

FREDERICK COUNTY PLANNING COMMISSION
Minutes of Meeting for
October 10, 2018

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: Jim Gugel, Director, Planning; Mike Wilkins, Director, Development Review; Kathy Mitchell, Assistant County Attorney; Jerry Muir, Principal Planner; Tim Goodfellow, Principal Planner; Denis Superczynski, Principal Planner; Ron Burns, Transportation Engineering Manager; Charles Freeman, Traffic Engineer; and Pattie Wolfgang, Administrative Specialist

The meeting was called to order at 9:31 a.m.

1. PLEDGE OF ALLEGIANCE

2. MINUTES TO APPROVE

September 19, 2018 CLOSED SESSION – Mr. Tressler moved to approve said minutes as written. Mr. Hicks 2nd.

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

3. PLANNING COMMISSION COMMENTS

Mr. Bowie commented on the Planning Commission's authority and the position of the Planning Department. He stated that there should be a partnership and fair collaboration between the development community and citizens of Frederick County; taxpayers who send their children to overcrowded schools; taxpayers who drive on overcrowded roads every day. Frederick County citizens who attend meetings to offer public comments should have a say in the development process of the County. Ms. Suarez further stressed that the ideal way for citizens to have meaningful input is to work with the development community, professional planning staff early on in the planning process.

4. AGENCY COMMENTS / AGENDA BRIEFING

Mr. Gugel briefed the Commission on upcoming meetings; October 17th at 9:30 am to hear one Council bill; and a Livable Frederick work session on October 31st at 9:00 am to Noon. He advised the members of an upcoming need for an evening meeting to hear a rezoning application for a solar floating zone. This will most likely be scheduled in December. He also reminded members of the MPCA conference on October 25th and 26th.

Mr. Hicks inquired about the Monocacy River Plan. Mr. Gugel responded that more than likely the recommended plan will not go before the current County Council; possibly after the first of the year, 2019.

5. ZONING TEXT AMENDMENTS

- a) Bill 18-22 Limited Food Waste Composting Public Hearing – To allow food waste compost processing, with certain conditions, for agricultural and commercial uses.

Staff Presentation:

Steve Horn, Division Director, Planning & Permitting

Public Comment:

None

Decision: Mr. Tressler made a motion to recommend Bill 18-22. Mr. Rensberger 2nd.

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

- b) Bill 18-24 Farm-based Craft Beverage Promotional Events Public Hearing – To amend Chapter 1-19 of the Frederick County Code to allow farm-based craft beverage promotional events.

Staff Presentation:

Steve Horn, Division Director, Planning and Permitting

Public Comment:

Trudy King
Mike Virtz
Nancy Virtz

Decision: Mr. Hicks made a motion to recommend Bill 18-24. Mr. Bowie 2nd.

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

6. PRELIMINARY PLAT

- a) Woodbourne Manor – The Applicant requested Preliminary Plan approval for 194, R-3 Residential single family lots and 3 Agriculturally-zoned lots on a 137.93-acre site. Located on the northeast quadrant of MD 180 (Jefferson Pike) and MD 383 (Broad Run Road). Tax Map: 84, Parcel: 120; Zoned: R-3 Residential and Agricultural (A); Planning Region: Brunswick
S962 (A/P#18621; APFO#18622; FRO#18623)

Staff Presentation:

Jerry Muir, Principal Planner

Applicant Presentation:

Noel Manalo, Miles & Stockbridge, on behalf of Jefferson Valley, LLC, Applicant; Jonathan Pembroke, Jeremy Holder, Ausherman Properties

Public Comment:

None

Decision: Mr. Rensberger made a motion to approve the Preliminary Plan based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. Tressler 2nd.

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

7. COMBINED PRELIMINARY / FINAL PLAT

a) Harding Farm, Section 3, Lots 1RA and 1RB – The Applicant requested Combined Preliminary/Final plat approval in order to subdivide the existing lot 1R (2.62-acres) into two lots; 1RA (1.61-acres) and 1RB (1.01-acres) Located at the Intersection of Spectrum and Holiday Drives

Tax Map: 77, Parcel 185; Zoned: General Commercial (GC); Planning Region: Frederick S538 (A/P#18726; APFO#18580)

Staff Presentation:

Jerry Muir, Principal Planner

Applicant Presentation:

Fran Zeller, Harris, Smariga and Associates; Robert Haddad, Love My Carwash

Public Comment:

None

Decision: Ms. Sepe made a motion to approve the Preliminary/Final Plat, including APFO approval with the conditions as listed in the staff report. Mr. Hicks 2nd.

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

8. SITE PLAN

a) Love My Car Wash-WAWA, Harding Farm, Section 3, Lot 1R – The Applicant requested Site Plan approval to establish a 5,740 s.f. carwash and detailing building. Located at the Intersection of Spectrum and Holiday Drives.

Tax Map: 77, Parcel: 185; Zoned: General Commercial (GC); Planning Region: Frederick SP-97-23 (A/P#18579)

Staff Presentation:

Jerry Muir, Principal Planner

Applicant Presentation:

Fran Zeller, Harris, Smariga and Associates; Robert Haddad, Love My Carwash

Public Comment:

None

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

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

9. SITE PLAN

- a) Intercoastal Industrial Center, Lot 2, Thacker Caskets – The Applicant requested Site Plan approval to develop a 41,072 s.f. warehouse/office on a 3.56-acre site. Located at the Intersection of Baldwin Road and Intercoastal Drive.
Tax Map: 88, Parcel: 196; Zoned: Light Industrial (LI); Planning Region: New Market SP-02-21 (A/P#18644)

Staff Presentation:

Jerry Muir, Principal Planner

Applicant Presentation:

David Lingg, Bill Scoto, Lingg Property Consulting; Mark Crissman, Daft, McCune, Walker, Inc.

Public Comment:

None

Decision: Mr. Tressler made a motion to approve the Site Development Plan with modifications and conditions as listed in the staff report. Ms. Suarez 2nd.

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

10. COMBINED PRELIMINARY / FINAL PLAT

- a) Econolodge, Lots 1 & 2 - The Applicant requested approval to subdivide a 3.03-acre parcel into 2 (two) lots. Located on Francis Scott Key Drive, east of MD 355, Urbana Pike.
Tax Map: 77, Parcel: 104; Zoned: General Commercial (GC); Planning Region: Frederick M3188 (A/P#17900; APFO#17898)

Staff Presentation:

Tim Goodfellow, Principal Planner

Applicant Presentation:

Jody Walker, Harris, Smariga & Associates; Mr. Luthra, Luthra Rupali & Havish Trustees, Applicant

Public Comment:

None

Decision: Mr. Rensberger made a motion to approve the Combined Preliminary/Final Plat including APFO approval, with conditions as listed in the staff report. Mr. Tressler 2nd.

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

11. SITE PLAN

- a) Econolodge - The Applicant requested Site Plan approval for replacement of an existing 34-room hotel with a new hotel containing 84 guest rooms. Located on Francis Scott Key Drive, east of MD 355, Urbana Pike.

Tax Map: 77, Parcel: 104; Zoned: General Commercial (GC); Planning Region: Frederick SP-86-44 (A/P#17897; APFO#17902; FRO#17899)

Staff Presentation:

Tim Goodfellow, Principal Planner

Applicant Presentation:

Jody Walker, Harris, Smariga and Associates; Mr. Luthra, Luthra Rupali & Havish Trustees, Applicant

Public Comment:

None

Decision: Ms. Sepe made a motion to approve the Site Development Plan with conditions as listed in the staff report including approval of the revised requested modifications, including a "No Left Turn" sign in the one-way parking lane and relocation of small loading space. Ms. Suarez 2nd.

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

12. SITE PLAN

- a) Crown Rose – The Applicant requested Site Development Plan approval for a 'Facility for Functions' and a Country Inn (per Special Exception B-15-16), and a Farm Brewery/Winery Tasting Room on a 75.7-acre site, pending listing on the National and County Registers of Historic Places. Located on the north side of MD 180 between Saint Marks Road and Petersville Road in Petersville.

Tax Map: 83, Parcel: 19; Zoned: Agricultural (A); Planning Region: Brunswick SP-16-12 (A/P#17085; APFO#17086; FRO#17087)

Staff Presentation:

Denis Superczynski, Principal Planner

Applicant Presentation:

Bill Brennan, B&R Design Group on behalf of Applicants; Todd Lehtonen, Tara Lehtonen

Public Comment:

Trudy King
Pastor Tamaro Hudson
Gary Coates
Nancy Virtz
Teresa Demarco

Rebuttal:

Bill Brennan, B&R Design Group

Decision: Mr. Hicks made a motion to approve the Site Development Plan with conditions and modifications as listed in the staff report. Ms. Suarez 2nd.

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

13. SITE PLAN

a) Dynamic Auto (New Market) – The Applicant requested Site Development Plan approval for a 5,400 s.f. Automotive Repair and Service Shop located on a 1.54-acre site. Located on the northwest corner of the intersection of Old National Pike and Mussetter Road near New Market.

Tax Map: 79, Parcel: 27; Zoned: General Commercial (GC); Planning Region: New Market SP-18-04 (A/P#18534; APFO#18365; FRO#18535; SWM#18584)

Staff Presentation:

Denis Superczynski, Principal Planner

Applicant Presentation:

Bill Brennan, B&R Design Group, on behalf of the Applicant, Bueso, Forman & Myers, LLC

Public Comment:


Jimmy Trout
Cindy Trout

Decision: Mr. Tressler made a motion to approve the Site Development Plan, including APFO approval, with conditions and modifications as listed in the staff report with amending motion to eliminate the words “applying for” in condition #4. Mr. Hicks 2nd.

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

In ending comments, Mr. Rensberger brought up the concerns expressed in two of today's items, of the growing likelihood of alcohol being served at satellite and remote, rural locations that typically are not well lit, or not in close proximity to emergency services. He inquired if there was a means to communicate these growing concerns to the County's legislative body. Mr. White suggested Mr. Rensberger draft a letter and bring it back before the Commission to approve. Mr. Hicks so moved with Mr. Tressler 2nd. The vote was unanimous in favor of the motion.

Meeting adjourned at 3: 50 pm
Respectfully Submitted,



Bob White, Chair

11/14/2018
Date