House) which was listed as a non-contributing structure on the Maryland Inventory of Historic Places inventory form F-7-63 prior to its demolition at some point after 1993.

Summary of Agency Comments

<table>
<thead>
<tr>
<th>Other Agency or Ordinance Requirements</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Review Engineering (DRE):</td>
<td>Conditionally Approved</td>
</tr>
<tr>
<td>Development Review Planning:</td>
<td>Conditionally Approved</td>
</tr>
<tr>
<td>State Highway Administration (SHA):</td>
<td>Approved</td>
</tr>
<tr>
<td>DUSWM</td>
<td>Approved</td>
</tr>
<tr>
<td>Historic Preservation</td>
<td>Conditionally Approved</td>
</tr>
<tr>
<td>Forest Resource (FRO)</td>
<td>Hold</td>
</tr>
<tr>
<td>Health Dept.</td>
<td>Conditionally Approved</td>
</tr>
<tr>
<td>Office of Life Safety</td>
<td>Conditionally Approved</td>
</tr>
<tr>
<td>Street Naming</td>
<td>Approved</td>
</tr>
<tr>
<td>DPDR Traffic Engineering</td>
<td>Conditionally Approved</td>
</tr>
<tr>
<td>APFO</td>
<td>Conditionally Approved</td>
</tr>
</tbody>
</table>

RECOMMENDATION

Staff has no objection to conditional approval of the proposed site development plan and requested modifications. If the Planning Commission conditionally approves the plan, the site plan is valid for a period of three (3) years from the date of Planning Commission approval and will therefore expire November 9, 2019. Based on the discussion in this report and with the conditions listed below, Staff finds that the application meets and/or will meet all applicable Zoning, APFO and FRO requirements once the following conditions are met:

1. Prior to final signature approval of the Site Development Plan the Applicant shall add a statement to the Parking/Traffic Circulation note acknowledging compliance with the Frederick County Bicycle Parking Design Guide and indicating the minimum bicycle parking requirement of 4 bike racks calculated at a rate of 1 bike rack for each 20 auto spaces. The bike racks shall be identified on the plan as follows: Two of the racks shall be placed on the site to the north of building 3532A as indicated on the plan. The Applicant shall work with Staff to locate the other two racks on the southern (internal) side of the development within 100 feet of a building entrance.

2. The Applicant shall provide evidence of an executed shared parking agreement prior to final signature set approval.

3. Prior to final signature approval of the Site Development Plan, the Applicant shall update the Signage Requirements Note to state that the maximum signage for the site is 142 square feet to
be distributed among the buildings. The Applicant shall obtain a sign permit prior to construction and placement of Site signage.

4. Planning Commission approval of the setbacks as proposed on the Concept Plan and as established based on existing structures to remain on Parcel 28 and 97.

5. Care shall be taken by the Applicant to maintain the architectural integrity of the existing structure on Parcel 97.

6. The FRO Plan must be approved prior to site plan approval. FRO mitigation must be provided prior to applying for grading permits or building permits or whichever is applied for first. A qualified arborist shall be involved at the beginning of any site construction phase in order to discuss a safe construction process for the trees. This meeting will determine how to better protect the trees during construction and how to reduce any long term stress on them by implementing better construction means and methods, including but not limited to improved aeration, lower soil compaction, minimize root damage, and install protective sealants, etc. during construction.

7. Planning Commission approval of the parking modification request to allow a combination of 62 on-site and 26 off-site parking spaces (for a total of 88 parking spaces provided) to be utilized to meet the 91 parking space target identified in the Zoning Ordinance.

8. Planning Commission approval of the loading space modification request to allow the use of an extra-large loading space for dual purposes as a drop-off/pick-up zone for the school and as a conventional loading space for other uses on the Site.

9. Planning Commission approval of the modification request seeking approval of the alternate landscaping plan within parking lot planting areas on the Site.

10. Prior to final signature approval of the Site Development Plan, the Applicant shall update the Parking/Traffic Circulation Notes to state that a combination of 62 on-site and 26 off-site parking spaces (for a total of 88 parking spaces provided) will be utilized to meet the 91 space target.

11. Prior to final signature approval of the Site Development Plan, the Casabella addition plat (AP #16780) shall be recorded. The respective Plat Book and Page Number of the recorded plat shall be listed on the Casabella Site Development Plan.

12. Prior to final signature approval of the Site Development Plan, the Applicant shall remove the reference to 'Private School' on the building labeled 3536 and replace with 'Childcare center/nursery school'.

13. Prior to final signature approval of the Site Development Plan, the Applicant shall update the Lighting Note to include the following "Lighting shall be designed and installed to be fully shielded and shall be directed downward to prevent glare and light trespass onto adjacent properties, roadways, and the nighttime sky".

14. The Applicant shall meet the requirements of the Casabella Commons APFO LOU (AP 16593).
PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission APPROVE Site Development Plan SP-06-04 (AP#18592) for the proposed Casabella Commons, a Village Center mixed use development of four structures, including APFO approval, with conditions and modifications as specified in the Staff Report.
May 11, 2016

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

Re: Casabella Commons  
Tax Map 96, Parcel 28, 96, 97 & 98  
Situated at 3532, 3534, 3536 & 3538 Urbana Pike (MD Rte. 355)  
File #: SP-06-04, Project No.: 16592

Dear Mr. Superczynski:

Pursuant to the requirements of Frederick County Zoning Ordinances (§ 1-19-6.210 & 1-19-6.220):

**Loading Space Modification (§ 1-19-6.210):**

["an applicant may request that the Planning Commission approve a modification to the requirements of § 1-19-6.200(B), § 1-19-6.210(A) or that the Zoning Administrator or Planning Commission authorized representative approve a modification to the requirements of § 1-19-6.210(B) of this section."]

This modification is for the use of an extra large-loading space (12’ x 50’) in addition to the required two smaller loading spaces (9’ x 20’) illustrated on the Site Plan per the County Zoning Ordinance mentioned above. We are requesting approval for the extra large-loading space as a dual use for the school as a drop-off zone and loading space adjacent to both the school building and restaurant on the opposite site.

**Parking Space Modification (§ 1-19-6.220):**

["an increase or reduction in the number of required parking spaces may be granted by the Planning Commission where the applicant or Planning Commission authorized representative can demonstrate need based on characteristics of the proposed use, hourly parking demand studies published by ITE or other documentation as approved by the Planning Commission."]

This modification request is for the approval of a reduction in the number of required parking spaces by twenty (20) parking spaces. The current Site Plan is proposing a total of fifty-eight (58) on-site parking spaces, the continued use of two driveways that provide four (4) spaces, and the counting of nine (9) new off-site parking spaces that will be constructed along Maryland Route 355 in front of the project. The proposed total parking provided for the project will be seventy-one (71) spaces, and ninety-one (91) spaces were calculated to be required according to the Frederick County Zoning Ordinance. Based on a combination of both morning and evening intensive uses (i.e., private daycare, medical office, restaurant,
commercial office, and a residential apartment) we do not anticipate major parking problems for this complex. The anticipated hours of operation for each tenant or anticipated use are as follows:

<table>
<thead>
<tr>
<th>Address</th>
<th>Proposed Use</th>
<th>Hours of Operation</th>
<th>Parking Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 3532-A</td>
<td>Sushi Restaurant</td>
<td>Tues. – Sat. 11:00 AM – 9:30 PM</td>
<td>18.4 spaces</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sunday 11:00 AM – 6:00 PM N/A</td>
<td></td>
</tr>
<tr>
<td>2. 3532-A</td>
<td>2 Bed Rm. Apartment</td>
<td>Mon. – Fri. 9:00 AM – 5:00 PM</td>
<td>2.0 spaces</td>
</tr>
<tr>
<td>(2nd Flr.)</td>
<td></td>
<td>Mon. – Fri. 8:00 AM – 6:00 PM</td>
<td>8.1 spaces</td>
</tr>
<tr>
<td>3. 3532-B</td>
<td>Medical Office</td>
<td>Mon. – Fri. 9:00 AM – 5:00 PM</td>
<td>7.2 spaces</td>
</tr>
<tr>
<td>(1st Flr.)</td>
<td></td>
<td>Mon. – Fri. 8:00 AM – 6:00 PM</td>
<td>12.7 spaces</td>
</tr>
<tr>
<td>4. 3532-B</td>
<td>Commercial Office</td>
<td>Mon. – Fri. 9:00 AM – 5:00 PM</td>
<td>11.3 spaces</td>
</tr>
<tr>
<td>(2nd Flr.)</td>
<td></td>
<td>Mon. – Fri. 7:30 AM – 5:00 PM</td>
<td>25.0 spaces</td>
</tr>
<tr>
<td>5. 3534</td>
<td>Commercial Office</td>
<td>Mon. – Fri. 9:00 AM – 5:00 PM</td>
<td>6.0 spaces</td>
</tr>
<tr>
<td>(1st Flr.)</td>
<td></td>
<td>Mon. – Fri. 9:00 AM – 5:00 PM</td>
<td>90.7 spaces</td>
</tr>
</tbody>
</table>

Based on the distribution above, most of the tenants will generate morning (AM) peak hour trips and the Sushi Restaurant will generate lunch and evening (PM) peak hour trips. Due to the location adjacent to the Elementary School and the surrounding proximity of the Villages of Urbana, we anticipate a moderate level of pedestrian usage for the Cassabella Commons Complex. With approximately 250 to 300 residential homes within ¼ mile of the commercial Complex, we anticipate a reduction between 2 and 5 peak hour trips, as supported by the Institute of Transportation Engineering (ITE) Manual, are available during normal AM and PM hours. The Ownership of Cassabella Commons is also working with the Wesley Chapel United Methodist Church and has secured an agreement to share parking facilities between the two owners. Since the Cassabella Commons Complex will predominately need additional parking during the week and during the off hours of the Church, and visa-versa, a shared parking agreement makes sense for both properties. Between both the on-site and additional street parking in front of the Church, an additional 20 parking spaces are available most of the time when Cassabella Commons needs them. With the additional existing off-site parking within 500-feet of the subject site (i.e., church parking lot and on-street parallel parking, etc.) we feel there is more than sufficient justification for the Planning Commission to grant this parking reduction modification request in accordance with the provisions outlined in Section 1-19-6.240 of the Frederick County Zoning Ordinance.

Thank you for your consideration of our request and please feel free to contact us with any questions or comments related to our modification requests above.

Sincerely,

Terra Solutions Engineering, LLC

[Signature]

Gerald Lee Miller, Jr., PE
President

Cc: Mr. Robert Bongiorno

Casa Bella Commons, LLC
ADEQUATE PUBLIC FACILITIES LETTER OF UNDERSTANDING

Casabella Commons

Site Plan #SP 06-04 AP #16593

In General: The following Letter of Understanding ("Letter") between the Frederick County Planning Commission ("Commission") and Casa Bella, LLC (the "Developer"), together with its/their successors and assigns, sets forth the conditions and terms which the Commission deems to be the minimum necessary improvements dealing with school, water, sewer, and road improvements that must be in place for the property identified below to be developed, as proposed under the Casabella Commons Site Plan (the "Project"), in compliance with the Frederick County Adequate Public Facilities Ordinance ("APFO").

The Developer, its successors and assigns, hereby agrees and understands that unless the required improvements (or contributions to road escrow accounts, as specified below) are provided in accordance with this Letter, APFO requirements will not be satisfied and development will not be permitted to proceed.

This Letter concerns itself with the Developer's 2.36 +/- acre combined parcels of land (TM 96, Parcels 96, 97, 98, and 28), which are zoned VC (Village Center) and located on the southwest side of Urbana Pike, adjacent to the Urbana Elementary School. This APFO approval will be for the development of up to a 19,936 sq. ft. mixed commercial use center (including up to one residential unit), which is shown on the site plan for the above-referenced Project, which was conditionally approved by the Commission on November 9, 2016.

Schools: Schools are not impacted because the development of the property is below the six residential unit threshold.

Water and Sewer: The Property has a water and sewer classification of W-4/S-4 and W-5/S-5. While the public sewer and water facilities are currently adequate to serve the project, the Developer recognizes that capacity is not guaranteed until purchased. APFO approval for sewer and water does not guarantee that plats will be recorded and building permits will be issued. Plat recordation and building permit issuance are subject to compliance with the Annotated Code of Maryland, Environment Article Section 9-512, et. seq and all applicable county regulations, including but not limited to Sec. 1-16-106 of the Frederick County Subdivision Regulations.

Road Improvements: A Traffic Impact Analysis (TIA) was submitted by Street Traffic Studies dated August 11, 2016. The Project will generate up to 170 am and 125 pm weekday peak hour driveway trips. The Developer is required to provide fair share contributions to existing escrow accounts per §1-20-12(H).
In satisfaction of APFO requirements to provide fair share contributions to existing escrow accounts per §1-20-12(H), the Developer shall pay into County-held escrow accounts the following pro rata contributions:

1. MD 355/Campus Drive: Second northbound through lane. Contribute the appropriate pro-rata share (0.71% of $362,322) to Existing Escrow Account No. 3248 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $2,572.

2. MD 355/Campus Drive: Signal. Contribute the appropriate pro-rata share (1.49% of $250,000) to Existing Escrow Account No. 3801 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $3,725.

3. MD 80/I-270 Northbound Ramps: Restripe/reconstruct to provide an additional westbound through lane. Contribute the appropriate pro-rata share (1.40% of $100,000) to Existing Escrow Account No. 3921 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $1,400.

4. I-270 Northbound Ramp to MD 80 eastbound: Construct a new ramp. Contribute the appropriate pro-rata share (0.69% of $1,370,000) to Existing Escrow Account No. 3579 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $9,453.

5. MD 80/Urbana Pike: Re-stripe westbound Urbana Pike approach and signal adjustment. Contribute the appropriate pro-rata share (5.46% of $50,000) to Existing Escrow Account No. 4049 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $2,732.

6. MD 80/Campus Drive: Restripe the eastbound right turn lane to provide an eastbound through lane and right turn lane and construct the receiving lane as an auxiliary lane turning into the right turn lane into Pontius Court. Contribute the appropriate pro-rata share (1.61% of $264,001) to Existing Escrow Account No. 3249 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $4,250.

7. MD 355/Urbana Pike: Signal. Contribute the appropriate pro-rata share (1.27% of $500,000) to Existing Escrow Account No. 4043 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $6,350.

8. MD 355/Dr. Perry Road/Big Woods Road: Signal. Contribute the appropriate pro-rata share (1.55% of $250,000) to Existing Escrow Account No. 3931 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $3,875.

Therefore, prior to building permit issuance, the Developer hereby agrees to pay $34,355 to the escrow accounts described above for these Road Improvements. Should those payments not be made within one year of the execution of this Letter, the County reserves the right to adjust this amount, based on an engineering cost index.

**Period of Validity:** The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval expires on November 9, 2019.

**Disclaimer:** This Letter pertains to APFO approval only, and shall not be construed to provide any express or implied rights to continue the development process. The Project remains subject
to all applicable rules and regulations, including but not limited to those related to zoning, water and sewer, and subdivision. The Planning Commission's jurisdiction and authority is limited by State and County law, and approvals may be required from other local or state governmental agencies before the proposed development can proceed.

DEVELOPER: Casa Bella, LLC

By: ___________________________ Date: _________
    Robert Bongiorno

FREDERICK COUNTY PLANNING COMMISSION:

By: ___________________________ Date: _________
    William Hopwood, Chair or Robert White, Secretary

ATTEST:

By: ___________________________ Date: _________
    Gary Hessong, Director, Permits & Inspections

Planner's Initials / Date ___________________________

County Attorney's Office Initials / Date
(Approved as to legal form)