

**Planning Commission Hearing Minutes  
January 12, 2015**

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Meta Nash Alderman Russell Kate McConnell Andrew Brown Barbara Nicklas Arlene Perkins		Joe Adkins – Deputy Director of Planning Gabrielle Collard -Division Manager for Current Planning Matt Davis – Division Manager for Comprehensive Planning Brandon Mark-City Planner Jackie Marsh-City Planner Devon Hahn - Traffic Engineer Scott Waxter- Assistant City Attorney Carreanne Eyer-Administrative Assistant

**I. ANNOUNCEMENTS:**

Commissioner Nash announced that Planning Commission Workshop will be held on Tuesday, January 20, 2015 due to Monday being a holiday.

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Approval of the **December 5, 2014** Pre-Planning Commission Meeting Minutes as published:

**MOTION:** Commissioner McConnell.  
**SECOND:** Commissioner Nicklas.  
**VOTE:** 5-0.

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Approval of the **December 8, 2014** Planning Commission Meeting Minutes as published:

**MOTION:** Commissioner McConnell.  
**SECOND:** Commissioner Nicklas.  
**VOTE:** 5-0.

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Approval of the **December 15, 2014** Planning Commission Workshop Minutes as published:

**MOTION:** Commissioner Nicklas  
**SECOND:** Alderman Russell  
**VOTE:** 5-0.

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Approval of the **January 9, 2015** Pre-Planning Commission Meeting Minutes as published:

**MOTION:** Alderman Russell.  
**SECOND:** Commissioner Nash.  
**VOTE:** 2.

**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.)

- A. PC14-810FSI, Final Site Plan, Food Pro
- B. PC14-071FSCB, Combined Forest Stand Delineation/Preliminary Forest Conservation Plan, Industrial Center East Lot 444
- C. PC14-907FSU, Final Subdivision Plat, North Jefferson LLC Addition to North Jefferson LLC

**Planning Commission Action:**

**MOTION:** Commissioner McConnell moved to approved consent agenda items A-C.  
**SECOND:** Commissioner Nicklas.  
**VOTE:** 5-0.

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**V. MISCELLANEOUS:**

- D. PC12-364FSI, Final Site Plan, Walmart Super Center (Monocacy Blvd)

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

**Planning Commission Action:**

**MOTION:** Commissioner McConnell moved for the approval of a one year extension to the conditions to be met in greater than 60 days but less than one year for final site plan PC12-364FSI for Walmart Super Center.  
**SECOND:** Commissioner Nicklas.  
**VOTE:** 5-0.

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**VI. NEW BUSINESS:**

- E. PC14-719FSI, Final Site Plan, Industrial Center East Lot 444

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

**MOTION:** Commissioner McConnell moved to approve final site plan PC14-060FSI, Industrial Center East Lot 444 with the one condition to be met as read into the record by staff and finding it complies with all applicable sections of the LMC.  
**SECOND:** Commissioner Nicklas.  
**VOTE:** 5-0.

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- F. PC13-384FSI, Final Site Plan, Motter Square

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

Corinne Bradac 104 W. 9<sup>th</sup> Street stated that she has concerns about the proposed trees that will be planted and how high and wide they are in maturity. She don't want to see a wall of trees it will hide the sun. She prefers high shrubs. She suggested aluminum fencing. It provides some buffer and privacy.

**Planning Commission Action Per Section 607(f) (2):**

**MOTION:** Commissioner McConnell moved to support a modification to Section 607(f)(2) to reduce the parking setback from 30' to 15' based on the Applicant proposing to install a berm and augment the current buffer plantings with a 6' hedgerow and trees as a compensating feature.

**SECOND:** Commissioner Nicklas.

**VOTE:** 5-0.

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**Planning Commission Action Per Section 601, Table 601-2:**

**MOTION:** Commissioner McConnell moved to support a modification to Section 601, Table 601-2 for the access drive separation standards on arterial roadways to reduce the required 400' separation distance from an access drive to a local roadway to approximately 125' as well as the 200' separation distance from two access drives to approximately 91' based on the proposal containing one-way access points with the ingress situated to the south of the egress as a compensating feature.

**SECOND:** Commissioner Nicklas.

**VOTE:** 5-0.

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**Planning Commission Action Per Section 607(g):**

**MOTION:** Commissioner McConnell moved to support a modification to Section 607(g) to allow the reduction from one large loading space (12' x 50') to one small loading space measuring 10' x 20' for the retail component of the proposal based on the anticipated needs of the nonresidential space.

**SECOND:** Commissioner Nicklas.

**VOTE:** 5-0.

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**Planning Commission Action Per Section 417(c) (1):**

**MOTION:** Commissioner McConnell moved to support a modification to Section 417(c) (1) for the maximum interior setback for a nonresidential structure in the MU zoning district to allow for the building to be located approximately 84' from the northern property line and 72' from the southern property line based on the Applicant proposing a masonry knee wall and landscaping to create a linear pedestrian experience along Motter Avenue as a compensating feature..

**SECOND:** Commissioner Nicklas.

**VOTE:** 5-0.

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**Planning Commission Action Per Section 604:**

**MOTION:** Commissioner McConnell moved to approve the architectural elevations submitted to the Planning Commission January 12, 2015 per Section 604.

**SECOND:** Commissioner Nicklas.

**VOTE:** 5-0.

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**Planning Commission Action Per Private Parkland/Fee-in-Lieu:**

**MOTION:** Commissioner McConnell moved to support a combination of private parkland and payment in lieu of to mitigate the parkland dedication requirements of Section 608 based on the provision of 9,400 sf of private parkland and the balance, 41,100 sf, to be mitigated by a payment to be determined by the Mayor and Board of Aldermen.

**SECOND:** Commissioner Nicklas.

**VOTE:** 5-0.

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**Planning Commission Action PC13-384FSI:**

**MOTION:** Commissioner McConnell moved to for the approval of PC13-384FSI for Motter Square finding that the proposed application complies with all of the applicable sections of the Land Management Code (LMC) as well as the conditions established in Ordinance G-14-16 for the amendment to a conditional rezoning of a property from R-8 to MU-2 and resolution No-14-17 for the Master Plan and based on the following conditions

To be met in less than 60 days:

1. The Applicant revises Note 30 to read that the Applicant is to work in coordination with the Engineering Department to achieve 10% infiltration of the proposed impervious area to be addressed on the site plan and finalized at the improvement plan.
2. The Applicant revise Note 25(F) to indicate this criterion is not applicable.
3. The Applicant provides a note to indicate compliance with Section 604 by listing the seven amenities for the commercial component and five amenities for the multi-family residential component.
4. The lighting plan must be revised to eliminate any light trespass onto adjacent properties.
5. The Applicant updates Note 16, to indicate that an infill project is required 500sf of parkland dedication; the proposal is required 50,500sf of parkland dedication and will be required to mitigate 41,100sf of parkland through the payment of fee-in-lieu based on a fair market value approved by the Mayor and Board of Aldermen.
6. The Applicant notes the eight conditions of the amended conditional rezoning on the final site plan.

7. The Applicant moves the proposed sign out of the storm water management facility.
8. The Applicant updates Note 6 to reflect all approved modifications and their date of approval. The Applicant also pays the necessary fees for the four modification requests.
9. The Applicant revises the plan to remove the notation for the proposed six foot board on board fence along the north property line as well as the masonry knee wall and proposed sign depicted on Sheet SP-1. Also, the Applicant must add the masonry knee wall for the patio area adjacent to the commercial entrances on Sheet SP-1.
10. The Applicant provides the eligibility requirements for the age restricted residents to the Planning Department for the file with the APFO.
11. The Applicant provides a detail for the aluminum fence along northern property Line which shall be similar in appearance to a wrought iron fence and 6' in height.
12. The Applicant shall work with the City Arborist to identify alternatives to mitigate negative impacts of the landscaping located on the northern and eastern property line in terms of height, ultimate width, durability and shade.

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

1. The Applicant must record an MPDU agreement with the City pursuant to Section 19-6(a) of the City Code.
2. The Applicant must receive approval from the Mayor and Board of Aldermen for the payment amount to be made in lieu of parkland dedication and that fee be provided.

**SECOND:** Commissioner Nicklas.

**VOTE:** 5-0.

**G. PC14-1004ZTA, Text Amendment, Section 905, Nonconforming Uses**

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

**MOTION:** Commissioner McConnell moved for a positive recommendation from the Planning Commission to the Mayor & Board of Aldermen for the adoption of the proposed amendments as provided in the draft ordinance finding that the application implements policies of the 2010 Comprehensive Plan and is consistent with the language of the LMC for reasons contained in staff report.

**SECOND:** Commissioner Nicklas.

**VOTE:** 5-0.

**H. Partnership for Action Learning in Sustainability Presentation:**

Presentation from School of Architecture, Planning and Preservation Program in Architecture, Professor Matthew Belle on reimaging 6 new neighborhoods in the City of Frederick.

**Meeting adjourned approximately 8:15 p.m.**

Respectfully Submitted,

Carreanne Eyer  
Administrative Assistant

APPROVED 02-09-2015