

FREDERICK COUNTY PLANNING COMMISSION
Minutes of Meeting for
March 8, 2017

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

Members Present: Bill Hopwood, Chair; Anthony Bruscia, Vice-Chair; Bob White, Secretary; William Hall; Sharon Suarez; Carole Sepe; Samuel Tressler

Staff Present: Jim Gugel, Planning Director; Shawna Lemonds, Development Review Director; Kathy Mitchell, Assistant County Attorney; Tim Goodfellow, Principal Planner; Tolson DeSa, Principal Planner, Anne Bradley, Land Preservation Program Administrator; Ethan Strickler, Land Preservation Planner; Charles Freeman, Traffic Engineer; Ron Burns, Contractual Traffic Engineer and Pattie Wolfgang, Administration Specialist

The meeting was called to order at 9:35 am

1. **PLEDGE OF ALLEGIANCE**

2. **MINUTES TO APPROVE**

January 4, 2017 – Mr. Tressler moved to approve said minutes. Mr. White 2nd.

| | |
|-------------|---|
| <u>VOTE</u> | <u>7-0-0-0</u> |
| FOR: | 7 – Tressler, White, Hall, Hopwood, Bruscia, Suarez, Sepe |
| AGAINST: | 0 |
| ABSTAIN: | 0 |
| ABSENT: | 0 |

January 11, 2017 – Mr. White moved to approve said minutes as amended. Mr. Bruscia 2nd.

| | |
|-------------|---|
| <u>VOTE</u> | <u>7-0-0-0</u> |
| FOR: | 7 – White, Bruscia, Hall, Hopwood, Suarez, Sepe, Tressler |
| AGAINST: | 0 |
| ABSTAIN: | 0 |
| ABSENT: | 0 |

January 18, 2017 – Mr. White moved to approve said minutes. Mr. Bruscia 2nd.

| | |
|-------------|---|
| <u>VOTE</u> | <u>7-0-0-0</u> |
| FOR: | 7 – White, Bruscia, Hall, Hopwood, Suarez, Sepe, Tressler |
| AGAINST: | 0 |
| ABSTAIN: | 0 |
| ABSENT: | 0 |

3. **PLANNING COMMISSION COMMENTS**

Mr. Hall inquired when the parking standards topic from the Commission's "tickler list" would be discussed. Ms. Lemonds responded that due to being down several planners, staff cannot provide a thorough presentation at this time, but will work to bring it before the Commission as soon as possible. Some discussion followed regarding the changes in parking regulations in 2010. Staff will make staff reports and ordinances of those text amendments available to the Commission to provide background.

Ms. Suarez would like to discuss definitions of terms related to land use, land regulations, etc. to gain a better understanding and clarification of how their meanings can affect decisions in the reviewing process. It was requested that this topic be added to the Commission's tickler list for future discussion. This topic will be added to the tickler list for future discussion.

4. AGENCY COMMENTS / AGENDA BRIEFING

Mr. Gugel briefed the Commission on the upcoming meetings of March 15th at 7:00 pm, to hear the Wedgewood West rezoning case and a public hearing on a Council introduced bill on tasting rooms; and April 12th is the next regular meeting with a full agenda. At this time there is no information on upcoming Livable Frederick workshops.

Ms. Sepe inquired about the status of the letter to the County Executive referencing the MPDU ordinance. Mr. Gugel responded that legislation on the ordinance will be introduced to the Council on March 21st, focusing only on the fee-in-lieu component and what the fee should be. Once introduced, Mr. Gugel will invite Housing Director Milton Bailey to possibly the April 12th meeting to review and comment before the Council's hearing date, which is has not been determined at this time. There was discussion about the scheduling timeframe of the Council's 2nd reading (public hearing) and the Planning Commission's schedule.

Ms. Mitchell suggested sending input to the Affordable Housing Council, who is taking the lead on reviewing the housing report and making recommendations on MPDU's and possibly rewriting the MPDU ordinance. She also suggested interested members could attend the Affordable Housing meetings as private citizens.

5. SITE PLAN

- a) Kiddie Academy - The Applicant requested site development plan approval for construction of a 10,675 square foot child care center/nursery school. Located on the south side of Finn Drive, 680 feet west of Boyers Mill Road.
Tax Map 79, Parcel 273. Zoned: Planned Unit Development (PUD); Planning Region: New Market
SP-94-21 (AP#16943; APFO#16944; FRO#16945)

Staff Presentation:

Tim Goodfellow, Principal Planner

Applicant Presentation:

Fran Zeller, Harris, Smariga and Associates; Christopher Commarota, Kiddie Academy

Public Comment:

Judy Getz

Jason Wiley, Oakdale Investments

Decision: Mr. Bruscia made a motion to approve the Site Plan and APFO LOU amendment with conditions and modifications as listed in the staff report. Ms. Sepe 2nd.

| | |
|-------------|---|
| <u>VOTE</u> | <u>7-0-0-0</u> |
| FOR: | 7 – Bruscia, Sepe, Hall, Hopwood, White, Suarez, Tressler |
| AGAINST: | 0 |
| ABSTAIN: | 0 |
| ABSENT: | 0 |

- b) Country Side of Frederick – The Applicant requested site development plan approval for the construction of 26 additional parking spaces, as well as approval to allow a townhouse development to access a private drive, on a .97-acre portion of the 11.29 acre site. Located at the corner of Buckeystown Pike and Conestoga Trail, north of English Muffin Way. Tax Map, 86 Parcel 256, Zoned: Planned Unit Development (PUD) Planning Region: Adamstown SP-16-11 (AP#17059; APFO#17060; FRO#17062)

Staff Presentation:

Tolson DeSa, Principal Planner

Applicant Presentation:

Fran Zeller, Harris, Smariga and Associates; Matt Holbrook, St. Johns Properties; David Severn, Esq.

Public Comment:

None

Decision: Mr. Bruscia made a motion to approve the Site Plan with conditions as listed in the staff report. Mr. White 2nd.

| | |
|----------|---|
| VOTE | 7-0-0-0 |
| FOR: | 7 – Bruscia, White, Hall, Hopwood, Suarez, Sepe, Tressler |
| AGAINST: | 0 |
| ABSTAIN: | 0 |
| ABSENT: | 0 |

6. AGRICULTURAL LAND PRESERVATION

FINDING OF CONSISTENCY

- a) Frederick County Installment Purchase Program (IPP) - FY2017 Easement Applications – Review of Applications with a request for finding of consistency with the Frederick County Comprehensive Plan.

Staff Presentation:

Anne Bradley, Land Preservation Program Administrator

Ethan Strickler, Land Preservation Planner

- | | |
|----------------------------------|--------------------------------|
| 17-01 Snouffer Farm | 17-10 John and Ellen Nicodemus |
| 17-02 Roger Mills | 17-11 Sandy Run Farm |
| 17-03 Joseph Mangiafico | 17-12 Charles Kolb |
| 17-04 Robert Stevens, et al. | 17-13 Gloria Toms |
| 17-05 Frey Agricultural Products | 17-14 John and Ally Rabaiotti |
| 17-06 Lehigh Cement Company | 17-15 Nancy Gates |
| 17-07 (Removed) | 17-16 Mark Butler |
| 17-08 Worthy View Farm, LLC | 17-17 Thomas and Angela Lakin |
| c/o David Esworthy | 17-18 Michael Wivell |
| 17-09 Cap Stine, LLC | 17-19 Elaine Burdette |


Public Comment:

Tim Davis, City of Frederick Staff

Decision: Mr. White made a motion to find the IPP applications #17-01 to #17-06 and #17-08 to #17-19 to be CONSISTENT with the County Comprehensive Plan. Mr. Tressler 2nd.

| | |
|-------------|---|
| <u>VOTE</u> | 7-0-0-0 |
| FOR: | 7 – White, Tressler, Hall, Hopwood, Bruscia, Suarez, Sepe |
| AGAINST: | 0 |
| ABSTAIN: | 0 |
| ABSENT: | 0 |

Meeting adjourned at 1:01 pm
Respectfully Submitted,

 Date 4-12-17
Bill Hopwood, Chair