



# Frederick County Planning Commission

## AGENDA

*Revised 10/9/2017*

**Wednesday October 11, 2017**

**9:30 am**

1<sup>st</sup> Floor Hearing Room, Winchester Hall, 12 E Church St. Frederick, Md.

APPROVED: \_\_\_\_\_

### **NOTICES AND REMINDERS**

The County's lobbying ordinance (Chapter 1-7.2 of the code) requires the registration of individuals and entities that qualify as lobbyists. If you will be testifying before the Planning Commission, the ordinance may require that you register as a lobbyist. If you have a question as to the applicability of this ordinance, please contact the County Attorney's Office at (301) 600-1030.

Please turn off all cell phones and other electronic devices during planning commission meetings. If you must attend to business or engage in a private conversation, please exit the hearing room so as not to disrupt the meeting.

Agenda items will be reviewed in succession. It is the responsibility of the applicant and other persons of record to be prepared to discuss their agenda item during the respective session.

The Commission will break for lunch at approximately 12:00 or 12:30 pm if the meeting is expected to continue into the afternoon.

#### Providing Public Testimony

- Any individual who wishes to testify on an agenda item is required to be sworn in at the beginning of each agenda item.
- Individuals are allotted three (3) minutes and recognized organizations ten (10) minutes for each agenda item.
- Written comments must be submitted at least 72 hours in advance of the scheduled meeting to be considered by the Planning Commission.

#### Applicants

- All applicants and their representatives who testify are required to be sworn in at the beginning of each agenda item.
- Applicant presentations are allotted, typically fifteen (15) minutes with five (5) minute rebuttal following any public comments.
- Written comments must be submitted at least 72 hours in advance of the scheduled meeting to be considered by the Planning Commission.

Individuals requiring special accommodations for this meeting are requested to contact the Planning Office at 301-600-1138 (TTY: use Maryland relay) to make the necessary arrangements no later than seven (7) working days prior to the meeting.

Any correspondence to the Planning Commission can be sent to: [planningcommission@frederickcountymd.gov](mailto:planningcommission@frederickcountymd.gov)

#### **Upcoming Planning Commission Meetings**

Wednesday – October 18, 2017 7:00 pm

Wednesday – November 8, 2017 9:30 am

#### **For more information contact**

Dept. of Planning or Development Review

301-600-1138

[www.FrederickCountyMD.gov/planning](http://www.FrederickCountyMD.gov/planning)



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1. **PLEDGE OF ALLEGIANCE**
2. **MINUTES TO APPROVE** DECISION
3. **PLANNING COMMISSION COMMENTS** INFORMATIONAL
4. **AGENCY COMMENTS / AGENDA BRIEFING** INFORMATIONAL
5. **APFO LETTER OF UNDERSTANDING** DECISION  
a) [Aldi, Inc. Letter of Understanding \(LOU\)](#) – The Applicant is requesting approval of the proposed Letter of Understanding, documenting requirements for Adequate Public Facilities Ordinance approval associated with a change of use resulting in 20,519 square feet of discount grocery store and 30,325 square feet of shopping center within an existing 50,844 square foot commercial center.  
*Charles Freeman, Traffic Engineer*
6. **COMBINED PRELIMINARY SUBDIVISION PLAN / SITE PLAN** DECISION  
a) [Westview South \(Phase 1.3\)](#) – The Applicant is requesting Combined Preliminary Subdivision / Site Development Plan approval to revise the 4.93 +/- Phase 1.3C portion of the overall approved Westview South MXD Residential project to: remove 128 MF units (4, 32-unit buildings) and replace those units with 24 townhomes and 46 '2-over-2' units) and revise the open space layout. The revision will result in a total of 542 dwelling units comprised of 242 multi-family units (three 32-unit MF buildings and 146 '2-over-2' units), 184 townhomes, and 116 single family detached dwellings. Zoned: Mixed Use Development (MXD); Planning Region: Frederick S-905/SP-98-36 (A/P#17503; APFO#17504; FRO#17505)  
*Tim Goodfellow, Principal Planner*
7. **BICYCLE/PEDESTRIAN PLAN** INFORMATIONAL  
The Planning Commission will be briefed and have an opportunity to comment on the [DRAFT Frederick County 2017 Bikeways and Trails Plan](#) (update of the 1999 Plan), and will be requested to make a finding of consistency with the Comprehensive Plan at the November meeting.  
*Ron Burns, Transportation Engineer*
8. **SUMMER 2017 CYCLE – WATER & SEWERAGE PLAN AMENDMENTS** FINDING OF CONSISTENCY  
The Planning Commission will hear the following [cases](#) to determine consistency with the County Comprehensive Plan:  
*Tim Goodfellow, Principal Planner*



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### **WS-17-06: Division of Planning and Permitting**

Three (3) text amendments to the Water and Sewerage Plan are proposed to:

- 1) Clarify the requirements for the S-4/W-4 (Concept Evaluation Phase) classification
- 2) Establish procedures for continuing a Water and Sewerage Plan Amendment;
- 3) Require that criteria for a requested water or sewer classification be met at the time of application

### **WS-17-07: Monocacy Land Company, LLC**

South side of Tabler Road at the terminus of Bealls Farm Road in the Villages of Urbana PUD  
Requesting reclassification of 24.3 acres from W-4 Dev., S-4 Dev. to W-3 Dev., S-3 Dev.

### **WS-17-08: Division of Planning and Permitting (Urbana District Park)**

Northeast side of MD 355, Urbana Pike, at Tabler Road  
Requesting reclassification of 95.25 acres from S-4 Dev. to S-3 Dev.

### **WS-17-09: Division of Planning and Permitting (Storm Property)**

North side of Old National Pike, 580 feet west of Mussetter Road  
Requesting reclassification of 0.75 acres from W-5 Dev. to W-3 Dev.

### **WS-17-10: Frederick County Health Department**

A text amendment to Chapter 4 of the Plan to add the Town of Burkittsville to the list of Septic Problem Areas

## **9. ZONING TEXT AMENDMENTS– PUBLIC HEARING**

## **RECOMMENDATION**

- a) Bill 17- 14 Amend the Zoning Ordinance to require recreational facilities in PUD or MXD be located entirely with the PUD/MXD zoning.
- b) Bill 17-15 *Limited Wood Waste Recycling* – Amend the Zoning Ordinance and the Subdivision Regulations to allow limited wood waste recycling in the General Commercial with special criteria.  
*Steve Horn, Division Director*

## **10. BALLENGER RUN PUD REZONING #R-05-09(B)**

## **RECOMMENDATION**

A public hearing to consider an application by SeD Maryland Development proposing amendments to rezoning conditions approved in 2013 (Ordinance 13-20-648) that specified the timing of construction of trails relative to the issuance of building permits.

*Jim Gugel, Planning Director*



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***The following item was added to the agenda:***

**11. CLOSED SESSION**

Maryland Annotated Code General Provisions Article 3-305(b) (7) To consult with counsel to obtain legal advice; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation

Topic: To discuss legal issues and procedures related to a future public meeting.