

**Planning Commission Hearing Minutes
December 9, 2013**

| PC MEMBERS | PC MEMBERS ABSENT | STAFF PRESENT |
|--|--------------------------|---|
| Meta Nash Alderman Russell Kate McConnell Andrew Brown Bill Ryan | | Gabrielle Dunn-Division Manager for Current Planning Jeff Love-City Planner Pam Reppert-City Planner Scott Waxter- Assistant City Attorney Carreanne Eyler-Administrative Assistant |

I. ANNOUNCEMENTS:

Ms. Dunn introduced Jackie Marsh, new city planner, to the Commission.

II. APPROVAL OF MINUTES:

Approval of the **October 14, 2013** Pre-Planning Commission Hearing Minutes as published:

MOTION: Commissioner Ryan.
SECOND: Commissioner McConnell.
VOTE: 5-0.

Approval of the **October 21, 2013** Planning Commission Workshop Meeting Minutes as published:

MOTION: Commissioner Ryan.
SECOND: Commissioner Brown.
VOTE: 5-0.

Approval of the **November 12, 2013** Planning Commission Meeting Minutes as published:

MOTION: Commissioner Ryan.
SECOND: Commissioner Brown.
VOTE: 5-0.

Approval of the **November 18, 2013** Planning Commission Workshop Minutes as published:

MOTION: Commissioner Ryan.
SECOND: Commissioner Brown.
VOTE: 5-0.

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.)

V. MISCELLANEOUS:

A. 2014 Planning Commission Calendar

MOTION: Commissioner McConnell moved to approve the 2014 Planning Commission Calendar.
SECOND: Commissioner Ryan.
VOTE: 5-0.

B. Bike Share Path

Mr. Davis presented information on the bike share feasibility study that the City is pursuing. This item was informational only and no action was taken.

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

Ms. Reppert entered the entire staff report into the record. Discussion centered on the use of the south elevation, appropriate location of a service door, and if the Applicant should maintain the lighting and possible signage above the bays and visible from the street. There was no public comment on this item.

Planning Commission Action:

MOTION: Commissioner McConnell moved for the approval of PC13-197FSI revision to the architectural elevations with the following conditions:

To be met within 60 days:

1. That the gooseneck lighting shown above the easternmost storefront on the south elevation be repeated above the two recessed areas that will replace the storefronts with the option to replace three (3) of the fixtures with signage as shown on the originally approved elevations.
2. That there be a single, solid egress door at the westernmost recessed area
3. That the same brick should be used and recessed to replace the actual glass storefront bays and that the stone piers be maintained as shown on the originally approved elevations.
4. That the awnings shown on the previously approved elevations be repeated over the two recessed areas.

SECOND: Alderman Russell.
VOTE: 5-0.

VI. OLD BUSINESS:

D. PC13-279MU, Mixed Use, Crumland

Mr. Mark entered the entire staff report into the record. There was public comment for this item.

Ann Kerns resides in Walkersville stated that a Snowy Owl had recently been observed on the Crumland property and that this is a unique animal that has brought a lot of excitement to the City and she urged for the Commission to consider the environmental impacts of the development.

Planning Commission Action:

This is the first of two required public hearings, so no vote was taken.

VII. NEW BUSINESS:

E. PC13-638FSU, Final Subdivision Plat, Frederick County Public Schools

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

Planning Commission Action:

MOTION: Commissioner McConnell moved to approve Lot 1 and Lot 2 Frederick County Public School site with the three conditions to be met in less than 60 days and the one condition to be met in greater than 60 days and less than one year.

SECOND: Commissioner Ryan.

VOTE: 5-0.

F. PC13-639FSCB, Combined FSD/Preliminary Forest Conservation Plan, Westside Regional Park

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

Planning Commission Action:

MOTION: Commissioner Ryan moved to approve PC13-639FSCB for Westside Regional Park with the two conditions to be met in less than 60 days and the two conditions to be met in greater than 60 days and less than one year.

SECOND: Commissioner McConnell.

VOTE: 5-0.

G. PC13-635PSU, Preliminary Subdivision Plat, Spring Bank

Ms. Reppert read the entire staff report into the record. Discussion centered on the appropriate width of the parallel parking spaces and what could be done to increase the width from 7' to 8'. There was no public comment on this item.

Planning Commission Action Table 417-2:

MOTION: Commissioner McConnell moved for the approval of a modification to Table 417-2 setback of a building to reduce the setback of the rear townhouse units from 7 feet to 6 feet to accommodate 8' wide parallel parking spaces on the Spring Bank subdivision plat.

SECOND: Commissioner Ryan.

VOTE: 5-0.

Planning Commission Action PC13-635PSU:

MOTION: Commissioner McConnell moved to approve preliminary subdivision plat for PC13-635PSU with the following conditions to be met:

To be met in less than 60 days:

1. Correct Note 17 for items 7a), 7d) and e) to reflect that water and sewer lines and paving shall be completed prior to issuance of first building permit.
2. Correct Land Allocation table for open space to 1.3 acres, nonresidential to 3.1 acres, and residential tot 5.9 acres, as shown on the plan.
3. Provide Table 417-2 on the plan making any applicable corrections to lots in compliance.
4. Obtain City and County approval for all road names.
5. Provide sight distance triangles at proposed entrances to show unobstructed view on Landscape sheet.
6. Show the location of signage to be posted for “no parking” on Carriage House Drive.
7. Add to Landscaping Note 4 the total number of trees for the project area (150) per the calculation.
8. Revise the street tree plant schedule to include the quantities provided for each species and species identified on the plan. Further, each area with plantings designated for Environmental Site Design (ESD) should be broken out and the quantity and size of species to be planted for ESD should be labeled.
9. Add note to plan indicating that the Applicant shall provide the City with a copy of the final Limited Right of Entry Agreement from Maryland Transit Authority (MTA) for Spring Bank, LLC prior to recordation of first plat.
10. Correct the plan to incorporate the Fire Truck Turning Template approved by the City Fire Engineer.
11. Show all parallel parking spaces as 8’ wide on the plan.
12. Correct the rear setback from 7’ to 6’ on the residential lots.

To be met in greater than 60 days and less than one year:

1. Revise the subject plan or provide a revised Letter of Intent from the MTA for coordination of both documents in agreement to assure project approval to cross rail for access to the development.
2. Place the Letter of Intent from the MTA on site plan.
3. Provide draft HOA documents to be reviewed by staff.
4. Obtain Combined FSD/Preliminary Forest Conservation Plan unconditional approval and add case number and approval date to Note 10.

SECOND: Commissioner Ryan.

VOTE: 5-0.

H. PC13-636PFC, Preliminary Forest Conservation Plan, Spring Bank

Planning Commission Action:

MOTION: Commission McConnell moved to approve PC13-636PFC, Spring Bank with the two conditions to be met in less than 60 days as read into the record by staff.
SECOND: Commissioner Ryan.
VOTE: 5-0.

I. PC13-817ZTA, Text Amendment, Section 404, Table 404-1, Use Matrix “Automobile Parts/Accessories

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

Planning Commission Action:

MOTION: Commission McConnell moved for a positive recommendation to the Mayor & Board of Aldermen for an amendment as presented in the draft ordinance to Table 404-1, Use Matrix, to establish retail sale of automobile parts/accessories as permitted use in the Mixed Use zoning districts which also includes definitions in Section 1002.

SECOND: Commission Ryan.

DISCUSSION: The Commission also discussed that they would like to pursue a separate, but related amendment to the use matrix relative making gas stations a conditional use in the Mixed Use zoning district.

VOTE: 5-0.

There was no further business.

Meeting adjourned at 9:03 p.m.

Respectfully Submitted,

Carreanne Eyler
Administrative Assistant

| ~~gas stations a conditional use in mixed use districts, not a prohibited use~~