

## **PUBLIC MEETING MINUTES FOR TUESDAY, JANUARY 13, 2009**

A continuation of the Tuesday, January 6, 2009, public meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") was called to order at 7:00 p.m. on Tuesday, January 13, 2009, by Commissioner Jan Gardner, *President*. Present were Commissioners David Gray, *Vice President* (please note arrival time); Kai Hagen, Charles Jenkins and John L. Thompson, Jr. Also in attendance were Ron Hart, County Manager and Patti Morrow, Recording Secretary.

*(Official minutes of the Board of County Commissioners' meetings are kept on file in the County Manager's Office; the meetings are also video recorded. Approved minutes are available on the County web page. To receive a copy of meetings recorded on videotape or DVD, please contact the Board of County Commissioners at 301-600-1100 or visit the County web page at [www.co.Frederick.md.us](http://www.co.Frederick.md.us))*

**NOTE: Copies of all staff reports are available in the OnBase system. If you need assistance with the OnBase system, please contact the recording secretary.**

The meeting began with the recitation of the Pledge of Allegiance.

### **PUBLIC HEARING**

#### **Rezoning Request #R-98-01(A) – Urbana Corporate Center, LLC – Denis Superczynski, Planning Division**

A continuation of the public hearing was held on an amendment to the Urbana Mixed Use Development (MXD) Phase I Plan in order to re-configure the MXD project and increase the amount of commercial uses in the proposed development.

Commissioner Gardner reviewed the procedures that were followed from the previous public hearing. She indicated Commissioner Hagen had viewed the DVD of the January 6, 2009, public hearing.

Commissioner Gardner swore in all who would give testimony.

Jim Gugel, Planning Division, commented on an amended Maryland State Highway Administration project regarding the widening of the redecking of the bridge on I-270, over MD 80, possibly allowing for a deceleration lane.

The applicant, Thomas Natelli, Urbana Corporate Center, LLC, and the following persons representing the applicant gave an updated summary on the request:

- Krista McGowan, Esquire, Miles and Stockbridge
- Mark Friis, Rodgers Consulting, Inc.

Public comment was heard from:

- Barbara Luchsinger, 2750 Thurston Road
- Joan McIntyre, on behalf of Southern Frederick County Youth Athletic Association

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(Commissioner Gray arrived to the meeting at 7:30 p.m.)

Mr. Natelli gave a rebuttal on the public comments heard this evening.

A lengthy discussion took place on the staff recommendations regarding traffic issues.

Michael Chomel, Office of the County Attorney and Mark Depo, Planning Division, participated in the discussion.

Commissioner Jenkins moved to direct staff to bring back an ordinance to approve an amendment to the Phase 1 Plan of the Urbana Office Research Center MXD with the all the findings and the recommendations by the Frederick County Planning Commission and:

- Deleting staff condition #24;
- Adding \$150,000 at building permit phase with language indicating the building excise tax could be used to fully fund a southbound deceleration lane on I-270 south; and
- Change staff condition #23 to read as:

*The applicant shall confirm and demonstrate through a traffic review, to the satisfaction of staff, the traffic impacts from a decrease in retail or commercial including a distribution of trips to be satisfied at the time of the Preliminary Plan Phase II.*

Commissioner Hagen seconded the motion that passed 3-1-1 with Commissioner Thompson opposed and Commissioner Gray not voting.

(A copy of **Ordinance #09-03-507** can be obtained in the County Manager's office or from the county's website, [www.co.frederick.md.us](http://www.co.frederick.md.us))

### **PUBLIC COMMENTS AND/OR REQUESTS**

None.

### **ADJOURN**

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Patricia A. Morrow  
Recording Secretary

**9-28-09**

**Recording Secretary's Note – The **Ordinance #09-03-507** reflected in the minutes is incorrect.  
The correct number is #09-04-508.**