

FREDERICK COUNTY PLANNING COMMISSION
Minutes of Meeting for
January 8, 2020

See video for further meeting details: <http://frederickcountymd.gov/5956/Video-Archives>

Members Present: Carole Sepe, Chair; Sharon Suarez, Vice-Chair; Sam Tressler, Secretary; Bob White; Craig Hicks; Terry Bowie; Joel Rensberger

Staff Present: Mike Wilkins, Development Review Director; Kathy Mitchell, Assistant County Attorney; Ron Burns, Transportation Engineering Manager; Graham Hubbard, Principal Planner; Cody Shaw, Principal Planner; Jerry Muir, Principal Planner; Anne Bradley, Land Preservation; Shannon O'Neil, Land Preservation; and Pattie Wolfgang, Administrative Specialist

The meeting was called to order at 10:07 am

1. PLEDGE OF ALLEGIANCE

2. MINUTES TO APPROVE

December 11, 2019 – Mr. Tressler moved to approve said minutes as amended. Mr. White 2nd.

VOTE	6-0-1-0
FOR:	6 – Tressler, White, Sepe, Suarez, Hicks, Rensberger
AGAINST:	0
ABSTAIN:	1 - Bowie
ABSENT:	0

3. PLANNING COMMISSION COMMENTS

Mr. Hicks mentioned noticing a newly advertised position for a Director of Livable Frederick on the County website, as well as certain title changes within the Planning staff. He asked if Mr. Wilkins would expound upon this apparent departmental reorganization during Agency Comments. In light of this morning's delay in the opening of county offices due to inclement weather, Ms. Sepe inquired if a policy was in place for notifying commission members of said delays or closures on a meeting day. Mr. Wilkins agreed to work with staff and other departments to create a policy.

4. AGENCY COMMENTS / AGENDA BRIEFING

Mr. Wilkins briefed the Commission on upcoming meetings. The next meeting will be a public hearing scheduled for Wednesday, January 22nd at 7:00 pm. to hear two (2) rezoning applications; the regular meeting is scheduled for Wednesday, February 12th. He also addressed Mr. Hicks' comment regarding the Livable Frederick position as well as the title changes for some of the staff. Titles of certain staff were changed to keep the Livable Frederick team separate, and the new position will entail heading that team.

5. FCPC RULES OF PROCEDURE

As discussed at the last meeting, the request to revise the Planning Commission Rules of Procedure was further discussed and a decision was reached in the request to allow the Director of Development Review signing authority for minor subdivision plans, preliminary plans, and final plats that have been approved by, and on behalf of the Planning Commission.

Public Comment:

None

Decision: Mr. White made a motion to approve changes to the FcPc Rules of Procedure as discussed. Mr. Hicks 2nd.

<u>VOTE</u>	<u>5-2-0-0</u>
FOR:	5 – White, Hicks, Sepe, Tressler, Bowie
AGAINST:	2 – Suarez, Rensberger
ABSTAIN:	0
ABSENT:	0

6. PRELIMINARY PLAN

a) *Urbana Southern MXD* – The Applicant requested approval to update the original Preliminary Plan and identify the three (3) remaining Land Bays that have not been developed. Located on Urbana Parkway and Bennett Creek Drive, west of Urbana Pike (MD 355), east of I-270, and south of Fingerboard Road (MD 80) in Urbana. Tax Map: 96, Parcels: 48 and 113; Zoned: Mixed Use Development (MXD); Planning Region: Urbana S1069 (A/P#19998, APFO#19999, FRO#20002)

At this time, Ms. Sepe recused herself from hearing this item and Ms. Suarez chaired.

Staff Presentation:

Graham Hubbard, Principal Planner

Applicant Presentation:

Mike Natelli, Natelli Communities; Kraig Walsleben, Rodgers Consulting

Public Comment:

None

Decision: Mr. Rensberger made a motion to approve the Preliminary Plan with conditions as listed in the staff report. Mr. Tressler 2nd.

<u>VOTE</u>	<u>6-0-0-1</u>
FOR:	6 – Rensberger, Tressler, Suarez, White, Hicks, Bowie
AGAINST:	0
ABSTAIN:	0
RECUSED:	1 – Sepe

Ms. Sepe returned to the meeting and resumed presiding.

7. SITE PLAN

a) *Linganore Town Center – Lot C3* – The Applicant requested Site Plan approval for a proposed gas station and convenience store. Located at the south side of Old National Pike, east of Eaglehead Drive. Tax Map: 79, Parcel: 34; Zoned: Planned Unit Development (PUD); Planning Region: New Market SP01-05 (A/P#19097, APFO#19098, FRO#19099)

Staff Presentation:

Cody Shaw, Principal Planner

Applicant Presentation:

Jason Wiley, Oakdale Investments, LLC/Dryden Investments, LLC; Tim Crawford, Eric Soter, Rodgers Consulting; Gary Kilfeather, Petroleum Marketing Group

Public Comment:

None

Decision: Mr. Tressler made a motion to approve the Site Plan with conditions and modifications as listed in the staff report. Ms. Suarez 2nd.

VOTE	7-0-0-0
FOR:	7 – Tressler, Suarez, Sepe, White, Hicks, Bowie, Rensberger
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

b) *Linganore Town Center – Lot C9* – The Applicant requested Site Plan approval for a proposed child care center known as "The Goddard School". Located at the south side of Old National Pike, east of Eaglehead Drive. Tax Map: 79, Parcel: 34; Zoned: Planned Unit Development (PUD); Planning Region: New Market
SP01-05 (A/P#19218, APFO#19219, FRO#19220)

Staff Presentation:

Cody Shaw, Principal Planner

Applicant Presentation:

Jason Wiley, Oakdale Investments LLC/Dryden Investments, LLC; Mike Natelli, Natelli Communities; Tim Crawford, Eric Soter, Rodgers Consulting; Erin White, Goddard School

Public Comment:

None

Decision: Mr. Hicks made a motion to approve the Site Plan with conditions and modifications as listed in the staff report. Mr. Tressler 2nd.

VOTE	7-0-0-0
FOR:	7 – Hicks, Tressler, Sepe, Suarez, White, Bowie, Rensberger
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

8. COMBINED PRELIMINARY / FINAL PLAT

a) *Omega Center, Lots 9A, 9B, 9C* – The Applicant requested Combined Preliminary/Final Plat approval to subdivide a 4.65 acre lot 9 into three lots: 9A 1.19 ac., 9B 1.99 ac., and 9C 1.28 ac. Located at the intersection of Route 85 and Executive Way. Tax Map: 86, Parcel: 219; Zoned: Limited Industrial (LI); Planning Region: Frederick
S774 (A/P#19866, APFO#19864)

Staff Presentation:

Jerry Muir, Principal Planner

Applicant Presentation:

Fran Zeller, Harris, Smariga and Associates; Gary Large, Buckeystown Properties, LLC

Public Comment:

None

Decision: Mr. Rensberger made a motion to approve the Combined Preliminary/Final Plat, including APFO, with conditions as listed in the staff report. Mr. Hicks 2nd.

<u>VOTE</u>	<u>7-0-0-0</u>
FOR:	7 – Rensberger, Hicks, Sepe, Suarez, Tressler, White, Bowie
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

9. SITE PLAN

a) *Sheetz – Executive Way* – The Applicant requested Site Plan approval for the construction of a 6,077 SF Sheetz Convenience Store and gas station on newly created Lot 8B in Omega Center. Located at the intersection of Route 85 and Executive Way. Tax Map: 86, Parcel: 219; Zoned: Limited Industrial (LI); Planning Region: Frederick

Staff Presentation:

Jerry Muir, Principal Planner

Applicant Presentation:

Fran Zeller, Harris, Smariga and Associates; Gary Large, Buckeystown Properties, LLC; Tony Foderaro, Lee May, Sheetz, Inc.

Public Comment:

None

Decision: Motion #1

Ms. Suarez made a motion to strike the first phrase on staff condition #5 and beginning with the wording "lower the point of illumination on the light pole to height of 18 feet". Mr. Rensberger 2nd.

<u>VOTE</u>	<u>7-0-0-0</u>
FOR:	7 – Suarez, Rensberger, Sepe, Tressler, White, Hicks, Bowie
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

Motion #2

Ms. Suarez then made a motion to approve the Site Plan with conditions and modifications as listed in the staff recommendations as modified. Mr. White 2nd.

<u>VOTE</u>	<u>7-0-0-0</u>
FOR:	7 – Suarez, White, Sepe, Tressler, Hicks, Bowie, Rensberger
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

At this time, Mr. Bowie left the meeting.

10. AGRICULTURAL LAND PRESERVATION

a) *Frederick County Installment Purchase Program (IPP) FY2020* – Nineteen (19) applications were reviewed with a request for finding of consistency with the Frederick County Comprehensive Plan.

Staff Presentation:

Anne Bradley, Land Preservation

Public Comment:

None

Decision: Motion #1:

Mr. White made a motion, modifying the language to find the FY 2020 Frederick County Installment Purchase Program (IPP) applications #20-01 to #20-19, with the exception of Applications #20-12, #20-17, and #20-18, to be consistent with Livable Frederick, the Frederick County Comprehensive Plan, listed in the staff report. Mr. Rensberger 2nd.

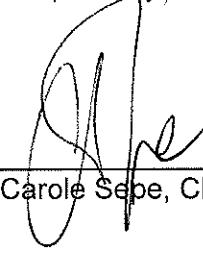
<u>VOTE</u>	<u>5-1-0-1</u>
FOR:	5 – White, Rensberger, Sepe, Suarez, Tressler
AGAINST:	1 - Hicks
ABSTAIN:	0
ABSENT:	1 – Bowie

Motion #2:

Mr. White made a second motion to find applications #20-12, #20-17, and #20-18 consistent with the Livable Frederick, the Frederick County Comprehensive Plan. Mr. Hicks 2nd.

<u>VOTE</u>	<u>4-2-0-1</u>
FOR:	4 – White, Hicks, Suarez, Tressler
AGAINST:	1 – Sepe, Rensberger
ABSTAIN:	0
ABSENT:	1 – Bowie

Meeting adjourned at 2:55 pm
Respectfully Submitted,



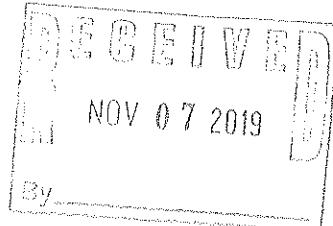
Carole Sepe, Chair

2/12/20

Date

November 7, 2019

Mr. Cody Shaw
Frederick County
Development Review Engineering
30 North Market Street
Frederick, MD 21701



Re: Linganore Town Center – South Commercial
Lot C3 – Gas/Convenience Store
Site Plan Modification Letter
AP 19097

Dear Cody,

On behalf of Dryden Investments, LLC, developer of the South Commercial Property, we herein submit this modification letter for the Site Plan associated with Lot C3 at the Linganore Town Center South Commercial Property for FCPC submittal. This plan request the following modifications:

1. A modification is hereby requested to Section 1-19-6.220(A) Parking Space Requirements. Code calculation requires 11 parking spaces provided for this use. The plan proposes to provide 14 spaces, 3 more than required by Code.
2. A modification is hereby requested to Section 1-19-6.500(D) Light Spillage. Although the South Commercial site is divided into 9 individual lots the intent of the plan is for the site to function as a single commercial center encouraging connectivity between adjacent lots. As such, light pole locations will be provided at locations determined to be ideal to promote safe vehicular and pedestrian movement and spillage may exceed 0.50 foot candles at the internal lot lines.

In addition, we would like to note that the lighting proposed for this plan uses 18' height to the point of illumination as is acceptable in commercial oriented components of PUD's; however, due to the fixture style and mounting hardware the top of the fixture will exceed 18 feet. This plan proposes to use a fixture type consistent with that existing throughout the PUD to maintain a design theme for the district.

As always your assistance in the processing of this application is greatly appreciated. Should you have questions regarding this plan please feel free to contact us at 301-948-4700.

Sincerely,
Rodgers Consulting

Timothy Crawford, P.E.
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