

FREDERICK COUNTY PLANNING COMMISSION
Minutes of Meeting for
April 10, 2019

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

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

Staff Present: Steve Horn, Division Director; Jim Gugel, Planning Director; Mike Wilkins, Development Review Director; Charles Freeman, Traffic Engineer; Craig Terry, Planner II; Graham Hubbard, Principal Planner; and Pattie Wolfgang, Administrative Specialist

The meeting was called to order at 9:35 am

1. PLEDGE OF ALLEGIANCE

2. MINUTES TO APPROVE

February 13, 2019 – Mr. Tressler moved to approve said minutes as written. Mr. Rensberger 2nd.

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

February 27, 2019 – Mr. Rensberger moved to approve said minutes as written. Mr. Hicks 2nd.

<u>VOTE</u>	<u>4-0-3-0</u>
FOR:	4 – Rensberger, Hicks, Sepe, Tressler
AGAINST:	0
ABSTAIN:	3 – White, Suarez, Bowie
ABSENT:	0

March 6, 2019 – Mr. Hicks moved to approve said minutes as written. Mr. Tressler 2nd.

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

March 13, 2019 – Mr. Rensberger moved to approve said minutes as written. Mr. Hicks 2nd.

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

3. PLANNING COMMISSION COMMENTS

None

4. AGENCY COMMENTS / AGENDA BRIEFING

Mr. Gugel briefed the Commission on upcoming meetings; a Livable Frederick workshop is scheduled for next Wednesday, April 17, 2019 from 9 to Noon. The regular meeting on May 8, 2019 consists of a moderate agenda. He noted that the FY2020 CIP review may be included on that agenda. Looking ahead, there is a possibility that a rezoning request will be submitted in early summer.

5. DEVELOPMENT RIGHTS AND RESPONSIBILITIES AGREEMENTS

- a) Bill 19-05 – *Proposes to amend the Development Rights and Responsibilities Agreements (DRRA) ordinance, Chapter 1-25, to establish a minimum threshold to use for residential developments, address required public benefits of the development, the length of a DRRA, and application of ordinances and regulations.*

Although it is not a requirement that this bill come before the Planning Commission, the Commission agreed at its LFMP meeting on April 2, 2019, at the request of the County Council, to review and provide comments on the Bill.

Staff Presentation:

Ragen Cherney, Ethics Compliance Administrator
Sydnee Sichert, Legislative Analyst, County Council

Discussion with Mr. Cherney and Ms. Sichert of the County Council's office followed. The Commission members discussed and provided comments in three areas:

- For Residential Developments only: The Commission agreed 6 to 1 with the 1,500 dwelling units, and the 5 year term with a 5 year renewal as it exists in the Bill.
- For Mixed Use Developments (MXD): The Commission agreed 5 to 2 with a minimum of 500 residential unit component and a 5 year term with a 5 year renewal. Ms. Suarez was not comfortable/prepared to have a position until more discussion on the nature of the development with Economic Development and groups at the County level. Mr. Hicks had concerns about the 500 unit component; in the event that a DRRA is entered into and non-residential uses don't materialize, and perhaps a need for a commensurate guarantee of a true mixed use development. The Commission agreed 7-0 in favor of adding a guarantee of a mixed use development.
- Guaranteeing Enhancement: The Commission agreed that the existing methods of the enhanced public benefits should remain the same.

Ms. Sepe questioned if a DRRA could be entered into on a strictly commercial development. Ms. Mitchell responded that it is not prohibited; only that the Bill requires that a residential development must contain 1,500 dwelling units.

6. FRO MODIFICATION REQUEST

- a) Boyer's Mill Road-South Section (Removal of 5 Specimen Trees) – The Applicant is requesting approval of a modification to the Forest Resource Ordinance (FRO) to remove five (5) specimen trees along a 2.5-mile stretch of Boyer's Mill Road. Located along Boyer's Mill Road, south of Lake Linganore to Old National Pike. Tax Map: 79, Parcel: (multiple parcels); Zoned: (multiple zones); Planning Region: New Market SP-15-01 (A/P#19299, CIP#C28412)

Staff Presentation:

Graham Hubbard, Principal Planner

Applicant Presentation:

Ian Sealock, Project Manager, Department of Public Works
Jason Stitt, Transportation Engineer, Department of Public Works

Public Comment:

None

Decision: Ms. Sepe made a motion to approve the FRO modification as specified in the staff report. Ms. Suarez 2nd.

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

7. COMBINED PRELIMINARY / FINAL PLAT

- Margie's View – The Applicants are requesting a modification to allow a new common driveway entrance, which does not meet the minimum separation distances from existing driveways that is required for a Staff level approval. Located on the east side of Jefferson Boulevard, near the intersection with Woodlyn Road. Tax Map: 75, Parcel: 93; Tax ID #24-459977; Zoned: Residential-3 and Agricultural; Planning Region: Middletown M-3032 (A/P#19195 FRO#19196)

Staff Presentation:

Craig Terry, Planner II

Applicant Presentation:

Jim Zanelli, Fox & Associates


Public Comment:

None

Decision: Mr. Hicks made a motion to approve the entrance spacing modifications with conditions as listed in the staff report. Mr. Rensberger 2nd.

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

Meeting adjourned at 12:00 pm
Respectfully Submitted,



Bob White, Chair



Date