TITLE: Lewistown Mills Motors

FILE NUMBER: SP-16-05, AP#16441 (APFO#16443, FRO #16444, SWM#16442)

REQUEST: Site Development Plan Approval
The Applicant is requesting Site Development Plan approval for a 2,400 s.f. automotive service and sales center situated on a 3.69-acre property.

PROJECT INFORMATION:
ADDRESS/LOCATION: 7093 Fish Hatchery Road, Located on the south side of Fish Hatchery Road, east of US 15, near Lewistown.
TAX MAP/PARCEL: Tax Map 40, Parcel 574
COMP. PLAN: General Commercial (GC)
ZONING: General Commercial (GC)
PLANNING REGION: Frederick
WATER/SEWER: W-NPS/S-5

APPLICANT/REPRESENTATIVES:
APPLICANT: Quynn/Moody Revocable Trust (Tyler Quynn)
OWNER: – same -
ENGINEER: ARRO Consulting, LLC
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Denis Superczynski, Principal Planner II

RECOMMENDATION:
Conditional Approval

ATTACHMENTS:
Exhibit 1 – Site Plan
Exhibit 2 – Request for Approval of Alternate Landscape Plan (Modification)
Exhibit 3 – Request for Approval of Parking Space Modification
ISSUE
Development Request

The Applicant is requesting site development plan approval for an automobile sales and service facility in the General Commercial Zoning District, on an existing 3.69-acre parcel located 1,000 feet east of the village of Lewistown. The proposed use is being reviewed as a “Sales and service center” land use under the heading of Automobile and Related Services per §1-19-5.310 Use Table in the Zoning Ordinance. Automobile sales and service center is a principal permitted use in the General Commercial (GC) Zoning District subject to site development plan approval.

The proposed development consists of a single 2,400 s.f. enclosed structure with associated parking and a paved vehicle storage area for up to 16 vehicles. Two overhead doors provide access to internal service bays on the building’s southwestern side. A 9’ x 20’ loading space is provided in front of the service bays to allow for loading/unloading access. No dumpster is proposed since waste will be stored indoors or contained and disposed per State/Federal regulations.

A single commercial vehicle entrance will be established with the improvement of the existing macadam driveway. Utility service will be provided by an on-site well (south of the vehicle storage area) and by public sewer service to be extended to the site by the Applicant.

Figure 1: Site Vicinity Map – Aerial Image
BACKGROUND

Development History

The site is undeveloped with the exception of an existing macadam driveway along its eastern edge. An Addition Plat (M-3135) was recorded in August 2016 creating the current 3.69-acre Parcel 574 as well as establishing a 0.13-acre easement for ingress/egress to the adjacent 6.9 acres located south and east of the Site. The shared driveway easement is located entirely on the Subject Site (Parcel 574).

Figure 2: Site Vicinity Map – Zoning

Existing Site Characteristics

The proposed use would occupy a significant portion (about half) of the cleared area on the property, with the structure, driveway, and vehicle parking located on the far eastern side of the lot. Mostly-forested floodplain predominates on the western half of the property with a planned engineered wetland - serving as a stormwater management device – providing an outfall directly into this area from the planned development.

Surrounding Land Uses: Land uses in the vicinity of this proposal include the following:

West and South – The properties west of this site (across US 15) as well as those properties south of this site are predominantly zoned Agricultural (A) and are comprised of a mix of low density, large lot residential and agricultural uses.
East – The village of Lewistown is located approximately 1,000 feet east of the subject site. Residential uses dominate the village, though some commercial and institutional uses are present as well to serve the community.

North – Immediately north of the Lewistown Mills motors site is a residentially-zoned property with some modest, low-impact non-residential uses. Further north, approximately 1,000 feet along US 15 is Beckley’s Camping Center
ANALYSIS

Summary of Development Standards Findings and Conclusions

The key issues associated with this site plan include:
- Public sewer access
- Layout of the proposed structures and vehicle storage areas
- Access and internal circulation
- Vegetative screening of the site

Figure 1 - View of the immediate vicinity – Lewistown Mills Motors site (view looking north)

Detailed Analysis of Findings and Conclusions

Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County zoning ordinance.

Site Development §1-19-3.300.4 (A): Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.
Findings/Conclusions

1. Dimensional Requirements/Bulk Standards §1-19-6.100: The proposed Site Development Plan adheres to the lot dimensions required for an Automobile and related service use in the General Commercial (GC) Zoning District as established in Section 1-19-6.100.

The proposed setbacks for the facility are the following:

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<thead>
<tr>
<th>Requirement</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area</td>
<td>12,000 sf</td>
<td>3.69 ac. (160,736 sf)</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>100’</td>
<td>550’+</td>
</tr>
<tr>
<td>Front Yard</td>
<td>25’</td>
<td>25’</td>
</tr>
<tr>
<td>Side Yard</td>
<td>8’</td>
<td>28’</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>25’</td>
<td>120’+</td>
</tr>
<tr>
<td>Max Building Height</td>
<td>60’</td>
<td>Not indicated on site plan</td>
</tr>
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</table>

The location of the proposed structure meets the dimensional standards established in the Zoning Ordinance. Building height is not indicated on the Site Plan and if approved by the Planning Commission the proposed height must be indicated prior to final signature approval of the final plan set.

2. Signage §1-19-6.300: Per zoning ordinance the maximum signage allowed for business identification in the GC zoning district is calculated based upon the following formula:

\[ 10 \times \sqrt{\text{façade of building facing the public street (in linear feet)}} = \text{Maximum permissible signage (in square feet)} \]

For this Site Plan proposal:

As provided in Note 17 on sheet 2 of the plan set, the maximum signage for the project is:

\[ 10 \times \sqrt{60 \text{ ft}} = 10(7.75) = 77.5 \text{ s.f. at a maximum height of 25 feet} \]

If no free-standing sign is utilized, there is a 25% increase in permitted sign area in the GC zoning district, or, 96.875 s.f. for this proposal.

No specific sign has been proposed as part of the plan set. The Applicant must file for a sign permit prior to construction/installation of a business identification sign on the property.

3. Landscaping & Screening §1-19-6.400: In addition to retaining much of the existing vegetation on the Site, the Applicant has provided landscape plantings along the northern, eastern, and southern edges of the parking/vehicle storage area in order to screen the view of open business activity areas from the adjacent parcels to the north, south, and east. An existing forested area (in the 100-year floodplain) west of the developed portion of the Site is to be maintained and will serve as a substantial visual buffer to operations on the site as viewed from this direction, particularly after the maturation of the additional FRO plantings along this western portion of the property between the proposed business and US 15, designated as the Catoctin Mountain National Scenic Byway and Journey Through Hallowed Ground National Scenic Byway. The view of the proposed development, from the byway, will be largely, if not completely, screened by these forested areas along US 15. The requirement for landscaping of the parking area is generally met with the planting of White pine and American holly, both capable of establishing a visual screen. However, Staff would recommend additional plantings of American holly or other 4-season shrubs along the western edge of the parking/vehicle storage area to create a vegetative screen of this paved portion of the Site.

Sixteen (16) street trees are required along the 550 ft. frontage of the parcel (measured along Fish Hatchery Road). The Applicant has proposed the planting of three (3) Pin oaks along the public
road frontage and an additional five (5) Pin oaks around the parking area. The Applicant has submitted a Modification Request seeking approval of an alternate landscaping plan by the Planning Commission (see Exhibit 3). Staff finds the planting plan, along with the existing maintained vegetation, and with the recommended additional vegetative screen on the western edge of the parking/vehicle storage area, sufficient to meet the intent of the Zoning Ordinance.

4. **Lighting §1-19-6.500:** The Applicant proposes the installation of three, wall-pack fixtures (building-mounted lights) – one on each of the western, southern, and eastern walls - and has provided a photometric illustration on Sheet 2 of the Site Plan demonstrating that illumination of more than 0.5 footcandles will not reach the property boundaries at this Site.

**Transportation and Parking §1-19-3.300.4 (B):** The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.

**Findings/Conclusions**

1. **Access/Circulation:** The existing driveway will be improved at its access with Fish Hatchery Road, to include a 30’ width and 30’ radius returns. The plan considered for approval is showing the 30’ width to continue to the south property line. However, staff recommends modifying the driveway design to maintain the 30’ width within Fish Hatchery Road right of way and radius return, as suggested by County design guides for commercial access, and then transition to a 24’ driveway. This 24’ driveway would continue back to serve the proposed site, and then transition back to tie in with the existing driveway at the south property line. The parking lot, service bay entrance, and vehicle storage area will be accessed from the driveway via a 24’ wide secondary paved entrance south of the proposed structure. Staff has determined that there is sufficient separation between the planned commercial entrance and other existing driveways along Fish Hatchery Road.

2. **Connectivity §1-19-6.220 (F):** Other than conventional vehicular access, no specific connectivity requirements are relevant to the development of this auto-oriented commercial business at this location. Due to the adjacent residential zoning designation, environmentally-sensitive natural features in the vicinity, and existing surrounding residential and agricultural uses, connections to adjacent properties are not proposed or required at this time. However, nothing in this Site Plan application precludes a connection to the adjacent GC-zoned land to the east of the Site.

3. **Public Transit:** This Site is not served by Transit.

4. **Vehicle Parking §1-19-6.220:** Parking standards are established for Automobile sales and service garages in the Zoning Ordinance with the requirements as follows:

   Parking spaces required:
   2 spaces per service bay, plus 1.5 spaces per employee
   (2 service bays x 2 spaces) + (1 employee x 1.5 spaces) = 6 spaces

   Parking spaces proposed:
   (6 parking spaces) + (10 vehicle storage spaces) = 16 spaces

   A modification request (see Exhibit 2) has been submitted by the Applicant seeking Planning Commission approval to construct 16 vehicle spaces to accommodate the need for short term
storage of vehicles to be serviced or sold.

Staff has no objection to the approval of these additional spaces on the site.

5. **Loading §1-19-6.210.B:** For commercial uses between 1,000 - 5,000 square feet (total building net floor area), the Zoning Ordinance requires 1 small loading space. The gross area of the proposed building is 2,400 s.f. and therefore would require a single small loading space. The Applicant does demonstrate that there is a 9’ x 20’ clear area for a small loading space within a larger 24’ x 26’ clear zone directly in front of the two service bays. This area is sufficient to meet the standard set forth in the Zoning Ordinance, without the need for pavement markings since this area will likely be kept clear by the operator of the business.

6. **Bicycle Parking §1-19-6.220 (H):** In accordance with Z.O. § 1-19-6.220, no bike racks are required as part of this site development plan.

7. **Pedestrian Circulation and Safety §1-19-6.220 (G):** There will be little pedestrian activity at this site. A 4-ft.-wide sidewalk will facilitate movement between parking spaces and the entrance to the business. No pedestrian paths or sidewalks are constructed in the vicinity and none are planned.

**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 classified as W-NPS, with ‘No Planned Service’ for public water in the Frederick County Water and Sewer Plan. The site is classified as W-5, with planned public sewer service to be extended to the site by the Applicant.

   The Applicant/Developer will construct the low-pressure sewer extension to this site (Frederick County Sewer Contract 329-S) and will have access to up to (4) taps from the existing Lewistown WWTP available per this agreement. No building permit will be approved for this Application until such time as the sewer extension has been installed and deemed operational by DUSWM.

   The commercial business will utilize water from an on-site private well located 115 feet south of the proposed building.

**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:** A drop in elevation of approximately 10 feet between the Fish Hatchery Road entrance northeast of the proposed structure (approximately 400 ft) and the unnamed tributary to Fishing Creek along the southwestern property boundary (approximately 390 ft.) defines the topography of the Site.

2. **Vegetation:** Approximately 2.8 acres of the total 3.69 acre property will remain undisturbed after development of this proposed plan, with much of this area remaining in a naturally-vegetated state.
within the 100-year floodplain. The proposed landscape improvements – and FRO easement plantings – will maintain a well vegetated site in its post-development condition.

3. **Sensitive Resources:** Sixty-five percent of the soils on the Subject site are characterized as Flooding soils and are contained almost completely within the area designated as FEMA floodplain with a small area within the flood plain buffer. Seventy-five percent of the soils identified are classified as Hydric Soils by NRCS. Flooding soils - and hydric soils - on this Site are situated outside of the Limit of Disturbance and will not be developed in this proposal (per §1-19-9.110 (B) 7). With limited disturbance of the site, and with an engineered wetland serving as a stormwater management intercedent, the proposed development activity associated with this Site Plan does not pose a threat to sensitive natural resources on this or surrounding properties.

4. **Natural Hazards:** An area of 100-year floodplain is delineated on the Site Plan. The required 25-ft. buffer is identified as well on the proposed plan. The proposed project will not impact the FEMA floodplain or the setback.

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

**Findings/Conclusions**

1. **Proposed Common Area:** The Site is a commercial place of business used for automobile sales and service. Use of the site will be typically limited to a single employee and customers of this business. There are no common areas proposed or required.

**Other Applicable Regulations**

**Moderately Priced Dwelling Units – Chapter 1-6A:** The proposed use is non-residential; therefore, MPDUs are not required.

**Stormwater Management – Chapter 1-15.2:** A Concept Stormwater Plan has been submitted and is Conditionally Approved for this Application.

**APFO – Chapter 1-20:**

1. **Schools.** No new residential uses are proposed for this Site.

2. **Water/Sewer.** This site will not utilize public water and is designated as ‘W-NPS’, *No Planned Service*, in the Frederick County Water and Sewer Plan. Water will be provided by a private, on-site well. The site will utilize public sewer through the extension of the Lewistown system. The Applicant/Developer will construct the low-pressure sewer extension to this site (Frederick County Sewer Contract 329-S) and will have up to (4) taps from the existing Lewistown WWTP available per this agreement. No building permit will be approved for this Application until such time as the sewer extension has been installed and deemed operational by DUSWM.

3. **Roads.** The proposed site is expected to generate 7 new trips during the peak hour of adjacent street traffic and does not trigger APFO road evaluation because the site will generate less than the fifty-trip APFO testing threshold. The impact of the site on nearby escrow accounts is negligible and an LOU is not required.
Forest Resource – Chapter 1-21:
A Preliminary/Final FRO plan has been approved for this site. The site does not contain forest. The Applicant proposes to meet the FRO requirements by planting 0.35 acres of new forest in the floodplain and stream buffer located along the western boundary of the property. FRO mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.

Historic Preservation – Chapter 1-23: There are no historic resources affected by the proposed activity.

Summary of Agency Comments

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<tr>
<th>Other Agency or Ordinance Requirements</th>
<th>Comment</th>
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<tr>
<td>Public Works Development Review (PWDR):</td>
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<td>DUSWM:</td>
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<td>Street Name Review</td>
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<td>Office of Life Safety</td>
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<tr>
<td>FRO</td>
<td>Conditional Approval</td>
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RECOMMENDATION
Staff has no objection to conditional approval of the Lewistown Mills Motors Site Development Plan. If the Planning Commission conditionally approves the site development plan, the plan is valid for a period of three (3) years from the date of Planning Commission approval, or April 12, 2020.

Based upon the findings, conclusions, and modifications 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. FRO mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.
3. Planning Commission approval of the requested parking modification to allow 16 parking spaces where 6 are required.
4. The Applicant shall obtain a sign permit in accordance with a maximum approved sign allowance of 77 square feet and prior to installation of any signage associated with the project.
5. Prior to final signature approval, the Applicant shall modify the driveway width to maintain County commercial access standards of 30’ width at access with Fish Hatchery Road, maintain a 24’ width for site access, and then transition to existing driveway at south property line.
6. Prior to final signature approval, the Applicant shall update note #7 on sheet 2 of the plan set to include the following: The proposed site is expected to generate 7 new trips during
the peak hour of adjacent street traffic and does not trigger APFO road evaluation because the site will generate less than the fifty-trip APFO testing threshold. The impact of the site on nearby escrow accounts is negligible and an LOU is not required.

7. The Applicant/Developer will construct the low-pressure sewer extension to this site (Frederick County Sewer Contract 329-S) and will have access to up to (4) taps from the existing Lewistown WWTP available per this agreement. No building permit will be approved for this Application until such time as the sewer extension has been installed and deemed operational by DUSWM.

8. The Applicant shall plant additional shrubs along the western edge of the parking/vehicle storage area so as to provide a 4-season vegetative screen capable of reaching a height of 42 inches within two growing seasons. The Site Planting Schedule shall include a column identifying the size of individual specimens at time of installation.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission APPROVE SP-16-05, AP 16441 with conditions and modifications as listed in the staff report for the proposed Lewistown Mills Motors, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.
Exhibit 1: No Site Plan Rendering Submitted By Applicant
February 14, 2017

Frederick County Planning Commission
30 North Market Street
Frederick, MD 21701

RE: Lewistown Mills Motors, LLC
Project Nos. 16441, 16442, 16443, 16628, 16444

To Whom It May Concern:

On behalf of Mr. Tyler Quynn, the property owner, we are requesting a waiver to allow ten additional parking spaces above the required amount to allow for temporary vehicle storage.

Sincerely,

Scott F. Longstreth, P.E.
Project Manager

SFL/ss
February 14, 2017

Frederick County Planning Commission
30 North Market Street
Frederick, MD 21701

RE: Lewistown Mills Motors, LLC
Project Nos. 16441, 16442, 16443, 16628, 16444

To Whom It May Concern:

On behalf of Mr. Tyler Quynn, the property owner, we are requesting a waiver to allow for an alternate landscape plan. The purpose of this waiver is to make a more visually appealing site.

Sincerely,

Scott F. Longstreth, P.E.
Project Manager

SFL/ss