

FINAL SITE PLAN REPORT
to the
Carroll County Planning and Zoning Commission
August 16, 2022

Prepared by
Laura Matyas, Bureau of Development Review

SUBJECT: S-16-0005, Dede World Business Center

LOCATION: East side of Dede Road, north of Baltimore Boulevard (MD Rt. 140), E.D. 4

OWNER: Azalea, LLC, c/o Scot Hare, 2940 Dede Road, Finksburg MD 21048 (LLC members: Scot Hare)

DEVELOPER: same as owner

ENGINEER: Fox & Associates, Inc., 82 Worman's Mill Court, Suite G, Frederick, MD 21701

ZONING: B-G, General Business (submitted before December 2019 code change)

ACREAGE: 5.4465 acres (Lot 11A = 1.8995 acres) (Lot 12 = 3.5470 acres)

WATERSHED: Liberty Reservoir

FIRE DISTRICT: Reese

MASTER PLAN: Commercial – Finksburg Corridor Plan, 2013

PRIORITY FUNDING AREA: Finksburg

DESIGNATED GROWTH AREA: Finksburg

❖ Action Required:

The site plan is before the Planning and Zoning Commission per Chapter 155 of the Code of Public Local Laws and Ordinances of Carroll County for approval of a final site plan.

❖ Existing Conditions:

The property for the Dede World Business Center development consists of a total of 5.4465 acres and is comprised of two properties; Lot 11A and Lot 12 of Walnut Park Industrial Subdivision, Plat Book 53, Page 263 (plat attached). Lot 11 of Walnut Park Industrial Subdivision was created in 1987 (see attached) and the re-subdivision occurred in 2014. Both properties lie in the (former) B-G, General Business, Zoning District with an established, yet unbuilt, access onto Dede Road, a County road. Lot 11A's access is via an ingress and egress easement over Lot 12 as recorded on the plat and in deed, Liber Folio 7815, Page 455.

Lot 11A's access easement corresponds with a 40' Service Road Easement for Future Public Ingress and Egress. The 2013 Finksburg Corridor Plan includes a planned service road, Walnut Park Road, to serve the industrial / commercial area located on the north side of MD Rt. 140 between Liberty Reservoir and Dede Road. The service road easement was established on the 1987 plat for Lot 11 and carried forward to the 2014 plat with a recorded document, Liber Folio 7815, Page 448, outlining the terms and conditions.

Adjoining properties, excluding the Watts property to the east of Lot 11A, are located in the Walnut Park Industrial Subdivision. All adjoining are in the 2013 Finksburg Corridor Plan area, zoned C-2, I-1 or I-2, and host commercial businesses or strip commercial centers. To the west of the Lot 11A subject property lies the previous location of the local United States Postal Service office. To the east is the Watt's strip commercial center with multiple businesses. The northern adjoiner is C.J. Miller. Properties across Dede Road include the Mudgett Business Center, Carroll Racquet Club, and Allied Waste Services.

The vacant subject property slopes gently downhill to the east and includes a forested portion at the northeast corner. The grade change at the easternmost property line creates a steep slope between Lot 12 and the Watts Center property. No streams or floodplains exist on site.

❖ Site Plan History:

On June 21, 2011 a previous plan for Dede World was presented as a concept plan to the Planning and Zoning Commission. Although the site was not yet subdivided, Lot 11 of Walnut Park Industrial Subdivision was proposed to accommodate two distinct buildings; one for a Planned Business Center and the other for a restaurant and / or bank. Although final site plans were not submitted to the County for review, the owner / developer did process the re-subdivision of Lot 11 in 2014.

The uses, building dimensions, siting, parking, access, stormwater management, well and septic, and building elevations currently proposed are substantially the same as the 2011 plan.

Prior to the adoption of the 2013 Finksburg Corridor Plan, Lot 11 was located in the Industrial Restricted (I-R) Zoning District. Planned Business Centers and restaurants are both conditional uses in the I-R Zoning District. The uses were approved by the Board of Zoning Appeals in Case #5531 on January 6, 2010. With the adoption of the 2013 Finksburg Corridor Plan, the property was re-zoned to B-G. All proposed uses are principal permitted uses in the B-G Zoning District.

❖ Site Plan Review:

The concept site plan was submitted on May 23, 2016 and subject to citizen involvement at the June 27, 2016 meeting of the Technical Review Committee. Three citizens attended and no one spoke. One phone call requesting a copy of the site plan was received by Development Review.

On August 31, 2016, the Planning and Zoning Commission reviewed the concept site development plan for Dede World Business Center (minutes attached). Commission discussion revolved around the extraneous parking spaces, exceeding code-required parking. With 42 extra spaces for the development, the Commission suggested reducing the parking and adding

more green space. Since the project is located on a county gateway corridor, the Commission requested that the developer be attentive to sign height and building elevation design. Each of these concerns have been addressed on the final plans.

On Lot 12, the developer proposes to construct a Planned Business Center; a single two-story, 30,000 square foot building to accommodate retail, professional offices, and medical offices. On Lot 11A, the developer proposes to construct a 3,753 square foot fast food restaurant. The plans are being processed as one development, Dede World Business Center. Both lots will share access to Dede Road at the previously established easement location. A second access to Lot 12 is proposed at its northernmost point of the property onto Dede Road. No access is proposed from MD Route 140.

The topography of the site has resulted in the design of a 30-foot-long retaining wall paralleling the southern access drive. Approximate height of the wall is 1'-0". Landscaping requirements are met with plantings along the retaining wall. The location of the retaining wall necessitated shifting the previously established easement location. An amended plat is being processed to reflect the shift.

During review of the concept plan, the engineer provided sufficient information to demonstrate that the planned future road over the subject property, connecting to the Watt's strip commercial center to the east, was not achievable because of the grade change at the property line. Review by the Department of Land & Resource Management, the Department of Planning, and the Department of Public Works resulted in a recommendation that the segment of Walnut Park Road over Lot 12 be removed from the Plan. The intent of that planned street - the properties it would serve and the potential traffic it might alleviate - was determined unwarranted. With the approval of this development plan and recordation of the associated amended plat, the easement area for the service road and this portion of road extension shall be considered removed and extinguished.

The ingress/egress easement for Lot 11A over Lot 12 shall not be affected by the extinguishment of the service road easement. With the amended plat, the ingress/egress easement will be shifted to align with the modified access road location.

The Planned Business Center shall meet the general regulations required by Code.

📖 § 155.094 PBC PLANNED BUSINESS CENTERS.

(E) **General regulations.** The following regulations shall apply to a PBC:

- (1) **Building height.** No building height shall exceed the permitted height of the Business District in which the PBC is located, except as may be modified by § [158.130](#).

The permitted building height in the B-G Zoning District is 50 feet. Building height is dimensioned on the building elevations, sheet 19, as 43'-4-1/2" at the tallest point.

(2) **Yards.**

- (a) No building shall be erected within 50 feet of a public street right-of-way line, and no parking lot or other facility or accessory use, except permitted signs and planting, shall be located within ten feet of any public street right-of-way line.

(b) No building shall be located within 25 feet of any other boundary line, and any such line which adjoins a Residential District, if deemed necessary by the Planning Commission, shall be screened by a solid wall or compact evergreen hedge at least six feet in height, or by such other screening device as may be deemed appropriate and adequate.

The proposed building is approximately 150' feet from the Dede Road right-of-way. The parking lot is approximately 15 feet from the public street right-of-way. At the northwest corner of the building, the setback from the portion of Lot 11A containing the septic field is 25 feet.

(2) **Tract coverage.** Buildings shall not be permitted to cover more than 25% of the total project area.

At 30,000 square feet, the building covers 19% of the 154,507 square foot lot.

(3) **Customer parking space.** Off street parking shall be provided as required in this chapter.

Parking requirements for the Planned Business Center (PBC) on Lot 12 total 165 spaces based on the building square footage. 196 spaces are provided, 6 of which fulfill parking requirements for the restaurant via a cross easement. The plan has 25 extra parking spaces. On the concept plan, there were 42 extra parking spaces. In response to the Commission's recommendation, the developer has reduced the number of parking spaces by 17 spaces. The Commission's recommendation to add green space has been addressed with wider islands in the parking lot as well as landscape planters located around the perimeter of the building.

In the concept plan staff report, it was noted that loading space accommodations to comply with the Code must be included on the final site. The loading space is now depicted and does account for a portion of the reduced number of parking spaces.

(5) **Loading space.** Off street parking space and facilities shall be provided as required in this chapter. Such facilities shall be in the rear of any building unless the Planning Commission, for good reason, approves a location at the sides of any such building, and shall not be included as part of any customer parking space required herein.

(6) **Signs.** In addition to signs permitted and as regulated in the "B-NR" or "B-G" Districts in which the shopping center project is located, the following signs may be permitted:

(a) For each interior business, signs may be permitted not to exceed an area four square feet for each linear foot of store frontage and located in accordance with a signage plan approved by the Planning Commission; and

(b) One additional sign not exceeding 200 square feet in area containing the names of the shopping center or the establishments located therein may be placed in any location within the boundaries of the project, but it shall not exceed 30 feet in height. Any shopping center fronting on more than one street may be permitted such a sign within the required yard area along each street.

(2004 Code, § 103-52)

Two signs are depicted on the site plan, one at MD Rt. 140 on Lot 11A and one at Dede Road on Lot 12. Details are shown on sheet 20. The restaurant sign is depicted at 30 feet, the maximum height permitted. The PBC sign is depicted at 20'-8" tall and 8'-0" wide.

Parking requirements for the restaurant on Lot 11A total 53 parking spaces and 47 are depicted. Per the Code:

§ 155.077 MINIMUM NUMBER OF SPACES.

The minimum number of parking spaces required may be reduced by the Director if the use is located within 500 feet of any public parking lot or a parking lot on private property where sufficient spaces are permanently available during times of operation and a parking easement is granted.

The plan depicts a parking easement on Lot 12 for the benefit of Lot 11A which accommodates the 6 spaces not provided on Lot 11A.

A Traffic Impact Study (TIS) was submitted and reviewed by the State Highway Administration (SHA) and Carroll County. No road improvements are required. Since the PZC review of the concept plan, the road dedication parcel depicted on the record plat of re-subdivision of Lot 11 has been deeded to SHA and no further dedication is required along MD Route 140.

Following the State Highway Administration's determination that an additional 10-foot-wide dedication at MD Route 140 was not required, the variance to reduce the required minimum 15-foot-wide parking setback from a public street right-of-way to 5 feet at the front lot line of Lot 11A, approved by the Zoning Administrator on August 11, 2016, is not necessary.

A second variance, also no longer necessary, was applied for and approved by the Director of Land and Resource Management on August 15, 2016 to reduce the required minimum 10-foot-wide landscape strip between the MD Route 140 right-of-way and the parking lot to 5 feet. Parking lot landscaping as well as landscaping at lot lines adjacent to commercial uses or zones, at the dumpsters, and along the retaining walls meets the requirements. Landscaping around the perimeters of both buildings has been added since the concept review from the Commission.

Water and sewer will be provided via a private well and septic system. The developer and engineer have been working closely with the Health Department to meet the challenges of two intensive uses on private well and septic systems. Wells are located at the northwest corner of the plan. A drainage & utilities easement to accommodate the utility lines to the proposed building location on Lot 11A was recorded following the recordation of the re-subdivision plat. Two septic fields are proposed: one under the western parking lot of Lot 12 and one on the northern appendage of Lot 11A.

An existing tank and pump system, located opposite the site on Dede Road, serves the industrial park for fire protection purposes. Fire Protection & Emergency Services has approved the plan.

Building elevations and 3d views are included on sheets 18 and 19 of the final site plan set. The Planned Business Center is a two-story brick building with pronounced entrances which provide a rhythm to the façade. Taller tower feature end caps are designed with metal roofs. The rendering for the fast food restaurant is generic in nature, as the tenant is unknown at this point in time. A note on sheet 1 stipulates that an amended site development plan for the fast food restaurant with building elevations and sign details will be required for review and approval.

A site lighting plan is provided on sheet 22 with details on sheet 23. Pole-mounted lights stand at 20'-0" above grade in the parking lots of Lots 11A and 12.

Stormwater management will be achieved with a shared infiltration facility located on Lot 12, drywells, and bioswales. The stormwater facilities will be privately maintained. The development is exempt from the requirements of the Floodplain Code. Water Resources and the Grading Office have approved the plan. Required landscaping includes parking lot landscaping, screening at the dumpsters, landscaping at the retaining walls, and landscaping along Dede Road and Maryland Route 140. Additional landscaping is proposed around the perimeter of each building. Forest Conservation requirements will be met with off-site banking.

❖ **Recommendations:**

Pursuant to Chapter 155, staff recommends approval of the site development plan subject to the following conditions:

1. That the Developer enters into a Public Works Agreement with Carroll County that guarantees completion of the improvements.
2. That the amended plat, Walnut Park Industrial Subdivision Lots 11A & 12, be recorded prior to mylar signature approval of the site development plan.
3. Easements for ingress/egress and parking will be recorded simultaneously with the amended plat.
4. That a Stormwater Management Easement and Maintenance Agreement be granted to the County Commissioners of Carroll County as an easement of access to the County Commissioners or authorized representatives by a deed to be recorded simultaneously with the Public Works Agreement.
5. That a Landscape Maintenance Agreement be granted to the County Commissioners of Carroll County and recorded simultaneously with the Public Works Agreement.
6. That an amended site development plan for the proposed restaurant, to include building elevations and sign details, will be required for review and approval.
7. That any changes to this plan will require an amended site development plan to be approved by the Carroll County Planning and Zoning Commission.