FC Frederick Soccer Complex – Outdoor Sports Recreation Facility

SP-18-12 (AP#18654, APFO#18655, FRO#18656, SWM#18808)

Site Development Plan Approval
The Applicant is requesting Site Development Plan approval for development of eight (8) outdoor sports fields, a storage/maintenance building, an athlete support center, an outdoor goal-keeper training area, four (4) pavilion buildings with restrooms, storage and concession space, a clubhouse, and a caretaker’s dwelling on a 152-acre site.

4502 Bartholows Road, Mt. Airy, Maryland
Tax Map 89 Parcels 21 & 166
Agriculture/Rural
Agricultural
Urbana
No Planned Service (NPS)

FC Frederick, Inc.
FC Frederick, Inc.
Harris, Smariga & Associates, Inc.

Tim Goodfellow, Principal Planner II

Conditional Approval

Exhibit 1 - Site Plan Rendering
Exhibit 2 – Lighting Modification Request
Exhibit 3 - APFO L.O.U.
STAFF REPORT

ISSUE

Development Request
The request is for Site Development Plan approval for construction of eight (8) outdoor soccer, natural turf fields to be operated by a private sports club, known as Football Club Frederick ("FC Frederick"), a 501(c)(3) youth soccer organization operating in the greater Frederick County, Maryland area since 1989. Each field is proposed to have four (4) light poles, each measuring 80 feet in height, resulting in a request for a lighting modification from the Planning Commission. The project also includes the following elements:

- 7,000 square foot storage/maintenance building
- 25,000 square foot athlete support center
- Outdoor goal-keeper training area
- Four (4) structures, each measuring 3,500 square feet, with a pavilion, restroom, storage space, and concessions
- 6,000 square foot, 2-story clubhouse
- Caretaker's dwelling
- Natural surface trail system throughout the site

A Phasing Plan for the proposed development divides the project into four components, as follows:

Phase I: Fields # 1—4; Pavilion Structure # 1, 2; Trail (phase I area); Parking

Phase II: Fields # 7, 8; Pavilion Structure #4; Goalkeeper training area; Storage/Maintenance building; Caretaker's dwelling; Trail (phase II area); Parking

Phase III: Fields# 5, 6; Pavilion Structure #3; Athlete Support Center; Clubhouse; Trail (phase III area); Parking

Phase IV: Open Space with picnic area, parking and trail

The request includes the use of the facility for a maximum of 12 special tournament events each year, in addition to normal practice and competition activities. The special tournaments require Temporary Outdoor Activity permits from the Department of Permits and Inspections.

The proposed use is being reviewed as an "Outdoor Sports Recreation Facility" land use under the heading of Commercial Amusements per §1-19-5.310 Use Table in the Zoning Ordinance and is a principal permitted use in the Agricultural Zoning District subject to site development plan approval.

The planned Athlete Support Center contains multiple uses and 'functions,' as listed on the site plan. This structure is an accessory use to the soccer fields, and indoor recreation/practice fields and activities within this building are prohibited.
BACKGROUND

Development History/Existing Site Characteristics

The property contains two (2) parcels, bisected by a fee-simple powerline and an underground gas transmission line. Two residential dwellings, barns and several agricultural buildings exist on the property, which is under active agricultural use. The dwellings, barns, and outbuildings are slated for removal; one agricultural storage building on the northern portion of the site will remain. The property is within 'Green Valley,' a large area in the southeastern portion of the County with a high concentration of well & septic residential development. Existing residential dwellings surround the subject property.

Several aquatic systems, with wetlands, are present on the property and drain to Church Branch, a main Bush Creek tributary. Approximately 83% of the site is in cultivated fields or pasture; forestlands cover the remaining acreage.

A prior request for Special Exception approval for a non-governmental utility (Potomac Appalchian Transmission Highline—PATH—Substation) on the site was denied by the Board of Appeals in 2010.

Figure 1 – Aerial Photography
Figure 3 – Comprehensive Plan
Figure 3 – Zoning
ANALYSIS

Summary of Development Standards Findings and Conclusions

While the main stream systems and their setbacks function as buffers to the adjacent residential development along the northern and southern property boundaries, a concern over the impacts from a commercial soccer facility with lights 80 feet in height adjacent to a large concentration of low-density single family dwellings poses a concern about visual impacts on the surrounding community.

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: Section 1-19-6.100 of the Zoning Ordinance contains the Design Requirements for the proposed outdoor sports recreation facility use in the Agricultural Zoning District, as follows:

   Front Yard       40'
   Side Yard        50'
   Rear Yard        50'
   Max. Building Height 30'
   Min. Lot Size    5 acres
   Min. Lot Width   200 ft.

The site plan complies with the setback, lot, and height dimensions as listed in Section 1-19-6.100. The building and lot dimensions are shown below.

   Front Yard       120' (Clubhouse)
   Side Yard (north side) 1,000' (Maintenance/Storage Bldg.)
   Side Yard (south side) 1,100 (Pavilion Bldg. # E-4)
   Rear Yard        500' (Pavilion Bldg. # E-4)
   Building Height  30'
   Lot Size         152 acres
   Lot Width        2,430'
2. **Signage §1-19-6.300:**
Signage for the project is classified as a "Business Identification Sign within the RC or Ag District" and limited to one (1) free-standing sign with a maximum size of 25 square feet and 15 feet in height. The Applicant proposes one (1) free-standing sign, setback 20 feet from the front property line, which meets the standards in §1-19-6.300. A permit must be obtained from the Department of Permits and Inspections prior to installation of a sign.

3. **Landscaping §1-19-6.400:**
The landscaping plan includes the required street trees along the site’s Bartholows Road frontage and vegetative buffering in the parking lots. A landscape buffer with evergreen species is needed along the shared property line with adjacent lot #4 in the Browland Farm subdivision, situated along the northern entry lane to the proposed development. Additionally, buffering is needed along the southern portion of the parking lot and access lane in the Open Space/Picnic Area due to its close proximity to the residential lots along Quiet Stream Court in the Stonelake subdivision.

The site plan must demonstrate compliance with the 20% parking lot canopy coverage requirement more clearly in the plan notes, and graphically on individual plan sheets.

4. **Lighting §1-19-6.500(B):**
The Zoning Ordinance contains an 18-ft. maximum height for pole and building mounted lighting for commercial land uses; the maximum height for lights is 24 feet for industrial uses. Lighting must not exceed 0.50 foot-candles as measured from the property line. The Applicant is requesting a modification, per Section 1-19-6.500(G) of the Zoning Ordinance, to exceed the 18-ft. maximum height for all 32 pole lights proposed for all eight (8) fields.

Lighting for each field depicts four (4) poles, each 80 feet in height with either 12 or 8 LED lights per pole. A photometric plan shows no light spillage at the property lines, but Staff has concerns about the site’s topography, height of the poles, and potential impacts to surrounding residential properties and the traveling public on Bartholows Road. No information was provided on the frequency or duration of light use for the proposed soccer facility.

A ridge landform is present in the center of the property, extending westward from Bartholows Road for approximately 2,400 feet, with top elevations of 650—670 feet above sea level. The property then slopes downward to the lower stream valleys, which are at elevations 550’—570’. The proposed fields are planned to be constructed on and around this ridge summit, which will require grading to obtain a wider and longer 'flat' surface for the soccer fields. Given the fields’ perch on the crown of the site, the 80 ft. light poles will be very prominent in the surrounding landscape. Staff recommends the Planning Commission obtain additional details on the need for 80-ft. lights and critically evaluate the use of shorter light poles at this location to address the visual impacts on the surrounding residential areas and establish parameters on the time and duration of light use.

The Applicant includes a justification narrative with the modification request for the 80-ft. light poles.

**Conditions and Modification Request**

1. **Lighting Modification §1-19-6.500(B):** The Applicant requests Planning Commission approval of a modification from the requirement that pole-mounted lighting not exceed 18 feet for commercial
uses.

2. Prior to final signature approval, the Applicant shall revise the site plan to depict additional evergreen landscape screening along the northern property line with adjacent lot #4 in Browland Farms and along the southern portion of the Open Space/Picnic Area’s parking lot and access lane.

3. Prior to final signature approval, the Applicant must clearly demonstrate compliance with the 20% parking lot canopy coverage requirement per §1-19-6.400(D).

4. Prior to final signature approval, the Applicant shall add a note to the site plan stating that Temporary Outdoor Activity Permits, per §1-19-8.700 shall be obtained for special events and tournaments.

**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 site has frontage and access on Bartholows Road, a Collector roadway with a travel-lane width of 22 feet. A total of three (3) vehicular access points to the site are proposed from Bartholows Road:
   1) A 24-ft. wide lane providing both ingress and egress, which utilizes the existing farm lane on the northern edge of the site, across from Cowmans Manor Drive.
   2) A 24-ft. wide exit-only lane in the center of the site, providing egress from the facility to Bartholows Road.
   3) A 20-ft. wide lane on the southern portion of the site for ingress and egress only to the open space/picnic area. This access does not provide vehicular connection to the interior travel lanes or the soccer fields, although the trail network links all areas of the site.

   Interior paved roadways with widths of 24 feet will provide access and circulation to all fields, the maintenance building, pavilions, athlete support center, clubhouse, caretaker dwelling and their associated parking areas. Stop signs, field identification signs, and directional signage are placed at appropriate places for navigation and safety. Speed humps are provided at high pedestrian movement/crossing areas. Stop signs are needed at the center and southern access points to Bartholows Road.

   A roadway crossing of the Exelon powerline parcel is proposed in order to provide access to the maintenance building, goalkeeper’s training area, and future caretaker’s dwelling. The overhead powerline parcel also contains Baltimore Gas & Electric (BGE)'s "Tuscarora Pipeline," a 720 psi transmission line used to supply natural gas to the western Baltimore, Maryland area. BGE (whose parent company is Exelon) indicated in an email to the Applicant, dated August 30, 2018, that they would grant an easement for this planned road. A formal access easement or similar mechanism approved by BGE must be obtained for the crossing of the pipeline prior to final signature approval of the site plan.

**FC Frederick Soccer Complex**
December 12, 2018
Page 9 of 17
On a typical Saturday, peak hour trips accessing the site are expected to number 321 at full build out, with 154 trips turning in: 85 turning right into the site southbound and 69 turning left northbound. The only ingress lane which is opposite Cowmans Manor Drive, has a built-in bypass area to facilitate the northbound through movement should a vehicle be stopped, waiting for a gap to turn left into the site. However there is no deceleration lane provided. While for most uses along a collector road a decel lane is not necessary, given the relatively high speeds and traffic volume on Bartholows Road, which functions more like a minor arterial than a collector, and the relatively high right turn volume turning into the site, in this case a partial decel lane is appropriate for southbound travelers entering the site

Condition #4 covers this need.

2. Connectivity §1-19-6.220 (F):
The design of the existing residential development surrounding the site on all sides precludes roadway inter-connectivity with adjacent parcels. The existing farm lane that provides access to the western portion of the site will remain and have a connection to the new interior travel lane. This farm driveway, which currently runs across the Exelon powerline parcel, will provide access for a future dwelling in the vicinity of the farmstead in the western area of the property.

3. Public Transit:
There is currently no public transit service on Bartholows Road.

   a. Parking:
The Zoning Ordinance does not contain specific parking standards for a soccer complex or outdoor sports recreation facility. Section 1-19-6.220(A)(4) grants the Planning Commission discretion to utilize a variety of data sources or characteristics of the proposed use to determine parking requirements for uses not listed within §1-19-6.220.

The Applicant is proposing to provide 50 parking spaces per field. The Applicant has discussed parking provision for similar soccer facilities with staff, including the typical number of players per soccer team, the needs of parents/family members who may drive the players, referees, coaches, and other spectators. Staff concludes that 50 parking spaces per field is a realistic and reasonable quantity for the FC Frederick Soccer Facility during competition events. Parking needs will be lower for normal practice sessions, when 1 team or group will typically be on a field at one time.

Parking requirements for the clubhouse and athlete support center are calculated by using the 1 space per 300 square feet of floor area for 'offices, public or professional administration, or service buildings' contained in Section 1-19-6.220. The open space/picnic area applies the same 50 space per soccer field described above. A total of 15 parking spaces are provided for the goalkeeper training field and the adjacent maintenance building.

The drive aisles will be paved, but parking spaces will have a grassed surface with each space measuring 9 ft. by 18 feet. Handicapped parking spaces are shown with asphalt or concrete pavement. "Secondary fencing" is shown along portions of the travel lanes and parking lot drive aisles to prevent parking on key interior travel routes and soccer fields, and to ensure vehicular movement is not impeded. The 'fencing' will be a combination of boulders, high-tensile fencing, swales or berms. A barrier between the grassed parking spots and the adjacent stormwater bio-retention facilities must be provided to prevent intrusion or damage to the stormwater systems.
A total of 569 parking spaces is provided for entire FC Soccer development. A breakdown of parking spaces with each use/structure is provided on the site plan. All parking spaces will be grass, with the exception of the 12 ADA spaces, the 6 bus parking spaces, and the 2 large loading spaces, which will have a paved surface.

b. **Loading:**
The proposed 25,000 square foot Athlete Support Center (see site plan cover sheet for breakdown of uses/function within the building), requires 1 large or 2 small loading spaces + 1 additional large loading space for each additional 15,000 square feet or part thereof over 20,000 square feet per Section 1-19-6.210(B). Two (2) large loading spaces are shown adjacent to the Athlete Support Center.

5. **Bicycle Parking §1-19-6.220 (H):**
No bicycle parking is required due to the site's Agricultural zoning and its location over 1.2 miles from the Monrovia Community Growth Area.

6. **Pedestrian Circulation and Safety §1-19-6.220 (G):**
Crosswalks and speed humps on the internal roadways are strategically placed to enhance pedestrian safety. Pedestrian movements to field #6, #7, and #8 appears to be complicated due to the elongated, linear parking lot design, and the grading around field #6. Designated walkways from multiple areas within this parking lot, through the stormwater bioretention areas, to the natural surface trail will improve access and safe mobility to these three (3) fields on the western portion of the site. Staff is also concerned about the lack of direct access to the soccer fields by emergency vehicles, especially with the installation of the "secondary fencing" designed to prohibit parking on the access lanes and other areas near the fields.

**Conditions and Modification Requests**

1. Parking Modification §1-19-6.220 (A)(4): Planning Commission approval of the provision of 50 parking spaces per athletic field, and remaining parking spaces for the accessory uses as indicated on the site plan for the FC Frederick Soccer Complex, which results in a total of 569 parking spaces.

2. Prior to final signature approval, the Applicant shall provide a stop sign for vehicles exiting the site at the egress point in the center of the property, and a stop sign at the southern access point.

3. Prior to final signature approval, the Applicant shall obtain formal approval from BGE to cross the underground gas line with a 24-ft road for the maintenance building, goalkeeper's field, and caretaker's dwelling.

4. Prior to final signature approval, the Applicant shall provide usable space for emergency vehicle access to each field.

5. Prior to final signature approval, the Applicant shall provide safe and direct access from the western parking lot to the natural surface trail and to field #6, #7, and #8.
6. Prior to final signature approval, the Applicant shall provide wheel stops or some barrier between the grassed parking spaces and the adjacent stormwater bioretention facilities.

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 not located within a Water and Sewer Service Area and is classified No Planned Service (NPS) on the County's Water and Sewerage Plan. Four (4) Frederick County well permits have been obtained for field irrigation and consumption purposes. Future septic system evaluation by the Health Department is required for the caretaker’s dwelling and the clubhouse. The septic systems associated with the two (2) farm dwellings have been abandoned per Health Department guidelines.

Conditions and Modification Requests

1. Prior to final signature approval, revise Plan note no. 13 by adding the following: Future evaluation of sewage treatment and disposal needs is required for the clubhouse and caretaker’s dwelling.

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:
   Topographic variation is large on this property, with elevation naturally lowest around the stream system at 550—570 feet and rising to approximately 670 feet above sea level in the center of the site, which forms a long east/west ridge on the property. Moderate and steep slopes are present around the stream valleys.

2. Vegetation:
   The site contains approximately 83% field/pasture and the remaining lands (17%) are in a forested condition, including 38 specimen trees, none of which are proposed for removal as part of the site development.

3. Sensitive Resources:
Several first-order headwater streams are present on the property, as well as wetlands and wet soils (Glenville-Baile silt loam—GuB). The stream system in the southern portion of the site contains the majority of the site’s specimen trees, and no vehicular crossings of this stream are planned (except for the low-impact, natural surface trail). A road crossing of the northern stream system is planned and will require additional evaluation by the Maryland Department of the Environment to determine final protection and permitting requirements (this is included in Plan note no. 6). Staff observed another probable stream system in the northwest corner of the property; this aquatic system will also require additional analysis for future development impacts and permitting needs.

4. Natural Hazards:
There are no natural hazards known to exist on this 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. Proposed Common Area: There are no common areas proposed as part of this development plan.

Other Applicable Regulations

Stormwater Management – Chapter 1-15.2:
Stormwater management (SWM) shall be provided in accordance with the Maryland Stormwater Act of 2007. A SWM Concept Plan for the project has been approved.

Historic Preservation – Chapter 1-23:
According to the Maryland Department of Assessment and Taxation, the dwelling on the northern property dates to the 1920’s.

Forest Resource Ordinance (FRO) – Chapter 1-21:
The Preliminary Forest Conservation Plan was approved on October 9, 2018. The Plan outlines the forest conservation mitigation requirements for the 152-acre property. The site contains 26.06-acres of existing forest. The Applicant proposes to clear 3.38 acres of forest and place the remaining 22.68 acres of forest into a FRO easement. In addition, 11.16 acres of forest planting is proposed on site. The site contains 38 specimen trees (trees 30" or greater in diameter). No specimen trees are proposed to be removed in connection with this project.

Conditions and Modification Requests

1. A final FRO Plan must be approved and FRO mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.
APFO – Chapter 1-20.

**Schools:** Schools are not impacted because the development of the property is a non-residential use.

**Water and Sewer:** The Property has a water and sewer classification of NPS and is served by private well and septic.

**Road Improvements:** This site will generate 146 pm weekday and 304 Saturday peak hour trips. A Traffic Impact Analysis (TIA) was developed by the Traffic Group dated July 3, 2018 and amended on September 5, 2018.

All study area intersections performed at an acceptable level of service, except the un-signalized intersection of MD 80/Bartholows Rd. The identified mitigation to achieve an adequate level of service is to signalize the intersection. Should a signal never be warranted, contributions to the following new road escrow account may be used to construct a bypass lane on MD 80 to help mitigate impact. The Developer qualifies as a limited impact development per §1-20-12(G) and has chosen to provide a fair share contribution to the installation of the signal per §1-20-12(A), as follows.

MD 80/Bartholows Rd: Signal. Contribute the appropriate pro-rata share (4.16% of $190,000) to new Escrow Account No. 4889 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $7,904.

In satisfaction of APFO requirements to provide fair share contributions to existing escrow accounts per §1-20-12(H), the Developer shall also pay into existing County-held escrow accounts. Prior to signature approval of the site plan, the Developer shall pay $76,305 to the escrow accounts, described in the attached LOU, for these Road Improvements.

**Period of Validity:** The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval would expire on December 12, 2021.

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**Summary of Agency Comments**

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<thead>
<tr>
<th>Development Review Engineering (DRE):</th>
<th>Approved</th>
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<tbody>
<tr>
<td><strong>Development Review Planning:</strong></td>
<td>Hold: Address agency and FcPc comments as the plan proceeds through approval and completion.</td>
</tr>
<tr>
<td><strong>Health Department</strong></td>
<td>Conditional Approval: Future evaluation required of septic system needs for clubhouse and caretaker’s dwelling</td>
</tr>
<tr>
<td><strong>Office of Life Safety</strong></td>
<td>Approved</td>
</tr>
<tr>
<td><strong>Development Review Traffic Engineering</strong></td>
<td>Approved</td>
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RECOMMENDATION

The FC Frederick Site Development Plan is presented to the Planning Commission for approval for construction of an outdoor sports recreation facility with eight (8) outdoor sports fields, a storage/maintenance building, an athlete support center, an outdoor goal-keeper training area, four (4) pavilions buildings with restrooms, storage and concession space, a clubhouse, and a caretaker’s dwelling on a 152-acre site. If the Planning Commission conditionally approves the site plan, the site plan is valid for a period of three (3) years from the date of Planning Commission approval and will therefore expire on December 12, 2021.

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

1. Prior to final signature approval, the Applicant shall revise the site plan to depict additional evergreen landscape screening along the northern property line with adjacent lot #4 in Browland Farms and along the southern portion of the Open Space/Picnic Area’s parking lot and access lane.

2. Prior to final signature approval, the Applicant must clearly demonstrate compliance with the 20% parking lot canopy coverage requirement per Section 1-19-6.400(D).

3. Prior to final signature approval, the Applicant shall add a note to the site plan stating that Temporary Outdoor Activity Permits, per §1-19-8.700 shall be obtained for special events and tournaments.

4. Prior to final signature approval, the Applicant shall provide a stop sign for vehicles exiting the site at the egress point in the center of the property, a stop sign at the southern access point, and a partial deceleration lane, no longer than 150’ in length (with 50’ accel taper) at the northern access.

5. Prior to final signature approval, the Applicant shall obtain formal approval from BGE to cross the underground gas line with a 24-ft. road to provide access to the maintenance building, outdoor goalkeeper’s field, and caretaker’s dwelling.

6. Prior to final signature approval, the Applicant shall provide usable space for emergency vehicle access to each field.

7. Prior to final signature approval, the Applicant shall provide safe and direct access from the western parking lot to the natural surface trail and to field #6, #7, and #8.

8. Prior to final signature approval, the Applicant shall provide wheel stops or some barrier between the grassed parking spaces and the adjacent stormwater bioretention facilities.

9. Prior to final signature approval, the Applicant shall revise plan note no. 13 by adding the following: Future evaluation of sewage treatment and disposal needs is required for the clubhouse and caretaker’s dwelling.
10. A final FRO Plan must be approved and FRO mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.

11. The athlete support center shall not be used for indoor recreation activities.

Modification requests from Applicant:

1. Lighting Modification §1-19-6.500(B): The Applicant requests Planning Commission approval of a modification from the requirement that pole-mounted lighting not exceed 18 feet in height for commercial uses. The requested height for the 32 pole-mounted lights is 80 feet.

2. Parking Modification §1-19-6.220(A)(4): Planning Commission approval of the provision of 50 parking spaces per athletic field, and remaining parking for the accessory uses as indicated on the site plan.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission APPROVE Site Development Plan SP-18-12, A/P 18654, APFO A/P 18655, and FRO A/P 18656 with conditions as listed in the staff report including approval of requested modifications for the proposed FC Frederick Soccer Facility, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.
November 19, 2018

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

Re: FC Frederick at Browning Farm Lighting Modification Request
A/P #18654

Dear Commission Members:

On behalf of our client, FC Frederick, we are requesting a modification from the provisions of the Frederick County Zoning Ordinance for Section 1-19-6.500 (D) Lighting. The FC Frederick Soccer Complex is being developed on an Agricultural Parcel. It is planned to have 8 soccer fields, an athlete support center a goalkeeper training area and a clubhouse, all of which is planned to be constructed over several phases.

Parking lot lighting on the site has been designed using Frederick County compliant 18' light heights. For the field lighting we are requesting a modification be granted to allow 80’ tall pole lights to illuminate the playing fields. The taller lights will be located in the interior of the property and will only be operational while games or practices are occurring on the fields. Light spillage and glare will not exceed Frederick County standards at the exterior of the property line or along the right of way of the adjacent public road. The request is in keeping with other similar athletic fields found at Frederick County Board of Education and Parks and Recreation Facilities.

Thank you for your consideration.

S. Francis Zeller
Vice President

cc: Jeff Sill
ADEQUATE PUBLIC FACILITIES LETTER OF UNDERSTANDING

FC Frederick at Browning Farm
Site Plan #18-12 AP #18655

In General: The following Letter of Understanding ("Letter") between the Frederick County Planning Commission ("Commission") and FC Frederick, Inc. (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 FC Frederick at Browning Farm 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 152.31 +/- acre parcel of land, which is zoned AG and located on the west side of Bartholows Road, across from, and access opposite, Cowman's Manor Drive and West Oak Drive. This APFO approval will be for the development of a new outdoor sports recreation facility with up to 8 soccer fields plus ancillary supporting uses, which is shown on the site plan for the above-referenced Project, which was conditionally approved by the Commission on TBD, 2019.

Schools: Schools are not impacted because the development of the property is a non-residential use.

Water and Sewer: The Property has a water and sewer classification of NPS and is served by private well and septic.

Road Improvements: This site will generate 146 pm weekday and 304 Saturday peak hour trips. A Traffic Impact Analysis (TIA) was developed by the Traffic Group dated July 3, 2018 and amended on September 5, 2018.
All study area intersections performed at an acceptable level of service, except the un-signalized intersection of MD 80/Bartholows Rd. The identified mitigation to achieve an adequate level of service is to signalize the intersection. Should a signal never be warranted, contributions to this new road escrow account may be used to construct a bypass lane on MD 80 to help mitigate impact. The Developer qualifies as a limited impact development per §1-20-12(G) and has chosen to provide a fair share contribution to the installation of the signal per §1-20-12(A), as follows.

MD 80/Bartholows Rd: Signal. Contribute the appropriate pro-rata share (4.16% of $190,000) to new Escrow Account No. 4889 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $7,904.

In satisfaction of APFO requirements to provide fair share contributions to existing escrow accounts per §1-20-12(H), the Developer shall also pay into County-held escrow accounts the following pro rata contributions:

1. Old National Pike/Bartholows Rd: Signal. Contribute the appropriate pro-rata share (3.97% of $243,430) to Existing Escrow Account No. 3309 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $9,664.

2. MD 80/75: Westbound Right Turn Lane. Contribute the appropriate pro-rata share (1.59% of $413,475) to Existing Escrow Account No. 3382 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $6,574.

3. MD 80/75: Second Eastbound thru Lane. Contribute the appropriate pro-rata share (1.69% of $582,200) to Existing Escrow Account No. 3854 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $9,257.

4. MD 75: MD 355 to Baldwin Road. Contribute the appropriate pro-rata share ($21,453 per trip assigned to MD 75) to Existing Escrow Account No. 3891 for improvement of this intersection by others. As determined by the County Traffic Engineer, pro-rata contribution to this road improvement is $42,906.

Therefore, prior to signature approval of the site plan, the Developer hereby agrees to pay $76,305 to the escrow accounts described above 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.

Period of Validity: The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval expires on TED, 2022.
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.

FC Frederick, Inc.:

By: [Signature] Jeff Sill
Name/Position: President
Date: 11/8/18

FREDERICK COUNTY PLANNING COMMISSION:

By: ____________________________ Date: __________
Robert White, Chair or Sharon Suarez, Secretary

ATTEST:

By: ____________________________ Date: __________
Gary Hessong, Director, Permits & Inspections

Planner's Initials / Date: ____________________________

County Attorney's Office Initials / Date: ____________________________

(Approved as to legal form)