

**MIDDLETOWN PLANNING COMMISSION**  
**31 West Main Street**  
**Middletown, Maryland**

**Regular Meeting**

**June 20, 2016**

The regular meeting of the Middletown Planning Commission took place on Monday, June 20, 2016 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present (quorum) were Commissioners Mark Carney (Chairman), Tom Catania (Ex-Officio), Bob Miller, David Lake and Bob Smart. Others present in official capacity: Commissioners Dixie Eichelberger (Alternate), Cindy Unangst (Staff Planner), and Annette Alberghini (Recording Secretary). Others present: Brad Ahalt (Frederick County Public School), Roger Fritz (Frederick County Public Schools), Fan Yang (applicant Richland Golf Club), and Jian Jun Sun (Jian Jan Sun Arch Studio).

**JUNE MONTHLY PLANNING COMMISSION MEETING:**

- I. PUBLIC COMMENT** – None.
- II. Regular Workshop Minutes of May 11, 2016** – Approved as submitted.  
**Regular Meeting Minutes of May 16, 2016** – Approved as submitted.

**III. PLAN REVIEW**

**Middletown School Complex Site Plan** – (Brad Ahalt and Roger Fritz (Frederick County Public Schools) were present.) This plan is for the proposed roadway improvements to Schoolhouse Drive and the Middletown School Campus, including widening a portion of Schoolhouse Drive, improving vehicular circulation with the separation of buses from passenger cars, sidewalk additions and improvements, additional lighting, signing improvements and the addition of stormwater management facilities.

While there is no regulation per the Town Code that specifies that the Planning Commission is to review roadway plans, the Town Administrator determined that the Planning Commission ought to review these plans for additional feedback from the Town’s point of view.

- **Lighting Plan** – Lighting fixture types and locations have not been determined at this phase. They will be addressed as part of the sidewalk plan within the Improvement Plan.
- **Landscape Plan** – The applicant must remove the proposed ash trees from the landscape plans and plant schedule as ash trees are no longer allowed to be planted within the County due to the emerald ash borer beetle infestations. The applicant agreed to remove the ash trees from the proposed plan.
- **Stormwater Management** – This project has received preliminary approval from Frederick County. It will go back for further review at the Improvement Plan stage.
- **Director of Public Works & Town Consulting Engineer Recommendations** - The plans have been provided to the Director of Public Works and to the Town Consulting Engineer for review. Comments and recommendations are forthcoming.
- **Parking** - The applicant reviewed the overall plan, including identifying where the additional ten (10) parking spaces are located. He stated that the identified School Administrator will ultimately determine where specifically identified spaces such as handicap spaces, principal parking spaces etc. will be located.

- **Other Questions or Suggestions** - It was suggested that lighting for the walkway from the new Middletown Glen development be considered as part of the plan. It was also suggested that new walkways from the new parking area and the elementary school be considered as an addition.

**Action:** Commissioner Lake recommended conceptual approval of the Middletown School Complex Site, with the incorporation of any comments and recommendations from the Director of Public Works and the Town Consulting Engineer, to the Town Board. Seconded by Commissioner Miller. Motion carried (5-0).

**Richland Driving Range Structure Site Plan** – (Fan Yang (applicant Richland Golf Club), and Jian Jun Sun (Jian Jan Sun Arch Studio) were present.) This plan is for the proposed two-story driving range structure to house golf carts, pro shop, bathrooms/locker rooms, offices, fitness center, conference room and covered driving range tees to be erected on the existing driving range located at 50 Glenbrook Drive. This property is zoned both GC General Commercial and OS Open Space. This structure would meet use requirements for both districts. The building meets all required setbacks and height requirements. The parcel has existing water and sewer in the existing clubhouse/restaurant building. Formal approval of stormwater management by Frederick County is still needed. Per Town Code, approval of the site plan shall expire three years after the Planning Commission approval date.

- **Lighting Plan** – Eight, 10-foot tall proposed light poles are shown on the drawing and recommended illumination levels are indicated. Further review will be required as part of the Improvement Plan.
- **Landscape Plan** – If any landscaping is proposed in conjunction with the driving range structure development, a landscape plan will need to be submitted and approved at the Improvement Plan stage.
- **Differences in Square Footage** – When asked about the differences in square footage on the plans, the architect stated that they reconfigured the building square footage excluding dead spaces and outdoor areas that were included in previous plans.
- **Old Pro Shop Area** – The current Pro Shop is proposed to become an office. If in the future the space is changed to something else that may require more parking, the applicant will have to come back before the Planning Commission for approval.
- **Parking** – The architect made the changes to the parking space colors on the plans as recommended from the workshop. The differences between required and reassigned parking totals on sheet G-04 was discussed. The reassigned parking total excluded the 22 spaces calculated for cart storage square footage and the 25 spaces calculated for the maintenance garage square footage. The applicant proposes 255 required spaces. Excluding cart storage and the maintenance garage square footage brings the required total to 250 spaces. The applicant was asked to correct the plans to reflect this. The applicant must still get approval from the Town to utilize the parking area that is currently located near the Town playing fields as over flow parking for the golf club. The applicant stated if approved that area will then be paved.
- **Facility Operations Study** – After reviewing the facility operations study of the project, the Planning Commission suggested the applicant revise the hours of operation for all areas shown to reflect a more realistic time frame of usage. This will help to alleviate any future “hours of operation” complaints that might arise.
- **Director of Public Work Comments:** The plans have been provided to the Director of Public Works for review. Comments and recommendations are forthcoming.
- **Other Questions or Suggestions** - It was recommended that a crosswalk and pathway be installed from the proposed lower parking lot to the existing upper parking lot across Glenbrook Drive. This can be shown on the Improvement Plan. It was asked if there was going to be a snack bar in the new building. The applicant stated it would be more of a waiting area with coffee. Any food would have to be ordered from the restaurant in the other building.

**Action:** Commissioner Smart motioned to conditionally approve the Richland Driving Range Structure Site Plan, conditional upon: submission to and approval from the Town Board regarding use of the town owned parking

near the Town playing fields as overflow parking for the golf club, incorporation of any comments and recommendations from the Director of Public Works, stormwater management approval by Frederick County, revision of the operation times for the venues to reflect a more accurate usage, addition on the plans of a crosswalk and pathway from the lower parking lot to the upper parking lot on Glenbrook Drive, and revising the required parking space totals reflected on sheet G-04 from 255 to 250. Seconded by Seconded by Commissioner Lake. Motion carried (5-0).

Note: With the approval of the Richland Driving Range Structure Site Plan, 47 parking spaces have been waived from the number of parking spaces required for the Richland Golf Driving Range.

**Nicholson Subdivision Plat** – (No one present for the applicant.) This is the proposed subdivision of the lot situated on Walnut Street, just west of the intersection of Walnut Street and US 40A into two lots. This lot is zoned TC Town Commercial. Its present use is residential and retail. Final plat requirements have been met, or will be met prior to recording. The minimum building restriction lines have been indicated on the plat with all setbacks and yard requirements noted. Lot 1 will be used for commercial purposes and meets the lot requirements for the TC district. The plat has been submitted to the County Health Department for review and approval. The following required note has been added: “Plans for community water and sewer systems and for a point of discharge have been approved by the Maryland State Department of the Environment. Facilities will be available to all lots and lots served by public water and sewer”. The plat was submitted to the SHA as a courtesy given the property nearly borders US Route 40A. Dedications will be made to the Town.

- **Approvals, Comments and Recommendations** - The Staff Planner recommends approval of the Nicholson, LLC Final Plat contingent on County agency approvals. The plat has been provided to the Director of Public Works and to the Town Consulting Engineer for review and comment.

**Action:** Commissioner Smart motioned to conditionally approve the Nicholson Subdivision Plat, conditional upon: successful County approvals, with the incorporation of any comments and recommendations from the Director of Public Works and the Town Consulting Engineer (ARRO). Seconded by Commissioner Miller. Motion carried (5-0).

#### **IV. ZONING**

**Town Commercial Off-Street Parking Text Amendment (17.20.010)** – The Zoning Administrator recommended creating a new subsection D to address off-street parking for residential uses in TC town commercial districts patterned after subsection J of 17.32.060 – Off-street parking requirements of the Town Code. Rather than create a new subsection, the Town Attorney and Staff Planner recommend amending 17.32.060 section J in the following areas: Amend the section J title to read “Off-Street Parking in Residential Districts and for Residential Use Property in the TC (Town Commercial) District.” Section J, subsection 1 would be amended to read, “This subsection applies to any property located in a residential zoning district and to any property used for residential purposes in the TC (Town Commercial) District.” A new Section J, subsection 2 would be added to read, “The parking and storage of not more than one unregistered or inoperative vehicle is permitted provided that such a vehicle is effectively screened from adjoining properties.” The following subsections within this section would be renumbered accordingly. This suggestion is more consistent with the format of the rest of the Town Code since there is already a section in 17.20 regarding off-street parking and that section refers to Chapter 17.32.

**Action:** Commissioner Miller motioned to approve the recommended changes suggested by the Town Attorney and the Staff Planner to section 17.20.010 Town Commercial Off-Street Parking Text Amendment and to send these changes to the Town Board for formal approval. Seconded by Commissioner Lake. Motion carried (4-0-1). Commissioner Catania abstained.

**Storage Containers Text Amendment (17.32.045)** - In review of the storage containers text amendment (17.32.045) it was recommended by the Zoning Administrator, the Staff Planner and the Town Attorney to get rid

of subsection E as it is redundant, as the same information is covered in another section of the Town Code (17.08.110). The recommendation was also made to change the approving authority for storage and disposal containers from the Planning Commission to the Zoning Administrator. It was recommended to add the definition of a disposal container to section 17.04.030 under definitions. The proposed definition for a disposal container is: a dumpster or similar object which is used to hold waste or debris and includes containers such as a Bagster Bag (dumpster in a bag).

**Action:** Commissioner Lake motioned to approve the recommended changes to the storage containers text amendment and to send these changes to the Town Board for formal approval. Seconded by Commissioner Smart. Motion carried (4-0-1). Commissioner Catania abstained.

**Outdoor Lighting Regulations Text Amendment** - The Town Attorney questioned the need for establishing an outdoor lighting section within the design guidelines of the Town Code. He suggested that it be placed under the subdivision guidelines. He cautioned against becoming too restrictive or controlling with outdoor lighting in residential areas. The Town Attorney will draft a document for the Planning Commission to review. This item will be tabled until the document is received as there are many considerations to take into account.

**V. MISCELLANEOUS –**

**Amend Planning Commission’s Rules of Procedure** – The staff planner indicated the final changes made to the document from discussions at previous meetings and workshops.

**Action:** Commissioner Lake motioned to approve the Planning Commission’s Rules of Procedure with the changes. Seconded by Commissioner Smart. Motion carried (5-0).

The Staff Planner will have a final copy for the Planning Commission Chair to sign.

**VI. ADDITIONAL PUBLIC COMMENT – None.**

**Meeting adjourned at 8:42pm.**

Respectfully submitted,

Annette Alberghini  
Recording Secretary