

**Planning Commission Hearing Minutes  
July 8, 2013**

<b>PC MEMBERS</b>	<b>PC MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>
Meta Nash Alderman Russell Kate McConnell	Bill Ryan	Gabrielle Dunn-Division Manager for Current Planning Jeff Love-City Planner Scott Waxter- Assistant City Attorney Carreanne Eyler-Administrative Assistant

**I. ANNOUNCEMENTS:**

**II. APPROVAL OF MINUTES:**

Approval of the **June 7, 2013** Pre-Planning Commission Hearing Minutes as published:

**MOTION:** Commissioner McConnell.

**SECOND:** Alderman Russell.

**VOTE:** 3-0.

Approval of the **June 10, 2013** Planning Commission Meeting Minutes as published:

**MOTION:** Commissioner McConnell.

**SECOND:** Alderman Russell.

**VOTE:** 3-0.

Approval of the **June 17, 2013** Planning Commission Workshop Meeting Minutes as published:

**MOTION:** Commissioner McConnell.

**SECOND:** Alderman Russell.

**VOTE:** 3-0.

Approval of the **July 5, 2013** Pre-Planning Commission Hearing Minutes were tabled until the August 12, 2013 Planning Commission Hearing:

**MOTION:** Commissioner McConnell.

**SECOND:** Alderman Russell.

**VOTE:** 3-0.

**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. **OLD BUSINESS:**

A. **PC12-499MP, Master Plan-Spring Bank**

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

**Planning Commission Action for Parkland:**

**MOTION:** Commissioner McConnell moved for the approval of a fee-in-lieu of parkland based on the limited size of the park required and conditioned upon the Recreation and Parks Commission positive recommendation and that Mayor & Board approval of a fee-in-lieu amount.

**SECOND:** Alderman Russell.

**VOTE:** 3-0.

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**Planning Commission Action Per Table 417-2:**

**MOTION:** Commissioner McConnell moved for the approval of a modification from Table 417-2, Setback for Principal Buildings, for a reduction from the rear setback requirement of 20' to minimum of 7', based on efficiency of design

**SECOND:** Alderman Russell.

**VOTE:** 3-0.

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**Planning Commission Action Section 417 (c) (6):**

**MOTION:** Commissioner McConnell moved for the approval of a modification to Section 417 (c)(6) for parking located in the front of the residential units only, based on supporting diversity of unit type designs.

**SECOND:** Alderman Russell.

**VOTE:** 3-0.

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**Planning Commission Action Per Section 606 (b) (2):**

**MOTION:** Commissioner McConnell moved for the approval of a modification to Section 606 (b)(2) for residential lots to front on open space/park area instead of public street or access, based on rear garage loaded units and alley to be built to public street standards to accommodate emergency and service vehicles.

**SECOND:** Alderman Russell.

**VOTE:** 3-0.

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**Planning Commission Action for Exemption from LOS D Improvements:**

**MOTION:** Commissioner McConnell moved for the approval of the exemption from LOS D improvements for Monocacy Boulevard and MD 26 intersection under Section 4-11 (b)

(D) of the APFO, based on the disproportionate hardship that would be caused by the need to alter or remove adjacent property parking and signage and the minimal traffic impact of the project.

**SECOND:** Alderman Russell.

**VOTE:** 3-0.

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**Planning Commission PC12-499 MP:**

**MOTION:** Commissioner McConnell moved for the approval of the Master Plan for Spring Bank With the following conditions to be met:

Within less than 60 days:

1. Add the note: "If the house at any time remains vacant for more than one year, that the Applicant initiates mothballing protection for the structure in accordance with the US Department of Interior's Preservation standards. That the remaining four outbuildings that include the carriage house, smoke house, privy, and gas house shall also be maintained and in good repair."
2. Add a note to the plan that "the development phases shall not exceed a three-year separation period of construction."
3. The FSD approval date of June 26, 2013, should be added to the plan note 10.
4. Correct Local Street "A" with median island and 45 degree parking street detail in Design
5. Booklet to provide no less than a 4' grass strip for street trees.
6. Sheet 2, edit the entrance note as follows: The existing entrance drive shall be closed subject to Maryland Transit Administration and City of Frederick Review.

At greater than 60 days and within one year of approval date:

1. Obtain Frederick Community Action Agency approval and execute MPDU Mitigation Agreement.

**SECOND:** Alderman Russell.

**VOTE:** 3-0.

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**VI. NEW BUSINESS:**

**B. PC13-278FSU, Final Subdivision Plat-Evangelical Reformed Church of Frederick, MD**

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

**Planning Commission Action:**

**MOTION:** Commissioner McConnell moved for the approval of PC13-278FSU with the 5 conditions to be met in less than 60 days and the one condition to be met in greater than 60 days an less than one year (she read into the record).

**SECOND:** Alderman Russell.  
**VOTE:** 3-0.

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**C. PC13-197FSI, Final Site Plan-Golden Mile Gateway**

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

| **a**After much discussion about the compliance with the GMSAP and the location of the convenience store and fuel pumps, a motion was made to continue to Aug hearing to allow applicant opportunity to develop design concept for fuel canopy.

**Planning Commission Action:**

**MOTION:** Alderman Russell moved to continue case PC13-197FSI, Golden Mile Gateway, to the August Planning Commission Hearing.  
**SECOND:** Commissioner Russell.  
**VOTE:** 3-0.

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**D. PC13-378ZTA, Zoning Text Amendment-Section 417 Mixed Use Design Standards**

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

**Planning Commission Action:**

**MOTION:** Commissioner McConnell moved for a positive recommendation of the draft ordinance for PC13-378ZTA to the Mayor & Board of Aldermen.  
**SECOND:** Commissioner Russell.  
**VOTE:** 3-0.

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**VII. MISCELLANEOUS:**

**E. Request for Recommendation on Walser Drive Abandonment:**

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

**MOTION:** Commissioner McConnell moved for a positive recommendation to the Mayor & Board of Aldermen for the abandonment of Walser Drive.  
**SECOND:** Alderman Russell.  
**VOTE:** 3-0.

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**F. Planning Commission Rules of Procedures**

Mrs. Dunn read the entire staff report into the record. There was public comment on this item.

Mr. Bob Logan of 2592 Bear Den Road stated that he thanks staff and the Commission for evaluating the changes to the Rules of Procedures especially the public comment to be taken during workshops.

**Planning Commission Action:**

**MOTION:** Commissioner McConnell moved to approve the proposed amendments to the Rules of Procedures as presented in the draft amendment.

**SECOND:** Alderman Russell.

**VOTE:** 3-0.

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There was no further business.

**Meeting adjourned at 8:16p.m.**

Respectfully Submitted,

Carreanne Eyer  
Administrative Assistant

Approved 8-12-2013