

# MIDDLETOWN PLANNING COMMISSION

Middletown Municipal Center  
31 West Main Street  
Middletown, MD 21769

AGENDA  
Monday, November 20, 2017  
7:00 p.m.

- I. Public Comment
- II. Minutes of October 2017 Planning Commission workshop Approval
- Minutes of October 2017 Planning Commission meeting Approval
- III. Plan Review
- Richland Golf Club Driving Range Revised Site Plan Review/Approval
- IV. Zoning
- V. Miscellaneous
- VI. Additional Public Comment

**\*\* All requests to be on the Planning Commission agenda must be received at the Middletown Municipal Center, 31 W. Main Street, Middletown by 4:00pm on the Monday two weeks prior to the monthly meeting held on the third Monday of each month. All plans being submitted for review must be folded, and an electronic plan is required as well.**

Maryland law and the Planning Commission's Rules of Procedure regarding ex parte communications require all discussion, review, and consideration of the Commission's business take place only during the Commission's consideration of the item at a scheduled meeting. Telephone calls and meetings with Commission members in advance of the meeting are not permitted. Written communications will be directed to appropriate staff members for response and included in briefing materials for all members of the Commission.

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

**Workshop**

**October 11, 2017**

The regular workshop of the Middletown Planning Commission took place on Wednesday, October 11, 2017 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present (quorum) were Commission members Mark Carney (Chairman), Bob Miller, David Lake, Rich Gallagher, Meredith McKittrick and Dixie Eichelberger. Others present in official capacity: Cindy Unangst (Staff Planner). Other applicants present: Bill Williams (Williams Demolition Plan), Ann Miller and Geoff Ciniero (Miller Property Lighting Plan).

**OCTOBER MONTHLY PLANNING COMMISSION WORKSHOP:**

**PLAN REVIEW** –

**Williams Chicken-Coop Demolition Plan** – Cindy went thru her staff report which gave all the relevant information for the chicken-coop demolition proposal. Mr. Williams was told that he need not be present for the Monday PC meeting since the commission members have all the material they need to make a decision.

**Miller Property Revised Lighting Plan** – Cindy went thru her staff report noting that the minutes from the last conditional approval of the plans for the property were included in the report. She went through the revisions on the revised plans. There was discussion about whether the proposed lighting would be enough in the parking area on the east side of the property. Ms. Miller indicated that area could be used for employee parking. There was discussion as well about existing lighting along East Main Street. Mr. Ciniero talked about the proposed change to the lighting in the parking lot/stormwater management area and the existing lighting from the spot lights and porch lights on the existing warehouse/office building.

**ZONING** – Chairman Carney asked the commission members whether they thought that there should be a discussion at the upcoming joint town board/planning commission workshop about the definition of ‘family’ currently in use in the Municipal Code. It was agreed that it should be added to the agenda. The issue of the change in zoning of the Kessner property was also discussed.

**Workshop adjourned at 7:45pm.**

Respectfully submitted,

Cynthia K. Unangst, AICP  
Middletown Staff Planner

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

**Regular Meeting**

**October 16, 2017**

The regular meeting of the Middletown Planning Commission took place on Monday, October 16, 2017 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present (quorum) were Commission Chairman Mark Carney, Commissioner Tom Catania (Ex-Officio), Commission members Bob Miller, David Lake, Dixie Eichelberger and Meredith McKittrick (Temp. Alternate). Others present in official capacity: Cindy Unangst (Staff Planner) and Annette Alberghini (Recording Secretary). Others present: Ann Miller (property owner) and Geoffrey Ciniero (C.M.S. Associates).

**OCTOBER MONTHLY PLANNING COMMISSION MEETING:**

**I. PUBLIC COMMENT** – None

**II. Regular Workshop Minutes of August 16, 2017** – Approved as submitted.

**Regular Meeting Minutes of August 21, 2017** – Approved as submitted.

**III. PLAN REVIEW**

**Williams Chicken-Coop Demolition Plan** – (Bill Williams (property owner) not present). This is the proposed removal of an existing 11' x 22' chicken coop at the center of the property at 19 East Main Street. All the requirements of Section 17.32.160 of the Town Code have been met. Adjacent property owners have been notified and the property has been posted. Demolition will be performed by Donald Dickensheets, Myersville, Maryland, and is expected to take no more than 30 days once begun. No explosive or incendiary device will be used. There are no water or sewer connections to the building, and no hazardous materials are present. Once demolished, the site will be seeded. A demolition permit must be obtained from the County prior to the demolition. All demolition and post demolition restoration shall be completed within ninety (90) days of issuance of a demolition permit unless otherwise approved by the Middletown Planning Commission.

**Action:** Commission Member Lake motioned to approve the Williams Chicken-Coop Demolition Plan as submitted. Seconded by Commission Member Miller. Motion carried (4-0).

**Miller Property Revised Lighting Plan** – (Ann Miller (property owner), Geoffrey Ciniero (C.M.S. Associates, the developer), present). This is the proposed re-development of existing buildings in phases into new retail and/or restaurant uses. This revised lighting plan is for Phase III of the re-development project which includes the renovation of the existing main building, construction of a new brick patio in front of the existing building, installation of a new stormwater facility and associated piping, and construction of new grassed islands around the stormwater facility and building. The property is located at 121 and 203 East Main Street. The Improvement Plans were conditionally approved by the Planning Commission in June 2017. The Planning Commission reviewed the Lighting Plan and Architectural Renderings for the Miller property in August 2017. The Staff Planner briefly reviewed the draft minutes from the August 2017 Planning Commission meeting.

- **Lighting Plan Revisions** – The revised lighting plan shows that the previously proposed eight pathway-type lights around the stormwater facility and parking area have been replaced with three antique pole lights which are to be 8 feet tall. The lower pathway-type lights were determined to not be adequate to light the parking area when cars are parked in that area. An additional goose-neck light has been added on the west side of the proposed market building and

some of the other eight goose-neck lights have slightly shifted from the previously proposed locations for better lighting coverage. Additional foot-candle measurements are now being shown for the existing lighting on the site. Also shown on Sheet LT-2 is a photo of what the proposed step lighting will look like. A total of 14 step lights is proposed with one on each side of each step and two on each side at the upper and lower landings.

- **Lighting Entering the Property from Main Street** – The revised lighting plans show zero-foot candles when entering the east and west side of the property from Main Street. Existing off-property lighting, not shown on the lighting plan, includes a street light located directly across Main Street from the property, and a light located near the property line on the gas station property adjacent to the site. The Planning Commission determined that existing lighting is satisfactory for the entrance into the front of the property from Main Street.

**Action:** Commission Member Miller motioned to approve the Miller Property Lighting Plan as presented. Seconded by Commission Member Eichelberger. Motion carried (4-0). The property owner was reminded that if there are any changes to the lighting plan, the Planning Commission must be notified.

#### IV. ZONING

**Asian Café (7 N. Church Street) – Flashing Business Sign** – Planning Commission members have noted that the “open” sign at the Asian Café is flashing. It is in violation of Town Code. The Commission has asked that the Zoning Administrator be notified.

**Town Cleaners (813 E. Main Street) – Flashing Business Sign** - Planning Commission members have noted that the “open” sign at Town Cleaners is flashing. It is in violation of Town Code. The Commission has asked that the Zoning Administrator be notified.

#### V. MISCELLANEOUS

**Joint Town Board/Planning Commission Meeting** – The next joint Town Board/Planning Commission meeting is scheduled for Monday, November 6, 2017 at 6:30pm. It was suggested that the following items be discussed: 1. The definition of Family in the Town Code and its’ impact on single family dwellings, 2. Air Beds and Breakfasts (Airbnbs) within the Town limits, and 3. The resident notification process when districts are rezoned/changed.

**Richland Driving Range** – The Staff Planner noted that she has a scheduled meeting with the architect of the Richland Golf Course Driving Range structure to discuss the proposed Driving Range. The Site Plan was conditionally approved June 2016. Improvement Plans have not been submitted.

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

**Meeting adjourned at 7:33pm.**

Respectfully submitted,

Annette Alberghini  
Recording Secretary

# Middletown Planning Office

## MEMORANDUM

Date: 11/17/2017

Hansen# 16498

To: Middletown Planning Commission

From: Cynthia K. Unangst, Middletown Staff Planner

RE: **REVISED RICHLAND DRIVING RANGE SITE PLAN**

Tax Map Parcel #03-164004

Applicant: Fan Yang, General Manager, Richland Golf Course

Jian Jun Sun, Studio SKG

Property Owner: Richland Development LLC

Plan Dated: November 6, 2017

Date Received: November 6, 2017

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### GENERAL INFORMATION

Proposal: Driving range structure to house golf carts, pro shop, bathrooms/locker rooms, offices and covered driving range tees

Location: 50 Glenbrook Drive

Zoning: GC General Commercial. This district permits commercial recreation, retail sales, restaurants, and office and business services.

OS Open Space. This district permits golf courses and those accessory uses commonly associated with them.

Present Use: Driving range

### COMMENTS

The following issues should be considered in your review of this Revised Site Plan:

1. **Previous review** – The Planning Commission reviewed the Richland Driving Range Structure Site Plan in June 2016. The minutes from that meeting are provided here for your consideration:

**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.

2. **Use** – The proposed one-story accessory building would be used for offices, a small pro shop area, bathrooms/locker rooms, golf cart storage and heated driving range stalls. The concept plan had indicated a small café area which is not included in the Site Plan.
3. **Changes to plans** – This revised site plan proposal shows the building to be one story instead of two stories (and a basement) with a gross building area of 17,678 square feet (previously proposed 15,280 square feet). Previously, the building was to be about 190 feet in length and 62 feet in width, but now is proposed to be 220 feet long and almost 93 feet in width, so much larger footprint than formerly proposed. A crosswalk and pathway are now shown from the proposed lower parking lot to the existing upper parking lot across Glenbrook Drive. The hours of operation (Site Plan note #13 on Sheet G-01) has been changed from 7:30am to 7:00am starting time.
4. **Lot requirements and building regulations**– The proposed 17,678 square foot building would meet the parcel lot requirements. The dimensions shown on Sheet A01 and A06 do not match. The drawings should be revised, or clarified, so that the correct dimensions are shown. Also, Sheet A06 indicates that the height of the building is 32 feet, but that does not match the height of the building shown on Sheet A03. The drawings and text should indicate the total height of the building, along with the average height of the highest roof surface, and how the required setback would be met. In the general commercial district, no building shall exceed thirty-five feet in height (Section 17.20.030); in the open space district, for structures higher than twenty-five feet, the yard requirements are such that between the foundation and the nearest lot line, a distance of 2.5 times the height of the structure shall be maintained (Section 17.28.040B). According to the definition of ‘building height’ in the definitions section of the Zoning Code (Section 17.04.030), “height of building” means the vertical distance from grade plane to the average height of the highest roof surface. As used in the definition, “grade plane” means a reference plane representing the average of finished ground level adjoining the building at exterior walls. The applicant has shown on Sheet A06 that the distance from the building to the lot line is 250-feet which should meet the yard requirement for the open space district.
5. **Parking requirements** – Under the off-street parking regulations in Section 17.32.060, the parking spaces needed would be one per 150 square feet of gross floor area for retail shop, one per 100 square feet for recreational establishments and one per 300 square feet of gross floor area for offices and general commercial. Given those numbers and the uses proposed, this could mean a minimum of 104 spaces needed (7 for the pro shop, 2 for the offices, 58 for the recreational establishment aspect of the facility, 17 for the cart storage area and 20 for general commercial). There are 14 proposed heated stalls and 2 proposed VIP stalls for the driving range (previously the site plan showed 32 stalls and 4 VIP stalls); over 5,000 (6,500 in previous site plan) square feet is proposed for the golf cart storage area. The previous site plan would have required 141 proposed parking spaces. The Planning Commission waived 47 parking spaces (22 cart storage, 25 maintenance garage) for the previously approved plan. This revised plan is asking for a waiver of 42 spaces (17 cart storage, 25 maintenance garage). There are some discrepancies on the parking tabulation chart regarding the square footage columns and the required parking

and proposed parking columns that should be revised, but what it comes down to is a required parking number of 248, a waiver of 42 spaces, and 255 spaces are shown on the plans on Sheet G-04.

The color-coding in the parking legend for the reassigned parking in the parking tabulation seems to have the wrong colors for the clubhouse and the driving range. Those colors should be reversed. The Burgess and Commissioners have given approval to allow Richland Golf Club permission to use the Town parking lot adjacent to the maintenance facility for parking for the proposed driving range structure provided that the parking lot is paved and striped. (See attached letter dated July 19, 2016)

6. **Stormwater management approval by Frederick County** – Per correspondence with Frederick County on April 26, 2016, the stormwater management concept plan was reviewed and looked good. Given the new proposed square-footage of the building, the stormwater management plan will need to be reviewed again by Frederick County.
7. **Lighting plan** – The revised plan (Sheet G-02) shows an additional proposed light pole on the south-east side of the proposed building; originally, eight proposed light poles were shown on the plans and Sheet G-07 indicates that the mounting height of the poles will be 10-feet and the recommended illumination levels are also indicated. For the Improvement Plan review, it would be helpful to have a photometric plan included that shows the foot-candle measurements within the area to be developed. The quantity number on Sheet G-07 will need to be revised as well.
8. **Facility operation study** – There is a chart on Sheet G-04 entitled Facility Operation Study. Staff questions the hours shown for banquets. Also, the remarks from the owner concerning the proposed driving range indicate that the golf course operation time is scheduled as 7am – 2pm, whereas 7am-9pm is shown under the operation time. The chart should be revised accordingly.
9. **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.
10. **Water and Sewer requirements** – The parcel has existing water and sewer in the existing clubhouse/restaurant building.
11. **Pro shop relocation – change of use** – It would be helpful to the Planning Commission and the applicant if the change of use within the existing clubhouse is reviewed by the Planning Commission at the same time as the Site Plan for the proposed driving range structure. If the pro shop and offices are relocating from the existing building to a new building, the applicant will need to submit a change of use permit application for whatever use will be occupying the space currently used for the pro shop and offices. If the new use(s) is a change in intensity and/or would require a change in off-street parking requirements, it (they) would need to be reviewed and approved by the Planning Commission.

12. **Expiration of site plan** – Per Section 17.32.250 of the Town Code, approval of a site plan shall expire three years after the date on which the Planning Commission approves the site plan unless construction has begun. Upon written request submitted to the Planning Commission no later than one month prior to the expiration date, and for good cause shown by the applicant, a one-time extension for a period not to exceed six months may be granted by the Planning Commission. Extension of the site plan may be granted by the Planning Commission for delays attributable to town, county or state agencies.
13. **Review by Town Engineer, Bruce Carbaugh** – The plans have been provided to the town engineer for review.
14. **County review** – The site plan has been routed and reviewed by these County agencies.
- Office of Life Safety – approved - 5/20/2016
  - Development Review, Engineering – denied - 5/24/2016

### **RECOMMENDATION**

**Staff recommends that revisions to the plans be made in accordance with statements made in the staff report, as well as to be contingent on County agency approvals and any comments that the Town Engineer might have.**

This review will be included in the Middletown Planning Commission materials for the November 20, 2017 public meeting. The applicant is encouraged to attend this meeting and the workshop on the Wednesday prior to the meeting which will be November 15, 2017.

cc: Fan Yang, Owner  
Jian Jun Sun, applicant

John D. Miller  
*Burgess*

*Commissioners*  
Larry K. Bussard  
Thomas S. Catania  
Richard L. Dietrick  
Jennifer J. Falcinelli  
Christopher I. Goodman

*Middletown*  
Founded in 1767



July 19, 2016

Richland Golf Club  
50 Glenbrook Drive  
Middletown, MD 21769

**RE: AUXILARY PARKING**

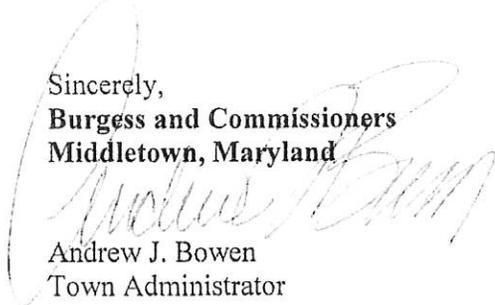
Dear Richland Golf Club:

The Burgess and Commissioners would be willing to allow Richland Golf Club to use the Town parking lot adjacent to your maintenance facility for parking for the new driving range structure. The Town Board would recommend a Memorandum of Understanding (MOU) or a lease for use of the facility with the following conditions:

1. Richland Golf Club would pave the parking lot and stripe it for parking;
2. Richland Golf Club would be responsible for all maintenance of the parking lot during the terms of the MOU or lease, which will be determined at a later date.

If these conditions are acceptable to you, please contact me at 301.371.6171 to work out the details of the MOU or lease that would acceptable to you. If you should have any questions or need additional information, please do not hesitate to contact me.

Sincerely,  
**Burgess and Commissioners**  
**Middletown, Maryland**

  
Andrew J. Bowen  
Town Administrator

CC: File  
Cindy Unangst, Staff Planner

**Town of Middletown Planning Department**

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 11/9/2017

RE: Monthly Planning Update - November

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**Major Subdivisions:**

**Middletown Glen** - Preliminary plans signed – May 29, 2013  
Improvement plans conditionally approved – October 16, 2013  
Final Plats conditionally approved – November 17, 2014  
Plats 1 & 2 recorded at Courthouse – May 17, 2016  
FRO planting at Remsberg Park completed – February 2017  
Plat 3 recorded at Courthouse – March 1, 2017  
**Plat 4 submitted for recordation at the Courthouse – November 1, 2017**  
**Next step – record additional final plat**

**Site Plans, Plats and Minor Subdivisions:**

**Cross Stone Commons** – Final FRO Plan approved – May 19, 2014  
Revised Site Plan conditionally approved – October 20, 2014  
Improvement Plans conditionally approved – March 16, 2015 (Plans expire 3/16/2018)  
**Next step – submit architectural renderings for buildings #2 and 4 for review/approval**

**Fire Station** – BOA approved height variance request - October 20, 2016  
Revised Site Plan conditionally approved – October 17, 2016 (Plans expire 10/17/19)  
Improvement Plans conditionally approved – December 19, 2016 (Plans expire 12/19/19)  
Final plat recorded at Courthouse – February 7, 2017  
Improvement Plan mylars signed – May 30, 2017  
Building permit conditionally approved – June 29, 2017

**Franklin Commons** - Site Plan conditionally approved – January 19, 2015 (Plans expire 1/19/2018)  
FRO plan conditionally approved – January 19, 2015  
Improvement Plans conditionally approved – Sept. 21, 2015 (Plans expire 9/21/2018)  
Improvement Plan mylars signed – January 4, 2016  
**Next step – submittal of PWAs for approval and apply for building and grading permits**

**Caroline's View/Horman Apartments**- Site Plan approved – April 21, 2008 (no sunset provisions prior to November 14, 2010)  
Improvement Plans conditionally approved – May 17, 2010 (no sunset provisions prior to 11/10)  
Revised Improvement Plan mylars signed – July 21, 2017  
**Next step – submittal of PWAs for approval and apply for building and grading permits**

**Jiffas** – Site Improvement Plan conditionally approved – October 20, 2008 (no sunset provisions prior to November 14, 2010)

Forest Conservation Plan approved – October 20, 2008

Architectural plans approved by PC – March 16, 2015

BOA hearing for variance requests (approval received) – March 29, 2016 (**Expired 3/29/17**)

SWM plans submitted to SCD and Frederick County – December 5, 2016

**Next step – apply for variance requests for siting of duplex building**

**Miller (Ingalls)** – Concept and Phase I & II Plan approved & signed – September 27, 2010

Revised Concept Plan reviewed by PC – September 16, 2013

Site plan conditionally approved by PC – July 20, 2015 (Plans expire July 20, 2018)

Improvement plans conditionally approved by PC – June 19, 2017

**Revised Lighting plan approved – October 16, 2017**

**Next step – submittal of PWAs for approval and apply for building and grading permits**

**Richland Driving Range** – Concept plan reviewed by PC – January 18, 2016

Site Plan conditionally approved by PC – June 20, 2016 (Plans expire June 20, 2019)

**Revised Site Plan submitted for review and approval – November 6, 2017**

**Next step – submit improvement plans for review/approval**

**School Complex roadway plans** – Improvement plans and FCP plans reviewed and approved by Town Board – May 8, 2017

(informed in June 2017 that funding was not approved for project)

SWM plans re-submitted to Frederick County and SCD for review/approval – 8/3/17

#### **Annexations:**

**A.C. Jets Property-** PC approval of annexation petition of 35.96 acres – December 21, 2009

Public hearing date - Monday, October 11, 2010

Annexation petition denied by Town Board – October 11, 2010

**Admar Property** – annexation petition sent to PC by Town Board – January 9, 2017

PC approval of consistency with zoning/comp plan – February 20, 2017

#### **Text Amendments:**

#### **Reports:**

**Grants:** MEA Smart Energy Communities grant application – award granted – May 2017

**Meetings:** Next Middletown Green Team Meeting – November 15, 2017

**Next Joint town board/planning commission workshop –**