

Planning Commission Hearing Minutes

Date: February 10, 2020

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Barbara Nicklas – Chair Ron Burns – Vice Chair Kelly Russell – Alderman & Secretary Joan Strawson Dorothy Menelas Patrick Campbell- Alternate Member		Gabrielle Collard, Division Manager of Current Planning Scott Waxter, Assistant City Attorney Marshall Brown, City Planner Jessica Murphy, Administrative Assistant Cherian Eapen, City Traffic Engineer

I. CALL TO ORDER:

II. ANNOUNCEMENTS:

Ms. Collard made the following announcements about upcoming events and opportunities:

- Materials for the Tuesday, February 18, 2020 Planning Commission Workshop are available online.
- The City of Frederick Planning Commission will host its third special workshop to continue the drafting of the 2020 Comprehensive Plan. The plan, which is being informed by public input from two questionnaires and stakeholder and community meetings, guides how The City of Frederick will develop. The purpose of the workshops is to discuss the draft plan and accept public comment. All meetings will be held at The City of Frederick Municipal Office Annex (Conference Room C) at 140 West Patrick Street, Frederick MD 21701.

Planning Commission Special Workshop 3

Date: Saturday, February 15, 2020

Time: 1:00 P.M. – 5:00 P.M.

Agenda:

- Community Character and Urban Design
- Housing
- Economic Development
- Recreation
- Fiscal
- Implementation

III. APPROVAL OF MINUTES:

Approval of the **January 13, 2020** Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Burns

SECOND: Commissioner Strawson

VOTE: 5-0.

Approval of the **January 21, 2020** Planning Commission Workshop Meeting Minutes as amended:

MOTION: Commissioner Strawson

SECOND: Commissioner Menelas

VOTE: 5-0.

Approval of the **February 7, 2020** Pre-Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Menelas

SECOND: Commissioner Burns

VOTE: 4-0. (Commissioner Strawson abstained)

IV. PUBLIC HEARING-CONSENT ITEMS:

(All matters included under the Consent Agenda are routine by the Planning Commission. They will be enacted by one motion in the form listed below, without separate discussion of each item, unless any person present – Planning Commissioner, Planning Staff or citizen -- requests an item or items to be removed from the Consent Agenda. Any item removed from the Consent Agenda will be considered separately at the end of the Consent Agenda. If you would like any of the items below considered separately, please say so when the Planning Commission Chairman announces the Consent Agenda.)

V. CONTINUANCES: None

VI. MISCELLANEOUS:

A. FY2021-2026 Capital Improvement Program

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns motioned to re-open the case for discussion and to make a new motion in order to clarify his prior recommendation that was made at the January 13, 2020 Hearing.

SECOND: Commissioner Strawson

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns motioned to send a recommendation to the Mayor and Board regarding the FY2021-2026 Capital Improvement Program for the following items:

- Provide continued support and funding for CIP Project #210009, the New Police Headquarters, and for CIP Project #380416 the Conference Center Parking Facility.
- Add a new project to the CIP for FY2021-2026 for the Monocacy Blvd/MD Route 26 interchange for a conceptual design for the interchange.
- Establish an East Street Improvement CIP that incorporates elements advocated for by the East Street Corridor Small Area Plan including, sidewalks, lighting, and street furniture in areas where missing or inadequate as well as addressing pedestrian crossings at prominent intersections.
- Add a new project to the CIP for FY2021-2026 for a connection between East Street and Church Street via either 6th or 7th Street extended as well as a connection to Pine Avenue.
- Provide future funding in the CIP for FY2021-2026 for the completion of all phases of the Rails with Trails improvements.

In addition, the Commission supports the recommendations of the Bicycle Pedestrian Advisory Committee (BPAC) as stated in their letter dated January 7, 2020 and the Sustainability Committee as stated in their letter dated January 6, 2020.

SECOND: Alderman Russell

VOTE: 5-0.

VII. OLD BUSINESS:

**** Case PC19-659MU, Master Plan, Monocacy Center, continued to the February 10th meeting has been withdrawn by the Applicant. ****

VIII. NEW BUSINESS:

B. PC19-283FSI, Final Site Plan, Frederick Memorial Hospital

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved for approval of a modification to Section 607, Parking and Loading Standards, in accordance with Section 607(d)(2) to allow for 26 offsite parking spaces to be calculated towards the minimum parking requirement finding that:

1. The proposed offsite parking lot is approximately 600' from the Property;
2. The offsite parking accounts for only 1% of the parking requirement for the hospital;
3. The offsite parking lot is not committed to other approved uses; and
4. The offsite parking is in the same ownership as the use being served and therefore, no easement is required;
5. That the loss of the committed spaces will void the zoning certificate for the addition.

And finding that:

1. The modification will not be contrary to the purpose and intent of the Code as the Applicant is providing the total number of spaces required for the site;
2. The modification is consistent with policies of the Land Use and Economic Development elements of the 2010 Comprehensive Plan; and
3. The provision of offsite parking serves as compensating design features so as to meet the overall objectives of the particular requirement

SECOND: Commissioner Strawson

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the final site plan for Frederick Memorial Hospital at 400 W. 7th Street finding that the plan complies with all of the applicable criteria of Articles 4, 5, 6, 7, 8 and 12 of the LMC, that it is consistent with the 2010 Comprehensive Plan, and that the site will be adequately served by public facilities with the following conditions:

- 1) The modification note on Sheet 2 of 7 must be revised to indicate the date of approval.

SECOND: Commissioner Menelas

VOTE: 5-0.

C. PC19-985FSI, Final Site Plan, South Street Centre

Grant Saller of 105 W. South Street has concerns about parking on W. South Street as there is already limited parking and it can be dangerous. Mr. Saller asks that the City consider adding resident parking.

William Wood owner of the Woodlawn Center offered explanation as to why there is not parking on Broadway Street due to it being a hazard.

Sharon Edelstein of 219 S. Market supports the project and would like the City to increase parking.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the Staff recommends approval of a modification to LMC Section 607(e)(2)(d), entitled Parking Area Lighting, as documented in the staff report and in the Applicant's justification statement, finding that:

1. The modification will not be contrary to the purpose and intent of the Code;
2. The modification is consistent with the Comprehensive Plan; and
3. The application includes compensating design or architectural features so as to meet overall objectives of the particular requirement.

SECOND: Commissioner Menelas

VOTE: 5-0.

MOTION: Commissioner Burns moved for approval of the final site plan for the South Street Centre, PC19-985FSI, finding that the site plan complies with all of the applicable criteria of Articles 3, 4, 5, 6, 8 and 12 of the LMC, the 2010 Comprehensive Plan, APFO and that the site will be adequately served by public facilities, with the following conditions:

1. Note Son Sheet 1 of 7 be revised to indicate that the Moderately Price Dwelling Unit (MPDU) agreement will be executed prior to building permit application.
2. That the last sentence of Note 2 on the Landscaping Plan be revised as such: "A modification to this requirement may be requested from the Planning Commission for approval in a future public hearing if result of the design and cost estimation is unable to reach the 1% landscaping contribution threshold required by the LMC."
3. The Applicant must submit the payment of the fee-in-lieu of parkland dedication totaling \$144,000.
4. A note must be added to the plan referencing the modification requested and the approval date.
5. Note Kon Sheet 1 of7 be revised to reflect the completed APFO tests and indicate the dates of issuance of the APFO certificates.

SECOND: Commissioner Menelas

VOTE: 5-0.

D. PC19-986FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, South Street Centre

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the modification to Section 721 (d)(2) of the LMC to remove eight (8) specimen trees, as documented in the staff report and the Applicant's justification statement, finding that:

1. The special conditions peculiar to the property would cause the unwarranted hardship;
2. The enforcement of this section will deprive the applicant of rights commonly enjoyed by others in similar areas;
3. The granting of the modification will not confer on the applicant a special privilege that would be denied to other applicants;
4. The modification request is not based on conditions or circumstances, which are the result of actions by the applicant;
5. The request does not arise from a condition relating to land or building use, either permitted or nonconforming, in a neighboring property; and
6. The granting of a modification will not adversely affect water quality.

SECOND: Commissioner Menelas

VOTE: 5-0.

MOTION: Commissioner Burns moved for approval of the Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, PC19-986FSCB, to pay a fee in lieu of mitigation in the amount of \$6,534.00 for the mitigation of 0.5 acres based on compliance with all of the applicable standards of Section 721 of the Land Management Code with the following conditions:

1. Note 9 under General Notes be revised to indicate the approval date of the modification for the removal of specimen trees.

SECOND: Commissioner Strawson

VOTE: 5-0.

Meeting approximately adjourned at 7:00 pm

Respectfully Submitted,

Jessica Murphy
Administrative Assistant