TITLE: Sweet Clover

FILE NUMBER: SP-18-07, AP #18527, (APFO #18528, FRO #18529)

REQUEST: Site Development Plan
The Applicant is requesting Site Development Plan approval for an Antique, Artisan, and Craft use (Sweet Clover) and a Farm Equipment Service facility in three existing agricultural structures on a 41.1-acre Site, pursuant to the Planned Industrial Development standards in Section 1-19-10.300

PROJECT INFORMATION:
LOCATION: 4051 Stanford Court; Located in the Stanford Industrial Park; East side of US 15 approximately 1 mile south of its interchange with US 340
TAX MAP/PARCEL: Tax Map 94, Parcel 58
COMP. PLAN/LAND USE: Limited Industrial (LI)
ZONE: Limited Industrial (LI)
REGION: Adamstown
WATER/SEWER: NPS

APPLICANT/REPRESENTATIVES:
APPLICANT: David & Lisa Carr
OWNER: - same -
ENGINEER: Harris Smariga
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Denis Superczynski

RECOMMENDATION: Conditional Approval

Attachments:
Exhibit #1 - Site Plan - Rendering
Exhibit #2 – Modification Requests - Alternate Landscape Plan (Street Tree Modification)
STAFF REPORT

ISSUE

Development Request

The Applicant is requesting Site Development Plan approval for an Antique, Artisan, and Craft use (Sweet Clover) and a Farm Equipment Service facility in three existing agricultural structures on a 41.1-acre Site, pursuant to the Planned Industrial Development standards in Section 1-19-10.300 of the Frederick County Zoning Ordinance.

The relatively small portion of the Site that is the subject of this application measures approximately 2.4 acres in size and is located in the southwestern quadrant of the parcel, adjacent to the 3-acre stormwater pond which serves both this parcel and the surrounding Stanford Industrial Park. The proposed uses are accessed via an existing 1,000 ft. driveway which emanates from the cul-de-sac bulb of Stanford Court, along the parcel’s northern edge.

Two principal uses are planned for the Site:

*Sweet Clover (antique, artisan, and craft use)* – a collection of retail vendors selling vintage home décor and artisan craft items to the general public on a limited but regular basis; typically, the business operates one weekend per month (3 days), from Friday at 9am through Sunday at 4pm. Operations to occur in the older dairy barn and semi-attached milking parlor.

*Farm Equipment Service* – a facility dedicated to the servicing and repair of agricultural trailers. Operations to occur in the 6,000 s.f. contemporary barn structure located on the western edge of the parcel.
BACKGROUND

Development History

The Stanford Industrial Park preliminary plan was originally approved in 1987 and has been subsequently revised over the previous three decades. The subject parcel is the remainder lot for the subdivision and has remained in residential and agricultural use despite Limited Industrial (LI) zoning. Stormwater easements and facilities which serve the industrial park are located on this 41-acre parcel, however there are no conflicts regarding the proposed uses that make up this Site Plan application.

Existing Site Characteristics

The subject Site is predominantly cleared for agricultural use with small pockets of vegetation remaining along the banks of the small stream which runs north-south across the length of the property. Other vegetated areas include mixes of trees and shrubs that define property boundaries and field breaks. A 3-acre stormwater pond is located adjacent to the farm structures where the proposed activities will take place. A second stormwater management pond is located on the far northern end of the parcel. There is a 35-40 ft. difference in elevation between the northern end of the parcel and the southern end where the two proposed business operations are situated, however the Site lacks any steep slopes.

Surrounding land uses include:
North, East, & West – The Site is surrounded by industrial uses on three sides.

South – Agricultural fields are adjacent to the Site along its southern boundary.
ANALYSIS

Summary of Development Standards Findings and Conclusions

Key issues of the proposed development include:
- Compliance with conventional site plan standards
- Providing adequate and safe vehicle access to and within the Site
- Providing any necessary alterations or improvements to the Site due to its adaptive re-use
- Managing the site impacts of multiple uses in multiple structures (planned industrial development)

View of the farmstead cluster including the barns and house; entrance drive is visible on right side of image.

Detailed Analysis of Findings and Conclusions

The proposed uses are being reviewed as;
1. An “antique, artisan, and craft” use as permitted under §1-19-5.310 (Use Table) which is a permitted use subject to site development plan approval.
2. A “farm equipment service” facility as permitted under §1-19-5.310 (Use Table) which is a permitted use subject to site development plan approval.

The proposal for two principal uses on the same lot invokes the Planned Commercial/Industrial Development standards listed under §1-19-10.300 of the Zoning Ordinance.

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 provides setback requirements in the Limited Industrial District which are easily satisfied in this Site Plan application since the activities are occurring in a relatively limited area of a large agricultural parcel. Standards shown below are for the various existing structures that will be adapted for.

The Applicant is proposing to meet the established setback requirements generally summarized as follows:

<table>
<thead>
<tr>
<th>Limited Industrial District</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard:</td>
<td>25 ft</td>
<td>&gt; 939 ft</td>
</tr>
<tr>
<td>Side Yards:</td>
<td>22 ft</td>
<td>&gt; 27 ft (min)</td>
</tr>
<tr>
<td>Rear Yards:</td>
<td>20 ft</td>
<td>&gt; 364+ ft (min)</td>
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<tr>
<td>Maximum Building Height (LI District):</td>
<td>60 ft</td>
<td></td>
</tr>
<tr>
<td>Maximum Building Height Proposed (dairy barn):</td>
<td>22 ft</td>
<td></td>
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<tr>
<td>Maximum Building Height Proposed (farm repair barn):</td>
<td>19 ft</td>
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</tr>
<tr>
<td>Minimum Lot Size:</td>
<td>20,000 s.f.</td>
<td>41.105 acres</td>
</tr>
<tr>
<td>Minimum Lot Width:</td>
<td>100 ft</td>
<td>568 ft</td>
</tr>
</tbody>
</table>

2. **Signage §1-19-6.300:** The Applicant acknowledges signage allocations as follows:

- **Permitted signage (Sweet Clover):** 10 (sq. root of 36') = 10 x 6 = 36 sf  
  Maximum sign height: 25 feet

- **Permitted signage (Farm Equipment Service):** 10 (sq. root of 60') = 10 x 6 = 77.5 sf  
  Maximum sign height: 25 feet

- **Proposed signage (maximum):** No permanent signage proposed

The Applicant proposes the use of temporary signage including freestanding sandwich boards and vinyl banner-style signs affixed to the fence/gate at Stanford Ct and Winchester Blvd.
3. **Landscaping §1-19-6.400:** The Zoning Ordinance requires street trees, buffering of and screening between land uses and parking areas, and parking area plantings to achieve a 20% canopy coverage. The frontage of the property being reviewed for the proposed uses is approximately 30 feet (at the cul-de-sac), which would not necessitate the planting of street trees in association with this application. The street tree standards require the planting of one tree per 35 feet of road frontage.

The Applicant has submitted a modification request seeking Planning Commission approval of an alternate planting design since the Site has a significant number of existing trees and mature shrubs, particularly along the waterway and along property boundaries and field breaks. Given the proposed uses for the Site, as well as the continuing use of a majority of the parcel's land area as active pasture, Staff recommends approval of the modification request.

Parking areas identified for these proposed uses are located internally to the Site and are primarily visible only from the rear yards of existing industrial sites in the Stanford Industrial Park. Staff finds that the alternate landscape design, as presented, would meet the requirements of the Zoning Ordinance if the modification request is granted.

Parking area tree canopy cover is provided via the proposed planting of four sycamore trees in and around the gravel parking area. The canopy ‘footprint’ will exceed the minimum 20% canopy cover required by the ordinance, as illustrated on the site plan.

![View of Sweet Clover barn on the left; farm equipment service facility on the right.](image)

4. **Lighting §1-19-6.500:** As provided in the Zoning Ordinance, lighting provided for emergency or safety purposes as required by building or electrical code is exempt from ordinance standards. The Applicant states that lighting will be limited to those fixtures necessary to adequately illuminate building entrances and exits only. No other Site lighting is proposed in this application.

Staff finds the proposed lighting will be consistent with the requirements of the Zoning Ordinance.
**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:** Vehicular access to the Site is provided via a single, existing, 15’ wide, improved driveway with an access onto Stanford Court. The 1,000 ft drive begins at the cul-de-sac and terminates at the gravel parking areas and paths surrounding and servicing the existing farm structures. Internal circulation in the areas surrounding the proposed uses is unimpeded. A second access driveway connects to an adjacent developed site east of the proposed Sweet Clover facility, but is not proposed for use by the public.

2. **Parking:** Parking for the proposed uses is provided in two existing gravel areas measuring approximately one acre in size. These parking areas will remain unpaved and unmarked and are illustrated on the Site Plan to demonstrate that sufficient parking space is available to meet the minimum requirement of the Zoning Ordinance. Handicap-accessible spaces will be hard-surfaced. The gravel area also provides for adequate maneuverability space for conventional and emergency vehicles on the Site.

   **Parking Requirements**
   Antique, artisan, and craft use (retail store):
   @ 1 space per 250 s.f. floor area (5,970 s.f. customer area): 24 spaces

   Farm equipment service
   @ 2 spaces per service bay + 1.5 spaces per employee: (2 service bays; 2 employees) = 7 spaces
   Total Required: 31 spaces
   Total Provided: 31 spaces (additional spaces available in existing gravel areas, if needed)

   With little or no potential overlap in various uses and activities at the Site, Staff is confident that the parking areas proposed for this property are sufficient to handle the demand.

   **Loading Requirements**
   Required: **Sweet Clover**
   1 large space (misc. commercial uses not listed in Section 1-19-6.210(B) > 5,000 sf)

   **Farm Equipment Service**
   1 large space (misc. commercial uses not listed in Section 1-19-6.210(B) > 5,000 sf)

   Provided: 2 large spaces

   The location of the proposed loading spaces provide service providers with ready access to the uses at the Site at location convenient to meet the needs of the respective operations.

3. **Pedestrian Circulation and Safety §1-19-6.220 (G):** Due to the rural nature of the Site, as well as the insular character of the proposed use, pedestrian circulation has been designed to accommodate movement within a limited area in the vicinity of the existing structures. Movement between the parking areas and the areas designated for the proposed activities is planned to occur over existing gravel drive aisles and parking areas. For visitors with mobility constraints, new concrete surfaces will suffice for movement between the proposed hard-surfaced handicapped parking space and the Sweet Clover barn entrance.
4. **Bicycle Parking §1-19-6.220 (H):** Bicycle parking is required for this proposed use and is calculated as follows:
   1 bicycle rack (2 spaces) per 20 vehicular parking spaces = 31 parking spaces/20 = 1.55
   Required: 1 bicycle rack
   Provided: 1 bicycle rack (adjacent to Sweet Clover barn handicapped parking space)

**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 designated ‘No Planned Service’ for both public water and public sewer service in the Frederick County Water and Sewer Plan. The Health Department has conditionally approved the proposed Plan. The Site will be served by on-site well and septic facilities pending final approval by the Health Department.

**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. **Natural Features:** This application includes adaptive reuse of existing structures while avoiding significant disturbance of any natural features on this agricultural property. Flooding soils (TxB Trego-foxville complex), FEMA 100-year floodplain, and wetland areas exist on the property, however these resources are located within the area defined by the waterbody buffer – outside of the site plan area - and will not be impacted by the proposed development.

**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/Open Space:** No public common areas are proposed in this site plan application.

**Other Applicable Regulations**

**Planned Commercial/Industrial Development §1-19-10.300:** Allows for more than one principal use or building on a single lot in the GC, ORI, LI, and GI zoning districts where due to the size and location of the development, and its relationship to the surrounding properties, flexibility of planning may be permitted without disturbance to the harmony of the neighborhood.
1. **Layout/Building Placement:** The layout of the existing agricultural structures, and the circulation paths and drives previously developed to serve them, will continue to provide an organized arrangement of buildings and activities that will function satisfactorily with the proposed adaptive re-use of the Sweet Clover barn and the farm equipment service facility. There is adequate separation between the uses such that any overlap in hours of operation will be entirely manageable without any additional site alterations.  
   
   *Buildings should be separated by no less than 10 feet -* This plan meets this standard except in the instance of the dairy barn and milking parlor structures which are separated by 7 feet. These two structures are functionally connected and will be physically connected as proposed in this site plan.

2. **Setbacks and height:** These shall be established by the Planning Commission based upon the underlying zoning (LI), any community or corridor plans in effect for the area (none), and existing surrounding development in the vicinity. Dimensional standards are proposed based on the massing and location of the existing structures being adaptively reused for this project.

3. **Supplementary Regulations in the LI District:** The proposed uses shall be subject to the environmental standards established in §1-19-7.610. Additionally, it should be specifically noted that all outdoor storage of materials must be completely screened from view unless otherwise modified or waived by the Planning Commission. No outdoor storage is identified on the site plan.

**Findings/Conclusions**

1. **Planned Commercial/Industrial Development Standards:** Staff finds that the proposed site plan meets the standards delineated in §1-19-10.300.

**Adequate Public Facilities Ordinance (APFO) – Chapter 1-20**

**Roads:** The Stanford Industrial Park had previously been approved and vested for APFO. However, this project is located on a Remainder, which was never part of the APFO approval. But because this development generates fewer than six new trips during the peak hour of the adjacent street traffic, it is exempt from further APFO roads consideration.

**Schools:** As a non-residential use, the proposed use does not generate any students and is therefore exempt.

**Water and Sewer:** The Site is designated as NPS, No Planned Service, in the County’s Water and Sewer Plan. No connection to a public water or sewer system is proposed.

**Forest Resource Ordinance (FRO) – Chapter 1-21**

This project meets the FRO exemption criteria under Section 1-21-6(E) for a project whose limit of disturbance generates less than 250 square feet of FRO mitigation. No forest or specimen trees are present within the area of disturbance.

**Stormwater Management (SWM) – Chapter 1-15**

This project entails less than 5,000 s.f. of disturbance and thus is not required to submit a Stormwater Management plan.

**Findings/Conclusions**

Based upon the review and analysis as provided above, Staff finds that the proposed application meets the site plan review criteria as set forth in §1-19-3.300.4 including items related to site development.
transportation, parking, public utilities, natural features, and common areas. The application also meets the criteria set forth in §1-19-10.300 (Planned Industrial Development). Staff will continue to work with the Applicant as the project moves through the remainder of the development process to ensure compliance with all site plan standards and conditions.

Summary of Agency Comments

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<thead>
<tr>
<th>Other Agency or Ordinance Requirements</th>
<th>Comment</th>
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<tr>
<td>Development Review Engineering (DRE):</td>
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<td>Development Review Planning:</td>
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<td>State Highway Administration (SHA):</td>
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<td>Historic Preservation</td>
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<td>Forest Resource (FRO)</td>
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<td>Health Dept.</td>
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<td>Office of Life Safety</td>
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<td>Street Naming</td>
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<td>DPDR Traffic Engineering</td>
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<td>APFO</td>
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RECOMMENDATION
Staff has no objection to conditional approval of the proposed Sweet Clover site development plan for the proposed Antique, Artisan, and Craft use, and the Farm Equipment Service facility. 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 (valid through January 9, 2022).

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

Staff-proposed conditions of approval:

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

2. Provide details for the proposed building lighting, demonstrating that the proposed illumination is in response to code compliance.
Planning Commission approval of the following modification requests from the Applicant:

1. Planning Commission approval of the alternate planting design as requested by the Applicant to utilize the existing trees and other vegetation to meet the landscaping, screening, and buffering standards required by the Zoning Ordinance.

PLANNING COMMISSION ACTION

MOTION TO APPROVE WITH CONDITIONS

I move that the Planning Commission APPROVE Site Development Plan SP-18-07 (AP 18527) with conditions and modifications as listed in the staff report for the proposed Sweet Clover antique, artisan, and craft use, and the Farm Equipment Service facility, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.
December 17th, 2018

Dennis Superczynski
Principal Planner
Division of Planning and Permitting
30 North Market Street
Frederick, MD 21701

Re: Sweet Clover - Street Tree Modification
SP18-07 Hansen #18527

Dear Denis,

As permitted by the Zoning Ordinance and on behalf of the owner of the property, we request a modification to the Street Tree requirements for the Sweet Clover Site Plan. Per Section 1-19-6.400(2)(c) the Planning Commission may approve an alternate planting design for street trees.

As outlined in Site Plan Note #21 the site has approximately 1,065’ of frontage on Stanford Court and Winchester Boulevard. This results in a street tree requirement of approximately 30 trees. In lieu of planting additional trees along these roads Planning Commission approval of the existing scattered copes of trees, brush and wetlands plants consisting of willows and cattails combined with larger hedgerows including scattered specimen trees throughout large 41 acre site, provide an alternate planting design for the site. Unlike most of the other existing business uses in Stanford where buildings and parking areas are setback only the minimum from the streets, the uses at the Sweet Clover site are far removed from the public streets at approximately 1,050’ from the Stanford Court cul-de-sac and 1,410’ from Winchester Boulevard. The intervening space is filled with fenced horse pasture, wet ponds, scattered trees and vegetation which presents a pleasing pastoral landscape from the road. Unlike some of the other developed Stanford lots that have little to no landscaping the Sweet Clover site has an abundance of landscaping.

In addition the road frontages where the street trees would be placed, is fenced with tree rail board on board fencing. This existing fencing is located on the Right of Way line and as such presents a physical site constraint to planting the street trees. The trees if planted would be on the pasture side of the fence where they would be eaten and trampled by the livestock another condition unique to this site.

For these reason a modification is requested.

Sincerely,

Samuel Francis Zeller
Vice President

Cc: David & Lisa Carr

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