



FREDERICK COUNTY PLANNING COMMISSION  
WINCHESTER HALL, FREDERICK, MARYLAND 21701



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## MEETING SUMMARY

### Wednesday December 14, 2011

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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, PAGERS, 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 ANY PRESENTATION OR SPEAKERS.

PRIOR TO AN AGENDA ITEM BEING HEARD BY THE PLANNING COMMISSION, ANY INDIVIDUAL THAT WISHES TO SPEAK OR TESTIFY ON THE AGENDA ITEM WILL BE AND ASKED TO STAND AND BE SWORN IN. EACH INDIVIDUAL TESTIFYING WILL BE ASKED TO RAISE THEIR RIGHT HTHEN ASKED THE FOLLOWING, "DO YOU SOLEMNLY SWEAR OR AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE TESTIMONY YOU ARE ABOUT TO GIVE WILL BE THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?". ALL INDIVIDUALS TESTIFYING WILL THEN BE ASKED TO RESPOND IN THE AFFIRMATIVE OR "I DO" THEN TO BE SEATED.

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.

APPLICANTS, APPLICANTS' REPRESENTATIVES AND CITIZENS: PLEASE BE PREPARED TO SPEAK WITHIN THE TIME ALLOTTED BY THE PLANNING COMMISSION FOR THE AGENDA ITEM WHICH YOU WILL BE TESTIFYING ON. WHEN CALLED UPON, ALL SPEAKERS WILL BE ASKED TO ADDRESS THE PLANNING COMMISSION FROM THE PODIUM.

ANYONE PRESENTING MATERIAL (PHOTOGRAPHS, LETTERS, GRAPHS, CHARTS, ETC.) TO THE PLANNING COMMISSION AT A MEETING SHOULD PROVIDE A MINIMUM OF TEN (10) COPIES FOR DISTRIBUTION TO THE MEMBERS AND STAFF.

INDIVIDUALS REQUIRING SPECIAL ACCOMMODATIONS FOR THIS MEETING ARE REQUESTED TO CONTACT THE COUNTY MANAGER'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 MEETINGS

#### Planning Commission Meetings/Workshops

(1<sup>st</sup> Floor Hearing Room, Winchester Hall)

Board of Appeals-Thursday, December 15, 2011, Meeting @ 7:00 PM

#### *Contact*

*Development Review at 301-600-1134 for preliminary/final plats, and site plan items*

*- or -*

*Planning at 301-600-1138 for re-zonings, Ag-preservation, workshops, and public hearing agenda items*

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THE COMMISSION GENERALLY BREAKS FOR LUNCH AT 12:30 P.M. FOR MORNING/AFTERNOON SESSIONS AND FOR DINNER AT 5:30 P.M. FOR AFTERNOON/EVENING SESSIONS. HOWEVER, DEPENDING ON THE REMAINING AGENDA ITEMS SCHEDULED, THEY MAY MAKE A DETERMINATION TO CONTINUE HEARING ITEMS PRIOR TO TAKING A BREAK.



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ITEM	TIME	ACTION REQUESTED
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**9:30 A.M.**

1. **MINUTES** **APPROVAL**

November 9, 2011, CDD

**Decision:** Ms. Forrence made a motion to approve the minutes as corrected from the November 9, 2011 FcPc Meeting, 2nd Mr. Lawrence.

**Yea 6 Nay 0 Abstained 1 (Young) Absent 0**

November 16, 2011, CDD

**Decision:** Ms. Forrence made a motion to approve the minutes from the November 16, 2011 FcPc Meeting, 2nd Mr. White.

**Yea 6 Nay 0 Abstained 1(Young) Absent 0**

November 17, 2011, CDD

**Decision:** Ms. Forrence made a motion to approve the minutes as corrected from the November 17, 2011 FcPc Meeting, 2nd Mr. Lawrence.

**Yea 6 Nay 0 Abstained 1(Young) Absent 0**

2. **PLANNING COMMISSION COMMENTS** **INFORMATIONAL**

Mr. McClurkin and Mr. Floyd welcomed Commissioner Liaison Young to the planning commission.

Mr. Young thanked the planning commission and said he planned on being in attendance for the meetings.

3. **AGENCY COMMENTS/AGENDA BRIEFING** **INFORMATIONAL**

Eric Soter, Community Development Division Director-

- 1) New Market planning amendments update would come before them soon and it would be similar to the Brunswick planning amendments update.



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- 2) Compressive planning rezoning cases would be going before the BoCC sometime in January.
- 3) Delivery of the planning commission packets may need to be looked at for different delivery or pickup, currently we are mailing, and this may not be a good option with the post office changes and the local Frederick distribution center closing.

#### 4. PRELIMINARY PLAN

#### DECISION

- a) Preston-The applicant is requesting preliminary plan approval for 91 lots, consisting of 46 single-family detached, 33 townhouses, with 12 MPDU's on 46.41 acres. Located at the terminus of Preston Drive and Broad Branch Way off Baltimore Road. Zoned: R-3; Residential Use, New Market Planning Region. Tax Map 78 / Parcel 243 & 681. File: SP10-10, Site AP12052, APFO AP12053 & FRO AP12054, Tolson DeSa, Principal Planner.

**Decision:** Mr. White made a motion for approval of Preston with the site plan notes to be edited for currency and also approval is in accordance with 19B and the Staff's findings and recommendations, 2<sup>nd</sup> by Ms. Wolfe.

**Yea 5 Nay 2(Floyd/Forrence) Abstained 0 Absent 0**

#### 5. ADEQUATE PUBLIC FACILITIES

#### DECISION

- a) Main's Heights – Requesting APFO approval. Modified residential use from active adult limited to non-restrictive use for a 59-lot subdivision (30 single-family and 29 townhouses) on 16.7 acres, located west side Mains Lane, north side Bartonsville Road. Previously conditionally approved with the same housing typed mix by the FCPC on October 14, 2009. Tax Map 78 / Parcels 243 & 681; File: S002, APFO AP12056. Ron Burns, Traffic Engineer

**Decision:** Mr. White made a motion for approval of Main's Heights in accordance with the Staff's findings and recommendations, 2<sup>nd</sup> by Mr. Young.

**Yea 6 Nay 1(Floyd) Abstained 0 Absent 0**



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#### 6. SITE PLAN

#### DECISION

- a) [St. Joseph's Carrollton Manor Roman Catholic Congregation](#)- The applicant is requesting site plan approval for the construction of a 14,796 square foot new church sanctuary and associated uses located on a 21.87-acre parcel. Located along Manor Woods Road, west of New Design Road .Zoned: Agricultural (AG); Institutional Use, Adamstown Planning Region. Tax Map 94/ Parcel 45.  
File: SP95-53, Site AP12122, APFO AP12123, FRO AP12124. Tolson DeSa, Principal Planner

**Decision:** Mr. White made a motion for approval of [St. Joseph's Carrollton Manor Roman Catholic Congregation](#) in accordance with the Staff's findings and recommendations, 2<sup>nd</sup> by Mr. Lawrence.

**Yea 7 Nay 0 Abstained 0 Absent 0**

- b) [Kingsbrook Shopping Center: Giant Grocery Fuel Pumps](#)- The applicant is requesting site plan approval for a five-fuel pump facility with a 120 square foot kiosk and bathroom structure, located on a 15.22 acre pad site within the Kingsbrook Shopping Center. Located at the corner of New Design Road and Corporate Drive. Zoned: Planned Unit Development (PUD), Frederick Planning Region, Tax Map 86 / Parcel 55.  
File: SP89-20, Site AP11613, APFO AP11379 & FRO AP11614, Tolson DeSa, Principal Planner

**Decision:** Mr. White made a motion for approval of [Kingsbrook Shopping Center: Giant Grocery Fuel Pumps](#) in accordance with the Staff's findings and recommendations, 2<sup>nd</sup> by Ms. Forrence and additional condition added by Mr. Lawrence prior to site plan signature the Frederick County code 19-6-500 is meet.

**Yea 7 Nay 0 Abstained 0 Absent 0**



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- c) [Mount Saint Mary's Student Housing](#)- The applicant is requesting site plan approval to construct six student-housing buildings totaling 72,990 square feet. Each building will contain 35-36 beds for a total of 212 beds located on a 10.87-acre portion of the overall 454.18-acre tract. Located along St. Anthony Way, north of Motters Station Road. Zoned: Institutional (Ie), Thurmont Planning Region.  
Tax Map 8 / Parcel 48. File: SP84-22, Site AP12137, APFO AP12138, FRO AP12139, Tolson DeSa, Principal Planner

**Decision:** Mr. White made a motion for approval of [Mount Saint Mary's Student Housing](#) in accordance with the Staff's findings and recommendations, 2<sup>nd</sup> by Ms. Wolfe.

**Yea 7 Nay 0 Abstained 0 Absent 0**