

## Planning Commission Hearing Minutes September 10, 2012

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Meta Nash Josh Bokee Alderman Russell Rick Stup Bill Ryan		Joe Adkins-Deputy Director for Planning Brandon Mark-City Planner Pam Reppert-City Planner Jeff Love-City Planner Devon Hahn-City Traffic Engineer Scott Waxter-Asst. Assistant City Attorney Carreanne Eyler-Administrative Assistant

### I. ANNOUNCEMENTS:

Commissioner Nash announced that the Planning Commission will have a new member Kate McConnell who will be at October's hearing and welcome her aboard.

Mr. Adkins stated that NAC's 1 through 5 of the Comprehensive Rezoning's are scheduled for the Mayor and Board Workshop on September 12, 2012 and NAC's 6 through 12 will be scheduled for September 19, 2012.

### II. APPROVAL OF MINUTES:

Approval of the August 13, 2012 Planning Commission Meeting Minutes as amended:

**MOTION:** Commissioner Stup.

**SECOND:** Commissioner Bokee.

**VOTE:** 4-0. (Commissioner Nash abstained)

Approval of the August 20, 2012 Planning Commission Workshop Minutes as amended:

**MOTION:** Commissioner Ryan.

**SECOND:** Commissioner Bokee.

**VOTE:** 3-0. (Commissioner Nash and Commissioner Stup abstained)

Approval of the September 7, 2012 Pre-Planning Commission Meeting Minutes as amended:

**MOTION:** Alderman Russell.

**SECOND:** Commissioner Bokee.

**VOTE:** 4-0. (Commissioner Stup abstained)

### III. PUBLIC HEARING-SWEARING IN:

*"Do you solemnly swear or affirm that the responses given and statements made in this hearing before the Planning Commission will be the whole truth and nothing but the truth." If so, answer "I do".*

### IV. PUBLIC HEARING-CONSENT ITEMS:

(All matters included under the Consent Agenda are considered to be 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.)

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**V. NEW BUSINESS:**

**A. PC12-494ZTA, Text Amendment-Mixed Used District Signage**

Mr. Love entered the entire staff report into the record. There was no public comment on this item.

**Planning Commission Action:**

**MOTION:** Commissioner Bokee moved for a positive recommendation to the Mayor & Board of Aldermen for PC12-494ZTA as noted in the staff report and the testimony this evening.  
**SECOND:** Commissioner Stup.  
**VOTE:** 5-0.

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**B. PC12-302FSCB-Combined Forest Stand Delineation and Preliminary Forest Conservation Plan-Homewood**

Commissioner Stup recused himself from the case.

Ms. Reppert entered the entire staff report into the record. There was no public comment on this item.

**Planning Commission Action:**

**MOTION:** Commissioner Bokee recommended approval of the combined forest stand delineation/preliminary forest conservation plan onsite and offsite plantings with the 6 conditions to be met in less than 60 days as outlined in the staff report and adding 1 condition in greater than 60 days and less than 1 year that staff has the authority to approve a change in the forest plantings to satisfy any change in the gross land area as read into the record by staff.  
**SECOND:** Commissioner Ryan.  
**VOTE:** 3-0.

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**C. PC12-428FSI, Final Site Plan- Genesis Healthcare Facility**

Mr. Mark entered the entire staff report into the record. There was no public comment on this item.

**Planning Commission Action Per Section 605(e) :**

**MOTION:** Commissioner Stup moved to approve the modification to Section 605(e), Table 605-3 in accordance with the staff recommendation.  
**SECOND:** Commissioner Bokee.  
**VOTE:** 5-0.

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**Planning Commission Action for Architectural Elevations:**

**MOTION:** Commissioner Stup moved to grant approval of the architectural elevations as submitted in accordance with the staff recommendation and testimony this evening.  
**SECOND:** Commissioner Bokee.  
**VOTE:** 5-0.

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**Planning Commission Action for PC12-428FSI:**

**MOTION:** Commissioner Stup moved to grant approval of the site plan in accordance with the 5 conditions to be met in less than 60 days and to add a 6<sup>th</sup> condition to delineate a water meter easement as per staff recommendations and testimony this evening.  
**SECOND:** Commissioner Bokee.  
**VOTE:** 5-0.

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**D. PC12-505FSU, Final Subdivision Plat-Ballenger Creek Center, Lots 7 & 8R**

Mr. Mark entered the entire staff report into the record. There was no public comment on this item.

**Planning Commission Action:**

**MOTION:** Commissioner Stup moved to approve PC12-505FSU in accordance with the staff recommendation to include the 1 condition to be met in less than 60 days and a 2<sup>nd</sup> condition that the water meter easement is shown on the plat.  
**SECOND:** Commissioner Bokee.  
**VOTE:** 5-0.

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**E. PC12-367FSI, Final Site Plan-The residences on Prospect Hill**

Mr. Love entered the entire staff report into the record. Public comment was received.

**Public Comment:**

Gordon Oliver, President of St. John's Catholic School stated that they are delighted that the Matan Companies have partnered with them to purchase the property and the timely approved of this site plan is vital as it interfaces directly with the ability of St. John's to move to its campus in Buckeystown in January 2013.

Neil Kirkpatrick resides at 6446 Jefferson Pike stated that his primary concern is the increase in traffic on Butterfly Lane and the negative impact created by allowing point of access only 290 feet from the intersection of MD 180. He would like the commission to deny the request for modification for drive way separation distance for Butterfly Lane and stipulate the applicant submit a revised site plan eliminating the easterly entrance on Butterfly Lane.

Theresa Michel resides at 103 Council Street gave a brief history of the property and asked the developers to work with the Historical Trust and the City of Frederick to retain as much of this view scape as possible.

**MOTION:** Commissioner Stup in accordance with the applicants request that we continue agenda item E to the October 8, 2012 Planning Commission Hearing.  
**SECOND:** Commissioner Bokee.  
**VOTE:** 5-0.

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**F. PC12-367PFCP, Preliminary Forest Conservation Plan-The residences on Prospect Hill**

**MOTION:** Commissioner Stup in accordance with the applicants request that we continue agenda item F to the October 8, 2012 Planning Commission Hearing.  
**SECOND:** Commission Bokee.  
**VOTE:** 5-0.

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There was no further business.

**Meeting adjourned at 9:40 P.M.**

Respectfully Submitted,

Carreanne Eyer  
Administrative Assistant

APPROVED 10-08-2012