

FREDERICK COUNTY PLANNING COMMISSION
Minutes of Meeting for
January 22, 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: Steve Horn, Division Director, Planning and Permitting; Kathy Mitchell, Assistant County Attorney; Denis Superczynski, Livable Frederick Planning Manager; Ron Burns, Transportation Engineering Manager; and Pattie Wolfgang, Administrative Specialist

The meeting was called to order at 7:01 pm

1. PLEDGE OF ALLEGIANCE

2. PLANNING COMMISSION COMMENTS

Mr. Hicks acknowledged all attending tonight's hearing, expressing appreciation to everyone for taking the time away from other evening activities in order to participate. Ms. Suarez mentioned that she had attended the Transit Services Advisory Committee meeting last Friday and enjoyed Ron Burns' presentation on transportation priorities.

3. AGENCY COMMENTS / AGENDA BRIEFING

None

4. ZONING MAP AMENDMENTS

- a) *R-19-01 – Cromwell PUD* – The Applicant requested to rezone ±160.87 acres from Agricultural (A) to Planned Unit Development (PUD) Zoning District designation.

Staff Presentation:

Denis Superczynski

Applicant Presentation:

Jason Wiley, Elmstreet Development, on behalf of Cromwell Investments, LLC; Eric Soter, Rodgers Consulting, Inc.; Noel Manalo, Miles & Stockbridge

Public Comment:

Bonnie Borsa	Timothy Sheets
John Tripp	Bradley Jaques
Aaron Sheets	Kathryn Thompson

Rebuttal:

Eric Soter, Noel Manalo, Jason Wiley

Decision:**Motion #1**

Mr. Tressler made a motion to recommend APPROVAL of the application to the County Council.
Mr. Rensberger 2nd.

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

Motion #2

Ms. Suarez then made a motion and Mr. Rensberger 2nd, to recommend that the County Council place the following conditions on any approval of the proposed rezoning:

1. The project shall permit a maximum of 600 residential, age-restricted dwelling units. The Applicant shall clarify, with regard to any potential CCRC (Continuing Care Retirement Community) units, relative to the maximum number of dwelling units in the PUD, if such a development option is to be included in the proposed project.
2. Clearly state on any subsequent plans, that there will be no motorized vehicle access to Meadow Road.
3. Covenants shall restrict 100% of the dwelling units to be age-restricted per the Federal Fair Housing Act and the Housing for Older Persons of 1995. There shall be further limitation on the minimum age of permanent residents being 19 years of age.
4. The developer shall dedicate and convey the ±4 acre public use site identified on the Concept Plan. The parcel shall be conveyed in a development-ready state prior to the recording of the first residential subdivision plat.
5. Development phasing, expressed as limitations on the number of recorded lots, shall be based on the proposed phases of construction of Lake Linganore Boulevard from east to west, and shall be determined in the APFO Letter of Understanding (LOU).
6. If the historic structures on the property are proposed for demolition, the Applicant shall provide the County with access to the site(s) in order to document the house, outbuildings, and other related structures at least 90 days prior to the start of demolition.
7. The Applicant shall have a qualified professional investigate and locate any cemetery/burial ground that may be located on the site prior to Preliminary Plan approval and prior to any grading activities, and that the existing structures on the farm be documented historically. These reports shall be also be provided to the County Historical Preservation Commission as well as any state or federal agency
8. The Applicant shall address and resolve the issue of vehicular address to the property of Mary Stull (TM 78, P 0336)

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

- b) *R-19-02 – Delauter/Hutzell* – The Applicant requested to rezone ±27.39 acres from Office/Research Industrial to Mixed Use Development District designation.

Staff Presentation:

Denis Superczynski

Applicant Presentation:

Eric Soter, Rodgers Consulting, Inc.; Noel Manalo, Miles & Stockbridge; Tim O'Toole, on behalf of his wife, Patricia Delauter O'Toole, Roger Delauter et al, Sharon Delauter Wichael

Public Comment:

None

Decision:**Motion #1**

Mr. Hicks made a motion to recommend APPROVAL of the application to the County Council.
Mr. Tressler 2nd.

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

Motion #2

Ms. Suarez then made a motion and Mr. Rensberger 2nd, to recommend that the County Council place the following conditions on any approval of the proposed rezoning:

1. The Applicant shall prepare a feasibility report documenting any potential for the adaptive use of the property located at 9820 Old National Pike, known as the Cordelia Dorsey House/Pennybaker-Dean Tavern. This report shall be made available to the County prior to the submission of the first subdivision plat or site development plan application.
2. The Applicant shall consult SHA's Context Sensitive Solutions for the Maryland National Historic Road Scenic Byway as part of the preparation of subdivision and site plans for the property.
3. Milestone marker No. 40 shall be protected during any construction or site preparation activity associated with the proposed development of the Site, and retained in its current location along Old National Pike.

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

Meeting adjourned at 11:24 pm
Respectfully Submitted,



Carole Sepe, Chair

3/11/20

Date