

Planning Commission Hearing Minutes
Date: October 9, 2023

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Joan Strawson – Vice Chair Ronald Beattie – Secretary Ben MacShane, Alderman	Barbara Nicklas – Chair Dorothy Menelas April Lee – Alternate	Gabrielle Collard, Division Manager of Current Planning Scott Waxter, Assistant City Attorney Sherry Kelly, Planner II Sharon Kemper Suarez, Planner II Monica Robyns, Planner I Cherian Eapen, Traffic Engineer Jennifer Van de Griek, Administrative Assistant

I. CALL TO ORDER:

II. ANNOUNCEMENTS:

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

- Planning Commission Workshop will be Monday, October 16 at 2pm, in-person. Items will be available on the City of Frederick website.
- The Community Outreach Meeting will also be on Monday, October 16th at 6pm, and information will be posted online beforehand.
- There will be a Planning Commission Hearing on Tuesday, October 17th at 6pm to discuss the Brickworks Project.

III. APPROVAL OF MINUTES:

Approval of the **September 11, 2023**, Planning Commission Meeting Minutes

MOTION: Commissioner Beattie

SECOND: Alderman MacShane

VOTE: 3-0

Approval of the **September 12, 2023**, Planning Commission Meeting Minutes

MOTION: Commissioner Beattie

SECOND: Alderman MacShane

VOTE: 3-0

Approval of the **September 18, 2023**, Planning Commission Workshop Minutes

MOTION: Commissioner Beattie

SECOND: Alderman MacShane

VOTE: 3-0

Approval of the **October 6, 2023**, Pre-Planning Commission Meeting Minutes

MOTION: Commissioner Beattie

SECOND: Alderman MacShane

VOTE: 3-0

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: N/A

VI. MISCELLANEOUS:

A. PC16-436-07PND, Architectural Review, Sycamore Ridge

PLANNING COMMISSION ACTION 1:

MOTION: Commissioner Beattie moved for approval of a modification of Section 604(b)(3)(h)(2)(a) to allow windows with a 1:1 ratio.

SECOND: Alderman MacShane.

VOTE: 3-0.

PLANNING COMMISSION ACTION 2:

MOTION: Commissioner Beattie moved for approval of architectural elevations for the Ryan Homes Ballenger, Columbia, Hudson, Lehigh, and Seneca single-family detached models for Sycamore Ridge.

SECOND: Alderman MacShane.

VOTE: 3-0.

VII. OLD BUSINESS: N/A

VIII. NEW BUSINESS:

PLANNING COMMISSION ACTION:

MOTION: Alderman MacShane moved to hear items D & E next, followed by Items B, C, & F.

SECOND: Commissioner Beattie

VOTE: 3-0.

D. PC23-192FSI, Final Site Plan, Maryland Deaf Community Center

Eleanor Brown, from Germantown, graduated from the Maryland School for the Deaf, and is thrilled that the Maryland Deaf Community Center is becoming a reality. It is a beautiful building and will provide a number of services for the community and be a wonderful place.

Marsha Flower, 3030 Mill Island Pond Way in Frederick, says she knows that some decisions are hard, but we really need this building. We've gotten a lot of feedback, and it's impossible to please everyone. There is an ASL class that is currently being taught at Dublin Roasters, but it's so popular that the classes are always full. It and other organizations need a place to meet ASAP. She says it'll be the best day of our lives when it opens, and this plan is the perfect plan, especially since it makes safety paramount.

Mary Lynn Lally, of 3030 Mill Island Pond, has lived in Frederick for more than 50 years. She said that MDCC recently hosted a workshop about Medicare, Social Security, and other important topics, but the venue wasn't big enough or suitable for their needs. We need a space of our own. She thanked the Commission for listening and hearing everyone's concerns.

Bridgetta Bourne-Firl, of 9140 Kenway Lane, arrived in Frederick in 1973 as a first grader at Maryland School for the Deaf. After she graduated, she moved to California, and she thought it was great that California has many deaf community centers. She moved back to Frederick and says that Frederick is very special. She was very excited to hear about the Maryland Deaf Community Center, because deaf spaces is very important. She pointed out that the high podium at City Hall is inappropriate for deaf people, because it blocks the view of signing. She loves that the Urbana YMCA incorporated deaf design. She asked the Commission to please let this project go through.

Carol Hirsch, of 365 Madison Street, has lived here for 25 years. 25 years ago, there were no deaf spaces in Frederick, and whenever she needed anything, people would always send her to the Maryland School for the Deaf. She pointed out that we would not go to a school if we needed help and said that the deaf community needs a community center since resources and public spaces for the deaf are very limited.

Joe Ortiz, of 553 Eisenhower Drive, says his mother is a senior citizen who is deaf. They moved to Frederick because he played a lot of sports, and when they visited Frederick, they were fascinated by the small town. His mom is in a nursing home, but they're not really able to help her and meet her needs. He says we really need a deaf community center and asked the Commission to support the needs of the deaf community.

PLANNING COMMISSION ACTION 1:

MOTION: Commissioner Beattie moved for a modification to Section 601(f), Table 601-2, to reduce the required separation distance between driveways on an Arterial road from 200 feet to 90'.

SECOND: Alderman MacShane.

VOTE: 3-0.

PLANNING COMMISSION ACTION 2:

MOTION: Commissioner Beattie moved for a recommendation to the Mayor and Board of Aldermen for the deferral of required street frontage improvements along N. East Street.

SECOND: Alderman MacShane.

VOTE: 3-0.

PLANNING COMMISSION ACTION 3:

MOTION: Alderman MacShane moved for approval of the Final Site Plan for Maryland Deaf Community Center, with the following conditions:

1. The Applicant must receive approval from the Mayor and Board for and enter into an agreement with the City for the deferral of frontage improvements along N. East Street.
2. Update the Case history note to include issuance of APFO exemptions.
3. On the Site Plan and SWM Dev. Plan, the Applicant must update FEMA floodplain panel and current effective date.
4. The landscaping plan be revised to relocate trees within the stormwater management areas to outside of the embankments.
5. Include statement of Karst Topography is mitigated by an impervious liner in lieu of City Code 28-13-c-2 requirement for SWM Dev.--geotechnical reports.

SECOND: Commissioner Beattie.

VOTE: 3-0.

E. PC23-193FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, Maryland Deaf Community Center

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for approval of the combined forest stand delineation and preliminary forest conservation plan, PC23-193FSCB for the Maryland Deaf Community Center, with the following condition:

1. On Sheet 3, under the Forest Conservation Worksheet, a note be added indicating that the afforestation requirement will be met through fee in lieu of including the fee amount to be paid.

SECOND: Alderman MacShane.

VOTE: 3-0.

B. PC23-472FSU, Final Plat, 704 & 706 Trail Avenue

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for unconditional approval of Final Plat PC23-472FSU for 704-706 Trail Avenue.

SECOND: Alderman MacShane.

VOTE: 3-0.

C. PC23-525FSI, Final Site Plan, 550 Highland

Jim Schmersahl has been following this project. He sees a stub street in Renn Quarter that will not be used for connection for automobiles, with good reason. But he thinks using it as access for pedestrians and bikes could be very useful. The City works hard to provide alternate modes of transportation, and this small change could provide benefit.

PLANNING COMMISSION ACTION 1:

MOTION: Commissioner Beattie moved for a modification to Section 607, Table 607-1, *Parking Schedule*, to allow truck parking spaces to count toward parking space requirements.

SECOND: Alderman MacShane.

VOTE: 3-0.

PLANNING COMMISSION ACTION 2:

MOTION: Commissioner Beattie moved for approval of the Final Site Plan, PC23-525FSI, for 550 Highland, with the following conditions:

1. Revise the configuration of the loading space behind Building C so that it does not encroach into the drive aisle behind the building.
2. Relocate the westernmost entrance on Monroe Avenue intended for truck traffic so as not to encroach onto the adjoining property OR if an access easement is obtained from the adjoining property, provide the recording reference on the plan.
3. Provide sidewalk along the frontage of Building C as depicted by the green line on the exhibit for Engineering Comment #2.
4. Show all gas lines on the plan in accordance with the Washington Gas Comments dated 9/8/23.
5. Provide confirmation from the Federal Aviation Administration (FAA) and Maryland Aviation Administration (MAA) that the previous approvals still apply, and update Note 17 accordingly.
6. Remove the phasing sheet and notes referencing the phasing from the plan.
7. Update Note 13 with the correct waterline and sewer line APFO approval dates (8/9/22) and add the approval date (9/29/23) for the new Roads exemption.
8. Update Note 20 indicating the approval date of the modification.

SECOND: Alderman MacShane.

VOTE: 3-0.

F. PC21-1436ANX, Annexation, Winpenny

Linda Miller lives at 2064 Chamberlain Drive, which is adjacent to the area proposed for annexation. She has been opposed to the annexation ever since she heard of it, and says that houses are important, but there is value in land too. When she and her neighbors asked what would happen to this land back in 2019, they were told that nothing would happen, or that it would be a dog park or other green space. She bought her house based on what she was told. She knows her property used to be farmland, but she made her decision to live here based on what she thought would happen. If the annexation does go through, she has some suggestions.

Amos Martin, a resident of Winpenny Drive, says that the City does need to increase housing supply, which will help with affordability eventually. But, he's concerned about the possible connection with Winpenny Drive in order to alleviate a problem that was created because of a previous decision, and what the next unintended consequence could be. He used to live in Kellerton but chose to move out of the City. He says his road was not intended for hundreds of cars to drive through.

David Matlick, of 2066 Chamberlain Drive, says we need more homes, but let this area stay County. They will find a way to put as many townhouses as they want. He says that Lakin Drive was not intended to be a thoroughfare, kids play on it and it's not wide enough.

David Bandy, of 6349 Winpenny Drive, has lived there for many years, and says it's a wonderful neighborhood, but it makes no sense for it to be a connection to a large subdivision. There's only 8 houses and a farmhouse. He doesn't have a problem with development but thinks there are other ways to do this than the connection with Winpenny. Kids ride their bikes on Winpenny, and there are lots of curves with no visibility. He urges the applicant to find another way to do this.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved to deny a recommendation of annexation to the Mayor and Board of Aldermen.

SECOND: Commissioner Strawson.

VOTE: 2-1.

Meeting adjourned at approximately 9:10 pm.

Respectfully Submitted,

Jennifer Van de Griek
Administrative Assistant