

Planning Commission Hearing Minutes
Date: August 9, 2021

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Joan Strawson – Vice Chair Kelly Russell – Alderman & Secretary Dorothy Menelas Ronald Beattie – Alternate Member	Barbara Nicklas – Chair Shannon Sperati	Gabrielle Collard, Division Manager of Current Planning Joe Adkins, Director of Planning Pam Reppert, Planner III Sherry Kelly, Planner II Jessica Murphy, Administrative Assistant Cherian Eapen, Traffic Engineer Tracy Coleman, Deputy Director of Engineering Lisa Mroszczyk Murphy, HPC Planner III Rachel Nessen, Assistant City Attorney Scott Waxter, Assistant City Attorney

I. CALL TO ORDER:

II. ANNOUNCEMENTS:

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

- Planning Commission Workshop Monday, August 16, 2021, items will be available on the City of Frederick website.
- The NAC Planning Presentation is at 6pm also on the 16th.
- ZBA has two vacancies, and the City is accepting applications.

III. APPROVAL OF MINUTES:

Approval of the **August 6, 2021**, Planning Commission Pre-Planning Meeting Minutes as amended:

MOTION: Commissioner Menelas

SECOND: Commissioner Strawson

VOTE: **4-0. (Commissioner Sperati 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.)

A. PC21-501FSU, Final Plat, Resubdivision of Lot 342 and 342A and B, Industrial Center East

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the final plat, PC21-501FSU with no conditions.

SECOND: Commissioner Sperati

VOTE: 5-0.

V. CONTINUANCES:

B. PC20-813FSI, Final Site Plan, Pine Avenue Maintenance Complex

PLANNING COMMISSION ACTION:

Wendy Kearney, Legal Counsel for Frederick County, the Applicant, indicated that the County does not consent to the continuance and does not feel it is appropriate based on the discussion at the workshop.

MOTION: Commissioner Menelas moved for approval of the continuance to the September 13, 2021, Planning Commission hearing.

SECOND: Commissioner Sperati

VOTE: 5-0.

C. PC20-814FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, Pine Avenue Maintenance Complex

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the continuance to the September 13, 2021, Planning Commission hearing.

SECOND: Commissioner Sperati

VOTE: 5-0.

VI. MISCELLANEOUS:

D. PC14-640-01PND, Architectural Review Belle Air Farm

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of the architectural elevations for Bell Air Farm with the following condition:

1. Provide rendering of the models with detached garages to clearly demonstrate the side elevations together.

SECOND: Commissioner Strawson

VOTE: 5-0.

VII. OLD BUSINESS: None

VIII. NEW BUSINESS:

E. PC20-721FSU, Final Plat, 362 Madison Street, Lots 1 & 2

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of Final Plat PC20-721FSU for 362 Madison Street with the following conditions:

1. The cross-access easement for parking along the rear of the lots adjacent to Ambush Alley must be recorded and the recording reference labeled on the plat.
2. The Applicant must submit the payment of fee in lieu of parkland prior to plat recordation.

SECOND: Commissioner Menelas

VOTE: 5-0.

F. PC21-514FSI, Final Site Plan, Lakefront Center

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of Final Site Plan PC21-514FSI for the Lakefront Center with the following conditions:

1. Revise Base Notes #1 to reflect the accurate plat book/page number for the plat referenced, "Final Plat, Elementary School Site, Whittier PND."
2. Revise the Site Plan Notes, to add an additional area summary note, establishing the area of the Limits of Disturbance (LOD), building footprint, and paving area per the previously approved plan, case PC18-800FSI.
3. Revise the Site Plan Notes to consolidate all previously approved development review case numbers into one new case history Site Plan Notes.
4. Revise Site Plan Notes #2 to reflect the "total building sf of the **proposed shopping center** to 50,744 sf."

5. Revise Site Plan Notes #3 to indicate that the subject lot's zoning is R4, and the site is designated for commercial use in the Whittier PND.
6. Revise Site Plan Notes #5 to reflect the bulk and dimensional standards required on the previously approved final site plan PC18-800FSI and include details that how the plans provide compliance with the standards.
7. Revise Site Plan Note #6 to state the number of bicycle parking spaces required and provided in the shopping center per PC18-800.
 - a. If additional bicycle parking is required and proposed as part of this revision to the approved final site plan, add the increase to the bicycle parking counts.
8. Revise Site Plan Note #6 to state the number of HC parking spaces required and provided in the shopping center.
9. The parking counts provided in Site Plan Note #6 do not reconcile with the parking counts provided on Plan sheet 2 of the submitted plan set, table titled "Parking Analysis of Overall Project."
 - a. Revise calculations to represent accurate uniform details across all plan sheets related to the parking provided in the submission.
10. Revise Site Plan Notes #18 to include the case number *ARCH18-1021* for the "Notice of No Further Action."

SECOND: Commissioner Strawson

VOTE: 5-0.

G. PC21-79FSI, Final Site Plan, Aviation Way Lot 3

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of Final Site Plan PC21-79FSI for Aviation Way- Lot 3 with the following condition:

1. Add the approval date for the Maryland Aviation Administration (MAA) to site plan notes #12.

SECOND: Commissioner Menelas

VOTE: 5-0.

H. PC21-510PSU/FSI, Combined Preliminary Plat and Final Site Plan, Renn Quarter

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of Combined Preliminary Plat and Final Site Plan PC21-510PSU/FSI for Renn Quarter with the following conditions to be met:

1. Edit Note 21 that the Applicant will confirm with the Health Department that any wells and septic systems on the property have been abandoned.
2. Verify acreages and correct landscape Note 1 to total the 183.03 acres of the project area.

3. Revise the Design Booklet to include the new lot detail A-3D.
4. Correct owner name and address on the plan.

SECOND: Commissioner Menelas

VOTE: 5-0.

I. PC21-500FSI, Final Site Plan, Sycamore Ridge Townhouse Lots 500-631, City Park 'M' Phase 2 and Park 'J'

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of the modification to Section 606, *Lots and Blocks*, Table 606-1, *Yard Encroachments*, Subsection G, which allows for the encroachment of stoops and stairs up to 1/3 into the front yard setback, to allow the stairs to encroach 4' into the front yard setback or no closer than 1 ft. behind the sidewalk.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the final site plan PC21-500FSI with the following conditions:

1. Add a note on Sheet one for the modification to Table 606-1, Subsection G with the approval date.

SECOND: Commissioner Sperati

VOTE: 5-0.

J. PC21-503FSI, Final Site Plan, Lots 342, 342A, and 342B, Industrial Center East

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval modification to Section 601(f)(2) of the LMC, *Access Management*, to reduce the separation requirement from 50' to 18' for the eastern truck entrance for Lot 342B to the access for Lot 336, and a reduction to 32' to the future Lot 337 access.

SECOND: Commissioner Strawson

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval modification of Section 605(f)(4), *Landscaping Standards*, to allow the planting of a portion of the required street trees within street tree easements.

SECOND: Commissioner Sperati

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of the modification of Section 605(f)(5), *Landscaping Standards*, which requires street trees to be planted every 50' on a local road, to reduce the number of required trees from 18 to 16 due to existing streetlights and curb cuts and related sight triangles.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval modification of Section 605(g), *Landscaping Standards*, to reduce the required 10% parking lot landscaping from 4,653sf to 3,223sf for Lot 342, which is already developed.

SECOND: Commissioner Sperati

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the final site plan PC21-503FSI with the following conditions:

1. Revise Note 16 to indicate the date the Adequate Public Facilities Roads Exemption and Water and Sewer line Certificates were approved.
2. Revise Note 21 to include the date of approval for the requested modifications.
3. Add a note to the plan stating that the final plat PC21-501FSU will be recorded prior to building permit issuance.

SECOND: Commissioner Strawson

VOTE: 5-0.

K. PC21-504FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, Lots 342, 342A and 342B Industrial Center East

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of a modification to remove two specimen trees in accordance with Section 721(b)(3).

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the combined forest stand delineation and preliminary forest conservation plan, PC21-504FSCB, and the fee-in-lieu amount of \$16,465.68 with the following conditions:

1. Add a note referencing the specimen tree modification approval date.

SECOND: Commissioner Strawson

VOTE: 5-0.

L. PC20-1050PSU/FSI, Combined Preliminary Plat and Final Site Plan, West All Saints Street Habitat for Humanity

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the modification to Section 605(f) for the planting of street trees along Ice Street.

SECOND: Commissioner Sperati

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of the modification to Section 607, Table 607-1 to reduce the number of required parking spaces from 19 to 16.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the of the combined Preliminary Plat and Final Site Plan PC20-1050PSU/FSI for W All Saints Street for Habitat for Humanity, with the following conditions:

1. Revise the Project Data Tables on the coversheet to reflect the lot sizes shown on the preliminary plat sheet.
2. Gain approval from the Mayor and Board of Aldermen of the City of Frederick to allow for multiple sewer connections for the subject site to remain in their locations and update the modification request notes on the coversheet.
3. Add the correct approval dates to the modification request note on the coversheet.
4. Provide a symbol for the Limits of Disturbance in the legend on Sheet 4.
5. Submit the payment of the fee in lieu of parkland dedication.
6. Incorporate the phasing exhibit sheet entitled "Phase 1 & 2: Site Plan" into the plan set and add a note indicating the phasing requirements of Section 309(1) of the LMC.

SECOND: Commissioner Menelas

VOTE: 5-0.

M. PC21-78PSU/FSI Combined Preliminary Plat and Final Site Plan, Kellerton Land Bay C

Ms. Anne that lives on Indian Springs Road advised of concerns about the cul-de-sac. (Audio was not clear to receive full name)

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of the modification to Section 605, Table 605-3 *Buffer and Screening by District or Use*, for Level I screening along the Property boundary.

SECOND: Commissioner Strawson

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the modification to Section 605, Table 605-5 *Street Tree Planting Density*, requires a minimum of 50 feet of street tree planting density for local roads.

SECOND: Commissioner Strawson

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of the modification to Section 611(k) requiring that dead-end streets designed to be permanently closed at one end shall not exceed 350 feet in length.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the modification to Section 611(n) requiring that medians provided shall be landscaped at a density equivalent to a Level 1 buffer.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the modification to Section 611(k) requiring that cul-de-sacs with no potential for future extension include a permanent area in the center of the turnaround.

SECOND: Commissioner Sperati

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the modification to the City Standard, that a 6" vertical face curb and gutter is required for street improvements along single-family dwelling settings.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the Preliminary Plat/Final Site Plan for Kellerton Land Bay C, PC21-78PSU/FSI with the following conditions:

1. Revise the modification notes on Sheet 1 to reference the approval date by the Planning Commission.

SECOND: Commissioner Menelas

VOTE: 5-0.

N. PC21-54PSU/FSI, Combined Preliminary Plat and Final Site Plan, Bloomfields Clubhouse & Pool

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the modification to Section 417, Table 417-2 *Setback for Principal Buildings – MU District* to exceed the setback distances.

SECOND: Commissioner Sperati

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of the modification to Section 601(e)(1) *Minimum Number of Access Points* to allow one access to site.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the modification to Section 605 Table 605-3 *Buffer and Screening by District or Use* to eliminate the Level 1 lot line buffer requirement.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the recommends approval of the Combined Preliminary Plat and Final Site Plan PC21-54PSU/FSI for Bloomfields with the following conditions to be met:

1. Provide the sight distance triangles on the landscaping sheet to verify clear intersection visibility.
2. Provide revised lighting plan to show illumination from any lights on the building or other amenity areas.

SECOND: Commissioner Sperati

VOTE: 5-0.

O. PC21-707ZTA, Text Amendment, Section 423, Historic Preservation

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for a positive recommendation to the Mayor and Board of Aldermen for amendments to Section 423 as contained in the draft ordinance.

SECOND: Commissioner Sperati

VOTE: 5-0.

Meeting approximately adjourned at 10:05 pm

Respectfully Submitted,

Jessica Murphy
Administrative Assistant

APPROVED 9/13/2021