

**Planning Commission Hearing Minutes
June 09, 2014**

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Meta Nash Kate McConnell Andrew Brown Barbara Nicklas	Alderman Russell Bill Ryan	Gabrielle Dunn-Division Manager for Current Planning Devon Hahn – Traffic Engineer Pam Reppert-City Planner Brandon Mark-City Planner Jeff Love-City Planner Jackie Marsh-City Planner Lisa Mroszczyk Murphy- City Planning Scott Waxter- Assistant City Attorney Carreanne Eyler-Administrative Assistant

I. ANNOUNCEMENTS:

Commissioner Nash announced that Commissioner Ryan’s term would be expiring in July and that due to numerous other obligations he would not be seeking reappointment, but that on behalf of the Commission she wanted to take the opportunity to thank him for his time and commitment to the Commission.

II. APPROVAL OF MINUTES:

Approval of the **May 12, 2014** Planning Commission Meeting Minutes as published:

MOTION: Commissioner McConnell.

SECOND: Commissioner Brown.

VOTE: 4-0.

Approval of the **May 19, 2014** Planning Commission Workshop Minutes as published:

MOTION: Commissioner McConnell.

SECOND: Commissioner Brown.

VOTE: 4-0.

Approval of the **June 6, 2014** Pre-Planning Commission Meeting Minutes as published:

MOTION: Alderman Russell.

SECOND: Commissioner Nicklas.

VOTE: 3-0 (Commissioner Brown 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.)

V. CONTINUANCES:

- A. **PC13-813FSI, Final Subdivision Plat, Lots 1A & 1B, Section I, East Street Industrial Park**
- B. **PC14-056FSCB, Combined FSD/PFCP, Lots 1A & 1B, Section 1, East Street Industrial Park**

Planning Commission Action:

MOTION: Commissioner McConnell moved to continue PC13-813FSI & PC14-056FSCB for up to 90 days no later than the September 8, 2014 Planning Commission Hearing.
SECOND: Commissioner Nicklas.
VOTE: 4-0.

- C. **PC14-124FSI, Final Site Plan, Spring Bank Lots 1-73**

Planning Commission Action:

MOTION: Commissioner McConnell moved to continue PC14-124FSI to the July 14, 2014 Planning Commission Hearing.
SECOND: Commissioner Nicklas
VOTE: 4-0.

VI. MISCELLANEOUS:

- D. **PC14-146CPA, Comprehensive Plan Amendment, MD 26/Monocacy Blvd Interchange**

Mr. Love entered 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 Alderman of PC14-146CPA for an amendment to the City's 2010 Comprehensive Plan in order to identify the future interchange needed at the intersection of MD 26 & Monocacy Blvd.
SECOND: Commissioner Nicklas
VOTE: 4-0.

VII. OLD BUSINESS:

- E. **PC14-263ZMA, Zoning Map Amendment, 501 W. Patrick Street**

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

Planning Commission Action:

MOTION: Commissioner McConnell moved for a positive recommendation to remove the IST Floating Zone from the property with the underlying DB zoning to remain for PC14-263ZMA as recommended in the Staff Report and considering the long term commercial use of the property and its private ownership.

SECOND: Commissioner Nicklas

VOTE: 4-0.

F. PC14-213ZMA, Zoning Map Amendment, 200 W. All Saints Street

Ms. Dunn entered the entire staff report into the record. There was public comment on this item.

Public Comment

Ms. Anne Rollins repeated a question that was asked by gentlemen in the audience which was in regards to parking. Ms. Rollins stated that there will be adequate parking but in general these individuals do not have transportation.

Rev. Brian Scott stated that he wanted to respond to Commissioner Nicklas comment. He stated that with the year round shelter when that was established there were some conditions that were associated with that so if you went in that direction it is similar to what has occurred in the past.

Planning Commission Action:

MOTION: Commissioner McConnell moved to approve PC14-213ZMA for rezoning of the property to apply the Institutional (IST) Floating zone with a condition that there are no overnight services provided.

SECOND: Commissioner Nicklas

VOTE: 4-0.

G. PC13-541MU, Master Plan, Monocacy Center

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

Planning Commission Action for Section 611(e):

MOTION: Commissioner McConnell moved for the approval of a modification to Section 611(e), Table 611-2 of the Land Management Code (LMC) to allow on-street parking in addition to providing two travel lanes as part of the local street cross-section detail to permit parking on both sides of road that will act as traffic calming such streets.

SECOND: Commissioner Nickols.

VOTE: 4-0.

Planning Commission Action for PC13-541MU:

MOTION: Commissioner McConnell moved to approve master plan PC13-541MU with the six conditions in less than 60 days and the 2 conditions in greater than 60 days and less than one year as read into the record by staff.

SECOND: Commissioner Nickols.

VOTE: 4-0.

H. PC14-114FSCB, Combined FSD/PFCP, City of Frederick Shared Use Path

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 PC14-114FSCB for the City Shared Use Path Plan with the 4 conditions to be met in less than 60 days as read into the record by staff.

SECOND: Commissioner Nickols.

VOTE: 4-0.

I. PC14-207FSI, Final Site Plan, MedImmune-Column Packing Building

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 PC14-207FSI with the 2 conditions to be met in less than 60 days as read into the record by staff.

SECOND: Commissioner Nicklas

VOTE: 4-0.

J. PC14-378ZTA, Text Amendment, Section 423(a), Demolition Review

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

Commissioner Nash noted for the record that an email was received from Mr. Karl Morris, Matan Companies, stating his concerns.

Planning Commission Action:

MOTION: Commissioner McConnell moved for a positive recommendation for PC14-378ZTA to the Mayor & Board of Aldermen, as the proposed text creates the ability to protect historic resources that are contributing to a site, thereby protecting the overall integrity and significance of the historic site.

SECOND: Commissioner Nicklas

VOTE: 3-1. (Commissioner Brown opposed)

K. PC08-119ZMA, Zoning Map Amendment, 820 Motter Avenue

L. PC14-062MU, Master Plan, Sharpe's Mixed Use Building

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

Lee Sharpe of 108 W. 9th stated that there is an oversized building being placed on a small piece of property. He also added there are traffic issues. He feels that there should be more parking. One parking spot for every three units is not enough or fair to the residents. He also has a concern for the residents for bus transportation, there is no awning for them to stand and wait on the plan. He concluded with his final concern of water runoff onto his property.

John Reamer stated that they are going to have a berm instead of a masonry wall. He wanted to express his concerns to the Commission that he would like something more than just a berm for the properties on the east side.

Corrine Bradac of 104 W. 9th Street stated that she is concerned about water runoff because there is already excess water and they are located in a floodplain. She doesn't want to be flooded out. She added that she would like permanent fencing. She also would like landscaping be set into the applicant's property for growth. She also has concerns for lighting.

Planning Commission Action:

This is the first of two required public hearings and as such, no action is necessary at this time and no recommendation has been made.

M. PC14-127PSU/PC14-332FSI, Preliminary Subdivision Plat/Final Site Plan, Kellerton Knolls

Ms. Marsh entered the entire staff report into the record. There was public comment on this item.

Robin Dowling of Sunset Drive has concerns that the residents of the new development will have access to their street. It is a very quiet street and having new people using this street for friends to park on the back and use their backyard as an entrance to their home. She stated that if a new fence cannot be provided then if they could keep the old fence to keep the neighborhood the way it has been.

Janice Hauver of 6520 Sunset Drive stated that she concurred with Robin and asked that the fence be left or replaced.

George Kershner of 6520 Drive concurred with Janice and Robin in regards to the fence.

Jeff Nelson of Whittier has concerns of traffic for people who live there coming and going there are only 2 ways out of the development as shown.

John Ross of Sunset Drive stated that their houses face the development that is why they would like more of a barrier so they will not have to look at the back of new houses.

Donna Ross of Sunset Drive stated that she would like the rural feel of their neighborhood to be maintained. She would like a fence to keep the privacy.

Dave Ayersman of Sunset Drive stated he would like to have the fence and they would do their share of maintaining the fence.

Planning Commission Action for 605(f) (5):

MOTION: Commissioner McConnell moved for the approval of a modification to Section 605(f) (5), Landscaping Standards, Street tree landscaping requirements, permissible by 605(h), for street tree locational requirements to allow the placement of street trees outside of the planting strip located between the curb and the sidewalk in locations where street trees in the planting strip are in conflict with public and private utilities.

SECOND: Commissioner Nicklas

VOTE: 4-0.

Planning Commission Action for Curbing Detail:

MOTION: Commissioner McConnell moved for approval of curbing detail in order to use a roll curb detail, as illustrated in the street sections of the plan provided that the Applicant demonstrates to the City Engineering Staff that appropriate runoff can be contained in the gutter without spreading into the travel way of the street or onto the shoulder and across the sidewalk.

SECOND: Commissioner Nicklas

VOTE: 4-0.

Planning Commission Action PC14-127PSU/PC14-332FSI:

MOTION: Commissioner McConnell moved to approve PC14-127PSU/PC14-332FSI with the 6 conditions to be met in less than 60 days:

1. The Applicant shall place a note on the plan that states the following: *Prior the final building permit approval, the developer of the Keller Property shall submit a minimum of four proposed architectural elevations (which can be of the same floor plan) for each dwelling unit type, for review and consideration by staff and the Planning Commission as to whether the elevations meet the prescriptive criteria enumerated within the approved Keller PND Design Guidelines.*
2. The Applicant will revise the plan to include a table that will indicate which lots will utilize the optional parking pad/detached garage configuration

3. Revise the plan to show stopping sight distance triangles at all intersections and relocate any plantings that are within those areas so as to not impede visibility.
4. Relocate the street trees along Yellow Springs Road north/west of Street "B" (Pedigree Street) that obstruct the sight distance.
5. The Applicant will work with the Department of Public Works staff to finalize trash enclosure locations and design.
6. A note shall be placed on the plat that states "Along Lots 36-44, the existing fence will remain or the Applicant will replace the fence with a new fence of existing quality or better."

SECOND: Commissioner Nicklas
VOTE: 4-0.

N. PC14-128PFCP, Preliminary Forest Conservation Plan, Kellerton Knolls

Ms. Marsh entered the entire staff report into the record. There was public comment on this item.

Alison Hagermyer of Etzler Road stated that she would like the Commission to consider rather than cutting the mature trees down to preserve those as part of the forest conservation plan.

Planning Commission Action for 721(d) (2) (C):

MOTION: Commissioner McConnell moved for the approval of a modification to Section 721(d)(2)(C) to remove the four specimen trees enumerated on the plan and in the applicant's modification request finding that all of the criteria under Section 721(b)(3) have been met by the applicant.
SECOND: Commissioner Nicklas
VOTE: 4-0.

Planning Commission Action PC14-128PFCP:

MOTION: Commissioner McConnell moved to approve PC14-128PFCP.
SECOND: Commissioner Nicklas
VOTE: 4-0.

There was no further business.

Meeting adjourned approximately at 10:00 p.m.

Respectfully Submitted,

Carreanne Eyler
Administrative Assistant