



FREDERICK COUNTY PLANNING COMMISSION  
WINCHESTER HALL, FREDERICK, MARYLAND 21701



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## AGENDA

### Wednesday September 9, 2015

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

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#### 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 12:30 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 County Executive's Office at 301-600-1100 (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: [planningandzoning@frederickcountymd.gov](mailto:planningandzoning@frederickcountymd.gov)

#### Upcoming Planning Commission Meetings

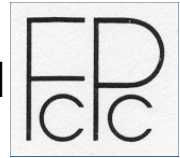
(1<sup>st</sup> Floor Hearing Room, Winchester Hall)  
Wednesday – October 14 @ 9:30 am

#### For more information contact

Dept. of Planning or Development of  
Development Review  
Phone: 301-600-1138



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ITEM	TIME	ACTION REQUESTED
	<b><u>9:30 A.M.</u></b>	
1. <b><u>PLEDGE OF ALLEGIANCE</u></b>		
2. <b><u>MINUTES TO APPROVE</u></b>		<b>DECISION</b>
3. <b><u>PLANNING COMMISSION COMMENTS</u></b>		<b>INFORMATIONAL</b>
4. <b><u>AGENCY COMMENTS / AGENDA BRIEFING</u></b>		<b>INFORMATIONAL</b>
5. <b><u>ELECTION OF OFFICERS</u></b>		<b>DECISION</b>
a) Rules and Procedures, Section 2-Officer and Committees: 2.1 - The commission shall organize annually in the month of September and elect a Chairman, Vice-Chairman and Secretary. (10-19-05)		
6. <b><u>CONSENT AGENDA</u></b>		
a) <a href="#"><u>Manors at Ballenger Creek (formerly Younkings PUD) Amended LOU</u></a> – The Applicant is requesting an amendment to Section B. on page 2 of the original APFO Letter of Understanding dated January 11, 2012. <i>Rodney Winebrenner, Utilities and Solid Waste Management</i> <i>Kathy Mitchell, Assistant County Attorney</i>		
7. <b><u>EDUCATIONAL FACILITIES MASTER PLAN</u></b>		<b>FINDING OF CONSISTENCY</b>
a) <a href="#"><u>Educational Facilities Master Plan</u></a> - Staff will present the annual update of the Superintendent's Recommended Educational Facilities Master Plan with a request for finding of consistency with the Frederick County Comprehensive Plan. <i>Jim Gugel, Planning Director</i>		
8. <b><u>SITE PLAN</u></b>		<b>DECISION</b>
a) <a href="#"><u>Silver Diner (Westview South - Saul Center)</u></a> – The Applicant is requesting Site Development Plan approval for replacement of an existing restaurant with a new 5,815 sf restaurant to be constructed in the Westview South (Saul Center) MXD. Located on the southwest corner of MD 85 and the		



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Westview entrance drive. Tax Map 0086, Parcel 0269 Zoned: Mixed Use Development (MXD),  
Planning Region: Frederick  
File: SP-98-36, AP# 15556  
*Denis Superczynski, Principal Planner*

- b) [Beckley RV Storage Center](#) - The Applicant is requesting Site Development Plan approval for the construction of a 229 space Recreational Vehicle Storage facility to include a 5,000 square foot maintenance structure and Caretaker's Residence. Located on Leatherman Road, south of Angleberger Road. Tax Map 40, Parcel 164, Zoned: Agricultural, Planning Region: Frederick  
File: SP-98-33, AP# 14573  
*Tolson DeSa, Principal Planner*

#### 9. SUMMER 2015 CYCLE, WATER AND SEWERAGE PLAN AMENDMENTS

##### FINDING OF CONSISTENCY

The Planning Commission will hear the [following cases](#) to determine consistency with the Comprehensive Plan.

*Tim Goodfellow, Principal Planner*

- a) [WS-15-06: Millie's Delight, LLC](#)  
Tax Map 400, Parcel 2110. Account#02-101955. South east side of Rocky Springs Road and Kemp Plan within the City of Frederick. Requesting reclassification of 24.4 acres from W-5, S-5 to W-3, S-3
- b) [WS-15-07: Spring Bank, LLC](#)  
Tax Map 57, Parcel 42. Account#02-465302. East side of Worman's Mill Road, north of Mill Pond Drive within the City of Frederick. Requesting reclassification of 10.4 acres from W-5, S-5 to W-3, S-3
- c) [WS-15-08: Beshers Land Company Number Two, LLC](#)  
Tax Map 68, Parcel 39. Account# 13-296235. West side of Plantation Road. Requesting reclassification of 119 acres from NPS to S-5
- d) [WS-15-09: Yankee Land, LLC](#)  
Tax Map 56, Parcels 207, 296, 390, 439. Account# 02-589677, 02-589682, 02-589680 & 02-589681, 02-589678. East side of Yellow Springs Road, north of Walter Martz Road within the City of Frederick. Requesting the depiction of a sewage pump station symbol on the Sewer Map



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- e) WS-15-10: Rayburn Family, LLP/Hogan Realty Partners, LLC  
Tax Map 78, Parcel 327. Account#09-255605 (72.3 acres). Parcel 752, Lot 1, Account #09-588414 (4.9 acres). Parcel 752, Lot 2, Account#09-588415 (2.9 acres). South side of Baltimore Road, west of Bartonsville Road. Requesting reclassification of 80 acres from W-4, S-4 to W-3, S-3.
- f) WS-15-11: Division of Planning and Permitting
- 1) Text Amendment to the Review and Amendment Procedures contained in Section III(B)(3)(i) of Chapter 1 to replace the word "Bill" with "Resolution" in describing the transmittal of the County Council's action on Plan Amendments to the County Executive.
  - 2) Text Amendment of the various additions to data, figures and charts in chapters 2, 3, and 4 that were approved by MDE on June 2, 2015 as part of the [2014 Triennial Update](#) of the Water and Sewerage Plan.

**10. 2016 STATE LEGISLATIVE INITIATIVES**

**DISCUSSION**