

FREDERICK COUNTY PLANNING COMMISSION
Minutes of Meeting for
October 12, 2022
In Person/Virtual Meeting

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

Members Present: Sam Tressler III, Chair; Craig Hicks, Vice-Chair; Joel Rensberger, Secretary; Carole Sepe; Terry Bowie; Tim Davis; and Robert White Jr.

Members Absent: None

Staff Present: Kimberly Golden Brandt, Livable Frederick Director; Kathy Mitchell, Senior Assistant County Attorney; Mark Mishler, Traffic Engineer; Ashley Moore, Senior Planner; Graham Hubbard, Principal Planner; Cody Shaw, Principal Planner; Jerry Muir, Principal Planner; Craig Terry, Principal Planner; and Karen James, Administrative Specialist.

The meeting was called to order at 9:30 a.m.

1. **PLEDGE OF ALLEGIANCE** -- Mr. Tressler
2. **ROLL CALL** -- Mr. Tressler
3. **ELECTION OF OFFICERS**

Rules and Procedures, Section 2-Officers and Committees: 2.1 The Commission shall organize annually in the month of September and confirm the election of a Chairman, Vice-Chairman, and Secretary. (10-19-05) *(This item was on the September 21, 2022 agenda and was postponed to October 12, 2022).*

Discussion took place with Mr. Hicks citing the Rules and Procedures. It was mentioned that Mr. Bowie had submitted his resignation making Mr. Davis next in line for secretary. Mr. Davis said he would accept the position.

Decision: Mr. White moved to nominate the slate of officers as discussed -- Mr. Hicks, chairman; Mr. Rensberger vice-chairman; and Mr. Davis, secretary. Mr. Rensberger seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Tressler, Chair	X			
Hicks, Vice-Chair	X			
Rensberger, Secretary	X			
Sepe	X			
Bowie	X			
White	X			
Davis	X			

4. **MINUTES TO APPROVE** – June 15, 2022

DECISION

Mr. Rensberger asked that the minutes be amended to include additional comments he had made regarding planning for the northern portion of Frederick County.

Decision: Mr. Tressler moved to approve the minutes as amended. Mr. Rensberger seconded the motion that passed 5-0-2-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks, Chair	X			
Rensberger, Vice-Chair			X	
Davis, Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Bowie			X	

5. PLANNING COMMISSION COMMENTS

Mr. Bowie received thanks for his service on the Planning Commission and was presented a certificate signed by County Executive Jan Gardner, recognizing his faithful service and devotion. Mr. Davis shared details of the upcoming Maryland Department of Transportation annual tour at Winchester Hall, and current openings on the County's Transportation Services Advisory Council.

Mr. Rensberger expressed his appreciation for having served with Mr. Bowie. Additionally, he mentioned a recent site plan that had improvements on the plan that were off the property and were part of the application. He stated that he found that was an interesting function that they saw it. He said that other applications that might come to Planning Commission could show work off the subject property, yet be part of the application, stating that it's good and appropriate and that horizontal integration of sites is important.

6. AGENCY COMMENTS / AGENDA BRIEFING

INFORMATIONAL

Ms. Brandt also thanked Mr. Bowie for his service on the Planning Commission. The October 19th agenda will include a South Frederick Corridors Plan presentation, along with anything from this day's meeting that may need to be carried over. Ms. Sepe asked if there would be an opportunity to discuss the summaries provided from the previous South Frederick Corridors Plan group discussions. It was then decided to start the following week's meeting with a discussion of those summaries.

7. LEGISLATION

RECOMMENDATION

a) *Bill 22-28: Amendment to Chapter 1-19 of the Frederick County Code to amend the requirements for density bonuses for Moderately Priced Dwelling Units (MPDUs).*
Council Member Jessica Fitzwater

Presentation:

Council Member Fitzwater

Questions, comments and discussion by Planning Commission members followed the presentation.

Public Comment:

In-person: 1

Decision: Mr. Rensberger moved that the Planning Commission recommend approval of the proposed legislation as presented. Mr. White seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks, Chair	X			
Rensberger, Vice-Chair	X			
Davis, Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Bowie	X			

8. COMBINED PRELIMINARY PLAN-FINAL PLAT

DECISION

a) *Harvest Hills, Section 2* - Applicant is requesting Combined Preliminary / Final Plat approval to subdivide 3 lots and a remainder from a 59 acre parcel. Located at 14216 Peddicord Road; Tax Map 61, Parcel 163. Zoned Agricultural (AG). Planning Region: New Market. S-750 (PL266367, F266368, APFO: n/a)
Craig Terry, Principal Planner

Staff Presentation: Craig Terry

Questions, comments, and discussion by Planning Commission members followed the presentation.

Applicant Presentation:

Ron Thompson, VanMar Associates, Inc.

Public Comment:

In-person: 1
 Live call-in: 1
 Recorded message: 1

Applicant rebuttal.

Additional discussion.

Decision: Mr. Rensberger moved that the Planning Commission approve S-750 (PL266367, F266368) with conditions and modifications as listed in the staff report for the proposed preliminary/final plat, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. Tressler seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks, Chair	X			
Rensberger, Vice-Chair	X			
Davis, Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Bowie	X			

Break taken at 10:53 a.m. Meeting resumed at 11:01 a.m.

9. SITE PLAN

DECISION

a) McDonalds - The Applicant is requesting Site Development Plan approval to construct a 4,073 sq ft restaurant on a 1.05-acre Site. Located at the south side of Old National Pike at Eaglehead Drive. Tax Map 79, Parcel 34. Zoned Planned Unit Development (PUD). Planning Region: New Market. SP01-05 (AP# SP269106)
Cody Shaw, Principal Planner II

Staff Presentation: Cody Shaw

Questions, comments, and discussion by Planning Commission members followed the presentation.

Applicant Presentation:

Brian Redder, representing McDonald's
Carmen DiDiano, MDM Surveyors and Engineers, LLC
Abigail Benjamin, AECOM

Public Comment:

In-person: 1

Applicant rebuttal.

Additional discussion.

Decision: Ms. Sepe moved that the Planning Commission approve Site Plan (SP01-05, AP SP269106) with conditions and modifications as listed in the staff report in addition to adding condition number two to add screening for the rooftop equipment, and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. Tressler seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks, Chair	X			
Rensberger, Vice-Chair	X			
Davis, Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Bowie	X			

b) Dairy Queen - The Applicant is requesting Site Development Plan approval to construct a 2,208 sq ft restaurant on 0.82 acres of an overall 4.15-acre Site. Located at the intersection of Fingerboard Road and Urbana Pike. Tax Map 96, Parcel 59. Zoned General Commercial (GC). Planning Region: Urbana. SP93-03 (AP# SP269026, A269027)

Cody Shaw, Principal Planner II

Staff Presentation: Cody Shaw

Questions, comments, and discussion by Planning Commission members followed the presentation.

Applicant Presentation:

William Holtzinger, DPPS Diversified Project Planning Services
Gary Rice, GCR, LLC

Public Comment:

None

Additional discussion.

Decision: Mr. Rensberger moved that the Planning Commission approve Site Plan (SP93-03, AP SP269026) including APFO (A269027) with conditions and modifications as listed in the staff report for the proposed Dairy Queen, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. Tressler seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks, Chair	X			
Rensberger, Vice-Chair	X			
Davis, Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Bowie	X			

Lunch break taken at 12:32 p.m. Mr. Tressler exited the meeting. Meeting resumed 1:20 p.m.

c) Mayne Townhomes - The Applicant is requesting Site Development Plan approval to construct 45 Townhomes and a tot lot on a 62.38-acre Site. Located north of Liberty Road, between Daysville Road and MD 550. Tax Map 50, Parcel 19. Zoned Low Density Residential (R-3). Planning Region: Walkersville. S-1157 (AP# SP267895)
Graham Hubbard, Principal Planner /

Staff Presentation: Graham Hubbard

Questions, comments, and discussion by Planning Commission members followed the presentation.

Applicant Presentation:

Mike Wiley, Piedmont Design Group, LLC

Public Comment:

In-person: 1

Applicant rebuttal.

Additional discussion.

Decision: Mr. White moved that the Planning Commission approve the Mayne Townhomes Site Plan S-1157, SP267895 with conditions as listed in the staff report to construct 45 Townhomes and a tot lot on a 62.38-acre Site, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. Bowie seconded the motion that passed 6-0-0-1.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks, Chair	X			
Rensberger, Vice-Chair	X			
Davis, Secretary	X			
Tressler				X
Sepe	X			
White	X			
Bowie	X			

d) Westview South – Lot 111 - The Applicant is requesting Site Development Plan approval to construct a 4,400 SF car wash, on a 1.32-acre Site. Located at 4960 Westview Drive. Tax Map 86, Parcel 269. Zoned Mixed Use Development (MXD). Planning Region: Frederick. SP98-36 (AP# SP269105)
Graham Hubbard, Principal Planner /

Staff Presentation: Graham Hubbard

Questions, comments, and discussion by Planning Commission members followed the presentation.

Applicant Presentation:

Noel Manalo, McNees Wallace and Nurick, LLC
 Jody Walker, Harris Smariga Associates, Inc.
 Quinn MacKenzie, Zimmer Gunsul Frasca Architects, LLP
 Joe Schiattareggia, Sam's Car Wash

Public Comment:

None

Additional discussion.

Decision: Mr. Rensberger moved that the Planning Commission approve the Site Plan for Westview South, Lot 111 (SP-98-36, SP269105) with modifications and conditions as listed in the staff report for the proposed 4,400 SF car wash, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. In addition, the Applicant shall work with Staff to address the Planning Commission's concerns about reducing the pavement width for the "bail out" egress point along the shared drive aisle while maintaining an adequate dumpster access path. The Applicant will provide crosswalk signage at the raised stamped concrete speed table along Westview Drive and provide elevations for the canopies at the ticket gate. Ms. Sepe asked if Mr. Rensberger would agree to amend the motion to state "work with staff to review the curb extension, and work with staff to add the crosswalk signage, and work with staff regarding canopy elevation. Mr. Rensberger agreed. Mr. White seconded the motion that passed 6-0-0-1.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks, Chair	X			
Rensberger, Vice-Chair	X			
Davis, Secretary	X			
Tressler				X
Sepe	X			
White	X			
Bowie	X			

Break taken at 2:55 p.m. Meeting resumed at 3:01 p.m.

e) Arcadia Business Park – Lot 2 – The Applicant is requesting Site Development Plan approval as a Planned Industrial Development to construct two (2) one-story buildings totaling 120,480 sf on a 9.89 acre Site. Located along Buckeystown Pike (MD 85), north of English Muffin Way. Tax Map 86, Parcel 175. Zoned Limited Industrial (LI). Planning Region: Adamstown. SP04-11 (AP# SP273483)
Graham Hubbard, Principal Planner I

Staff Presentation: Graham Hubbard

Questions, comments, and discussion by Planning Commission members followed the presentation.

Applicant Presentation:

Fran Zeller, Harris Smariga Associates, Inc.
Danny Severn, St. Johns Properties

Public Comment:

None

No additional discussion.

Decision: Mr. Rensberger moved that the Planning Commission approve the Arcadia Business Park Lot 2 Site Plan SP04-11 SP273483, with conditions and modifications as listed in the staff report for the proposed two one-story buildings totaling 120,480 square feet on a 9.89 acre site, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. White seconded the motion that passed 6-0-0-1.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks, Chair	X			
Rensberger, Vice-Chair	X			
Davis, Secretary	X			
Tressler				X
Sepe	X			
White	X			
Bowie	X			

f) HE Equipment – Lots 22 & 23 - The Applicant is requesting Site Plan approval to construct 10,844 SF office/shop building with associated outdoor storage on a 5.68 acre Site. Located on Winchester Blvd. in Stanford Industrial Park. Tax Map 94, Parcel 89. Zoned LI Light Industrial. Planning Region: Adamstown. SP00-12 (AP# SP273377)

Jerry Muir, Principal Planner I

Staff Presentation: Jerry Muir

Questions, comments, and discussion by Planning Commission members followed the presentation.

Applicant Presentation:

Fran Zeller, Harris Smariga Associates, Inc.

Matt Poffenbarger, Ruppert Properties

Public Comment:

None

No additional discussion.

Decision: Ms. Sepe moved that the Planning Commission approve the Site Plan for HE Equipment SP273377, FRO F273378, subject to the conditions listed in the staff report, in addition to adding number seven, landscaping evergreen along Route 15, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. Rensberger seconded the motion that passed 6-0-0-1.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks, Chair	X			
Rensberger, Vice-Chair	X			
Davis, Secretary	X			
Tressler				X
Sepe	X			
White	X			
Bowie	X			

g) Wastler Investments, Lot 1-Q – Applicant is requesting Site Plan approval to construct 10,800 SF Office/shop building and a 6,000 SF equipment storage building with outdoor storage on a 3.83 acre lot. Located on Ventrie Court in Myersville. Tax Map 46, Parcel 375. Zoned LI Light Industrial. Planning Region: Middletown. SP22-06 (AP# SP273473)

Jerry Muir, Principal Planner I

Staff Presentation: Jerry Muir

No questions, comments, or discussion by Planning Commission members followed the presentation.

Applicant Presentation:

David Severn, Offit Kurman Attorneys at Law
Mary Patton, Fox and Associates, Inc.

Public Comment:

In-Person: 1

Brandon Boldyga, Planning and Zoning Administrator, Town of Myersville

Mr. Boldyga then responded to questions from Planning Commission members.

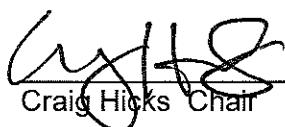
Applicant rebuttal.

Additional discussion.

Decision: Mr. Rensberger moved that the Planning Commission approve SP273473, FRO F273474, subject to the conditions listed in the staff report for the proposed contractor's office and storage facility based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. Davis seconded the motion that passed 6-0-0-1.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks, Chair	X			
Rensberger, Vice-Chair	X			
Davis, Secretary	X			
Tressler				X
Sepe	X			
White	X			
Bowie	X			

Mr. Hicks declared the meeting adjourned at 4:20 p.m.



Craig Hicks Chair

1/11/23
Date