

FREDERICK COUNTY PLANNING COMMISSION  
Minutes of Meeting for  
February 10, 2021  
*Virtual Meeting*

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

Members Present: Sharon Suarez, Chair; Sam Tressler, Vice-Chair; Craig Hicks, Secretary; Joel Rensberger; Carol Sepe, Michael Sowell

Members Absent: Terry Bowie

Staff Present: Mike Wilkins, Development Review Director; Kimberly Golden Brandt, Livable Frederick Director; Kathy Mitchell, Senior Assistant County Attorney; Ashley Moore, Principal Planner; Mark Mishler, Transportation Engineering Supervisor; Denis Superczynski, Livable Frederick Manager Principal Planner; Tim Goodfellow, Livable Frederick Environmental Principal Planner; John Dimitriou, Livable Frederick Design Principal Planner; and Pattie Wolfgang, Administrative Specialist

The meeting was called to order at 9:30 am.

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

**3. MINUTES TO APPROVE**

- a) December 9, 2020 – Mr. Tressler moved to approve said minutes as written. Mr. Rensberger 2<sup>nd</sup>.

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

- b) January 13, 2021 – Mr. Sowell moved to approve said minutes as written. Mr. Tressler 2<sup>nd</sup>.

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

**4. PLANNING COMMISSION COMMENTS**

Mr. Hicks commented on the 2019 Annual Report that was due in June of 2020. The Planning Commission had not voted on it and he was concerned that the Planning Commission is not in compliance as specified in the Maryland Code Land Use Article. Ms. Brandt addressed this, noting that due to the unusual year because of COVID, the State extended the deadline for all local governments to submit their annual reports. Further discussion will be added to next month's agenda.

Mr. Sowell commented on the list of discussion topics (previously known as the "Tickler List") that Ms. Suarez and Ms. Sepe have been updating. Mr. Sowell would like to add Urban Forestry to the list. Ms. Suarez suggested that possibly an expert in that field could be available to give a presentation on the subject.

## 5. **AGENCY COMMENTS / AGENDA BRIEFING**

Mr. Wilkins briefed the Commission on the upcoming meeting of March 10th. At this time, the Fall 2020 Water/Sewerage Cycle is tentatively scheduled; however, it does not appear that there will be any Development Review items on that agenda. He suggested that the March 10<sup>th</sup> meeting might be a good time to address the List of Topics. He added that a few dates have been confirmed to be available to hold a List of Topics workshop: March 24<sup>th</sup>, from 9:30 to Noon; April 28<sup>th</sup> from 9:30 to Noon. Ms. Suarez asked to have the first workshop added to the March 10<sup>th</sup> meeting.

## 6. **LEGISLATION**

- a) *Bill 21-01 Non-Conforming Structures* – Proposed Amendment to Chapter 1-19 of the Frederick County Code (Zoning Ordinance) to allow variance for expanding portions of non-conforming structures if certain conditions are met.

### **Staff Presentation:**

*Tolson DeSa, Zoning Administrator*

*Mike Wilkins, Planning and Development Review Director*

### **Public Comment:**

None

### **Decision: Motion #1**

Mr. Tressler moved to recommend approval of Bill 21-01 as written to the County Council.  
Mr. Rensberger 2<sup>nd</sup>.

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

### **Motion #2**

Ms. Sepe moved to recommend approval of the Amendment proposed by Council President M.C. Keegan-Ayer to add item #3 under 1-19-220(C). Mr. Hicks 2<sup>nd</sup>.

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

## 7. **SITE PLAN**

- a) *Jefferson Tech Park Lincoln* – The Applicant is requesting site development plan approval for a 216,082 sq. ft. warehouse building with a business office on a 13.03-acre site. Located east of Fair Oaks Drive, located west of US RT. I-170.  
Tax Map: 76 Parcel: 109 Zoned: Mixed Use Development (MXD) Planning Region: Frederick  
SP06-07 (A/P#SP260441, APFO# A260451, FRO# 260452)

### **Staff Presentation:**

Ashley Moore, Principal Planner

**Applicant Presentation:**

Fran Zeller, Harris, Smariga & Associates; Bruce Dean, Esq., on behalf of Lincoln Property Company; Don Bowers, Lincoln Property Company, Joe Caloggero, Traffic Group

**Public Comment:**

None

**Decision:** Mr. Rensberger made a motion to approve the Site Development Plan with conditions and modifications as listed in the staff report. Mr. Tressler 2<sup>nd</sup>.

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

The Annual Report discussion and the Livable Frederick update were moved to the March 10<sup>th</sup> meeting.

Motion to adjourn by Mr. Hicks, Mr. Rensberger 2<sup>nd</sup>.

Meeting adjourned at 1:05 pm

	<u>April 16, 2021</u>
Sharon K. Suarez, Chair	Date