

THE CITY OF FREDERICK
MAYOR AND BOARD OF ADLERMEN

RESOLUTION NO: 15-21

A RESOLUTION concerning

Master Plan PC14-1041MU for 1705 North Market Street

WHEREAS, § 401 of the City's Land Management Code (LMC) establishes the MU-2 zoning district as a floating zone that permits the development of mixed-use communities pursuant to a master plan; and

WHEREAS, in accordance with LMC § 417, approval to apply the MU-2 zoning district to a particular property requires a conditional rezoning of that property in accordance with LMC §307 and approval of a master plan in accordance with LMC § 310; and

WHEREAS, in accordance with LMC § 310, the Board of Aldermen shall consider a proposed master plan along with a rezoning application and approve, approve with modifications, or deny the master plan; and

WHEREAS, on December 30, 2014, Catocin Overlook LLC applied for a zoning map amendment to rezone the property known as 1705 North Market Street (the "Property") to the Mixed Use (MU-2) Floating Zone, accompanied by a master plan application (the "Application") as required by LMC § 417; and

WHEREAS, the Planning Commission held duly advertised public hearings on the Application on June 8, 2015 and July 13, 2015; and

WHEREAS, on October 1, 2015, the Board of Aldermen enacted an ordinance to rezone the Property to the MU-2 floating zone; and

WHEREAS, on October 1, 2015, the Board of Aldermen held a duly advertised public hearing on the Application; and

WHEREAS, the Board of Aldermen find that Master Plan PC14-1041MU complies with the standards established in LMC §§ 310, 417, and 1115, is consistent with the goals and objectives of the 2010 Comprehensive Plan, and meets all other applicable requirements.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of The City of Frederick that Master Plan PC14-1041MU, attached hereto as Exhibit A and incorporated herein by this reference, is hereby approved with the following conditions:

(1) The property owner shall record a MPDU Payment Agreement meeting the requirements of Frederick City Code § 19-6.1 in the Land Records of Frederick County; and

(2) The property owner shall correct the Urban Design elements listed on the Master Plan to comply with Section 604(c)(3) to be identified in the architectural elevations/design booklet.

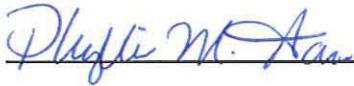
AND BE IT FURTHER RESOVLED by the Board of Aldermen that the following modifications are hereby approved for Master Plan PC14-1041MU:

1. A modification to Section 417(c)(1)-- Table 417-2, *Setback for Principal Buildings*
2. A modification to Section 601(f)(2)-- Table 601-2, *Separation Standards*

AND BE IT FURTHER RESOVLED that this Resolution shall take effect on October 11, 2015.

ADOPTED AND APPROVED THIS 1st DAY OF OCTOBER, 2015

WITNESS





Randy McClement, Mayor

Approved for Legal Sufficiency:



City Attorney

