

**Planning Commission Hearing Minutes
April 13, 2015**

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Meta Nash Alderman Russell Kate McConnell Barbara Nicklas Andrew Brown Arlene Perkins		Gabrielle Collard -Division Manager for Current Planning Zack Kershner-Director of Public Works Scott Waxter- Assistant City Attorney Brandon Mark – City Planner Devon Hahn – City Traffic Engineer Carreanne Eyler – Administrative Assistant

I. ANNOUNCEMENTS:

Ms. Collard announced that Planning Commission Workshop will be held on Monday, April 20, 2015. Commissioner Nash announced there will be a public meeting held in May for those who may be interested in going for discussion on the Carmack/Jay property on North Market Street.

Approval of the **March 9, 2015** Planning Commission Meeting Minutes as published:

MOTION: Commissioner McConnell.

SECOND: Commissioner Nicklas.

VOTE: 5-0.

Approval of the **March 16, 2015** Planning Commission Workshop Minutes as published:

MOTION: Commissioner McConnell

SECOND: Commissioner Nicklas.

VOTE: 5-0.

Approval of the **April 10, 2015** Pre-Planning Commission Meeting Minutes as amended:

MOTION: Commissioner McConnell.

SECOND: Commissioner Nicklas.

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. CONTINUANCES:

A. PC15-048FSI, Final Site Plan, North Side Water Tank

MOTION: Commission McConnell moved for a 30 day continuance to the May 11, 2015 for PC15-048FSI, North Side Water Tank.

SECOND: Commissioner Nicklas.

VOTE: 5-0.

B. PC15-051FSCB, Combined Forest Stand Delineation/Preliminary Forest Conservation Plan, North Side Water Tank

MOTION: Commission McConnell moved for a 30 day continuance to the May 11, 2015 for PC15-051FSCB, North Side Water Tank

SECOND: Commissioner Nicklas.

VOTE: 5-0.

C. PC14-1046FSI, Final Site Plan, Chesaco RV

MOTION: Commissioner McConnell moved for a 30 day continuance to the May 11, 2015 for PC14-1046FSI, Chesaco RV.

SECOND: Commissioner Nicklas.

VOTE: 5-0.

D. PC14-1047FSCB, Combined Forest Stand Delineation/Preliminary Forest Conservation Plan, Chesaco RV

Planning Commission Action:

MOTION: Commissioner McConnell moved for a 30 day continuance to the May 11, 2015 for PC14-1047FSCB, Chesaco RV.

SECOND: Commissioner Nicklas.

VOTE: 5-0.

E. PC14-1037FSU, Final Subdivision Plat, Worman's Mill Lot 8RR, Section 1

Planning Commission Action:

MOTION: Commissioner McConnell moved for a 30 day continuance to the May 11, 2015 for PC14-1037FSU, Worman's Mill Lot 8RR.

SECOND: Commissioner Nicklas.

VOTE: 5-0.

VI. **MISCELLANEOUS:**

F. **Capital Improvement Program (CIP) FY2016-2021**

Mr. Kershner gave a brief presentation of the draft CIP and draft CIP "Wish list" for FY2016-2021.

Planning Commission Action:

MOTION: Commissioner McConnell moved for a positive recommendation to the Mayor & Board of Aldermen for the FY2016-2021 CIP noting that the Yellow Springs/Tuscany Drive Interchange improvements project, the East Patrick Street/Monocacy Boulevard intersection improvements and the Rails to Trails program be advanced from the "Wish list" to the CIP.

SECOND: Commissioner Nash.

VOTE: 5-0.

G. **PC14-918FSI, Final Site Plan, Union Mills**

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

Planning Commission Action Per Section 420 (k):

MOTION: Commissioner McConnell moved for the approval of the 8 modifications to Section 420(k) finding that the 3 conditions to be met as read into the record by staff.

SECOND: Commissioner Nicklas.

VOTE: 5-0.

Planning Commission Action for Certificate of Urban Design Compliance:

MOTION: Commissioner Nicklas moved for the approval of the Certificate of Urban Design Compliance for Final Site Plan PC14-918FSI for Union Mills based on the following condition:

1. That the painted signs on the building are retained and preserved but not enhanced during the rehabilitation of the property.

SECOND: Commissioner McConnell.

VOTE: 5-0.

Planning Commission Action Per Section 420 (k):

MOTION: Commissioner Nicklas moved for the approval of the 3 modifications to Section 420(k) with the 3 conditions to be met as read into the record by staff.

SECOND: Commissioner McConnell.

VOTE: 5-0.

Planning Commission Action for Certificate of Architectural Compliance

MOTION: Aldermen Russell moved for the approval of the Certificate of Architectural Compliance for Final Site Plan PC14-918FSI for Union Mills.
SECOND: Commissioner McConnell.
VOTE: 5-0.

VII. OLD BUSINESS:

H. PPC14-640PND, Master Plan, Belle Air Farm

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

Planning Commission Action Per Section 608 (e) (5) (A):

MOTION: Commissioner McConnell moved for the approval of a modification to Section 608(e)(5)(A) of the LMC which states, *"No more than seventy (70) percent of the required parkland to be dedicated shall be within the 100 year floodplain or have an average slope in excess of eight (8) percent,"* based on the proposed dedication area within the floodplain is adjacent to, and will supplement, the City's parkland in Taskers' Chance and provides environmental and recreational benefits to the City.
SECOND: Commissioner Nicklas.
VOTE: 5-0.

Planning Commission Action Per Table 405-1:

MOTION: Commissioner McConnell moved for the approval of the modifications to Table 405-1 *"Dimensional Standards"* for the R8 zone setbacks and townhome lot impervious surface ratio, finding the PND Plan is consistent with the Comprehensive Plan by supporting the noted policies of the 2010 Comprehensive Plan.
SECOND: Commissioner Nicklas.
VOTE: 5-0.

Planning Commission Action Per Section 410(g) (3):

MOTION: Commissioner McConnell moved for the approval of modifications to the Standard City Street Details S-29 and S-16 in accordance with Section 410(g)(3) finding that they are compatible with the surrounding neighborhood and the overall development of the City, that they will not be detrimental to the public health and safety or the delivery of public services and that mitigation measures are provided that resolve any issues and address the purpose and intent of the regulations, namely the flexibility provided under Note 22

that will allow for further analysis of the implementation of the details at subsequent stages of the development process to ensure adequacy.

SECOND: Commissioner Nicklas.

VOTE: 5-0.

Planning Commission Action for PC14-640PND:

Commissioner McConnell moved to approve the Belle Air Farm Master Plan PC14-640PND, finding that:

- The project constitutes a primarily residential environment of continuing desirability and stability that is in harmony with the character of the surrounding neighborhood and
- That the project is of the same or a higher standard of development than what would otherwise be permissible in the R8 zoning district
- In accordance with the approved APFO certificates, the project will be adequately served by public infrastructure; and
- The project is consistent with the 2010 Comprehensive Plan as discussed in the report; and

With the following conditions to be met:

1. Correct Note 18 for the CAPF Roads as Provisional Approval.
2. Correct Note 16 for the Townhomes Class B elements: A, B, C, and F.
3. Correct Design Booklet:
 - a. Page 4 Single Family Class B elements: A, B, C, E, and H;
 - b. Provide the impervious surface ratios for each unit type;
 - c. For each street detail, provide the on-lot parking space length as shown.
4. Change Note 20 as follows: *“Beginning six (6) months after the Preliminary Plan approval, the Applicant will initiate mothballing protection for the historic structures in accordance with the City of Frederick’s “Guidelines for Mothballing Historic Buildings.”*
5. Delete last sentence in the Phasing Plan – Phase 4 that addresses the historic structures.
6. Add the following note to the plan: The applicant shall prepare the appropriate easement (or easements), to the satisfaction of City of Frederick Planning Staff, for the protection and maintenance by the City of all street trees placed outside of the Public Right-of-way. Such an instrument (or instruments), shall be mutually executed and recorded amongst the Land Records of Frederick County prior to final subdivision plat recordation.
7. Execute an MPDU payment agreement in accordance with Chapter 19 of the City Code.
8. Revise pages 9 and 10 (of Design Booklet) to depict “sharrow” and not “sharrow marked bike lane.”

I. PC13-900FSU, Final Subdivision Plat, Hamilton Place

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

Planning Commission Action Per Section 605(f):

MOTION: Commissioner McConnell moved for the approval of a modification to Section 605(f) with the 3 conditions to be met as read into the record by staff.

SECOND: Commissioner Nicklas.
VOTE: 5-0.

Planning Commission Action for PC13-900FSU:

MOTION: Commissioner McConnell moved for the approval of PC13-900FSU for the creation of 2 lots based on the 4 conditions to be met:

1. If approved, the Applicant must add a note to the Plat documenting the modification of Section 605(f) with the approval date of April 13, 2015.
2. The Applicant records an encroachment agreement for the stoops of the existing dwelling unit and any future dwelling units.
3. The Applicant receives Mayor and Board approval of the payment amount for the parkland dedication "fee-in-lieu of."
4. The Applicant revises the street names to the correct street names in the vicinity map.

SECOND: Commissioner Nicklas.
VOTE: 5-0.

J. PC15-109ZMA, Zoning Map Amendment, Summers Farm

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

This was the first of two required public hearing so no vote was taken.

Meeting adjourned approximately 8:45 p.m.

Respectfully Submitted,

Carreanne Eyer
Administrative Assistant