

**Planning Commission Hearing Minutes
December 15, 2015**

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Alderman Russell Barbara Nicklas Arlene Perkins	Kate McConnell	Gabrielle Collard -Division Manager for Current Planning Jackie Marsh – City Planner Lisa Mroszczyk Murphy – HPC Planner Christina Martinkosky – HPC Planner Matt Davis – Division Manager of Comprehensive Planning Scott Waxter- Assistant City Attorney Devon Hahn – City Traffic Engineer Lea Ortiz – Office Manager

I. ANNOUNCEMENTS:

Ms. Collard stated that the Planning Commission Workshop will be held on Monday, December 21st at 2 p.m. at the Annex Building for interested parties who would like to come. She also wanted to thank and congratulate Jackie Marsh on her new job opportunity noting that this is her last Planning Commission hearing. .

Approval of the **November 6, 2015** Pre-Planning Commission Meeting Minutes as published:

MOTION: Commissioner Perkins.

SECOND: Commissioner Nicklas.

VOTE: 3-0.

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

MOTION: Commissioner Nicklas.

SECOND: Commissioner Perkins.

VOTE: 3-0.

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

MOTION: Commissioner Perkins.

SECOND: Commissioner Nicklas.

VOTE: 3-0.

Approval of the **December 8, 2015** Pre-Planning Commission Meeting Minutes as published:

The Planning Commission Pre-Planning Commission Meeting minutes were tabled until the January 11, 2016 Planning Commission Hearing.

Approval of the **December 11, 2015** Pre-Planning Commission Meeting Minutes as published:

The Planning Commission Pre-Planning Commission Meeting minutes were tabled until the January 11, 2016 Planning Commission Hearing.

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. PC15-659FSI, Final Site Plan, Monocacy Pump Station
- B. PC15-660FSU, Final Subdivision Plat, Monocacy Pump Station
- C. PC15-661FSCB, Combined Forest Stand Delineation/Preliminary Forest Conservation Plan, Monocacy Pump Station

Planning Commission Action:

MOTION: Commissioner Nicklas moved to continue Items A-C to the January 11, 2016 Planning Commission Hearing.

SECOND: Commissioner Perkins.

VOTE: 3-0.

- D. PC14-987PSU, Preliminary Subdivision Plat, Monocacy Center
- E. PC14-989FSI, Final Site Plan, Monocacy Center
- F. PC15-565FSCB, Combined Forest Stand Delineation, Preliminary Forest Conservation Plan, Monocacy Center

Planning Commission Action:

MOTION: Commissioner Perkins moved to continue agenda items D - F to the January 11, 2016 Planning Commission Hearing.

SECOND: Commissioner Nicklas.

VOTE: 3-0.

VI. NEW BUSINESS:

- G. PC15-653FSI, Final Site Plan, Monocacy Substation

****WITHDRAWN****

H. PC15-742FSI, Final Site Plan, Givens Collision Repair Building Addition

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

Planning Commission Action:

MOTION: Commissioner Perkins moved to approve PC15-742FSI based on the compliance with all of the applicable sections of the LMC and with the one condition to be met as read into the record by staff.

SECOND: Commissioner Nicklas.

VOTE: 3-0.

I. PC15-731FSU, Final Subdivision Plat, Caidlyn Addition

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

Planning Commission Action Per Section 506 (c):

MOTION: Commissioner Nicklas moved for a positive recommendation to the Mayor & Board of Aldermen for the deferral of the required road frontage improvements until such time that the owner of the Caidlyn Property submits an application for the further development of the property.

SECOND: Commissioner Perkins.

VOTE: 3-0.

Planning Commission Action PC15-731FSU:

MOTION: Commissioner Nicklas moved to approve PC15-731FSU based on compliance with the applicable criteria of Section 507(c) and conformance with the Comprehensive Plan.

SECOND: Commissioner Perkins.

VOTE: 3-0.

J. PC15-288FSI, Final Site Plan, Butterfly Ridge Elementary School

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

Planning Commission Action for Architectural Elevations:

MOTION: Commissioner Nicklas moved for approval of the architectural elevations for compliance with Class C requirements of the Building and Urban Design Standards of Section 604.

SECOND: Commissioner Perkins.

VOTE: 3-0.

Planning Commission Action Per Section 607:

MOTION: Commissioner Perkins moved for approval of a modification to Section 607, Table 607-5 to the Level IV screening requirements for a loading area within 100' from a residential district and less than 20,000 s. f. and with the three findings of facts as read into the record by staff.

SECOND: Commissioner Nicklas.

VOTE: 3-0.

Planning Commission Action Per Section 613(a) (3):

MOTION: Commissioner Nicklas moved for approval of a modification to Section 613 (a)(3), requiring dumpsters to be screened on three sides with year round landscaping and with the three findings of fact as read into the record by staff.

SECOND: Commissioner Perkins.

VOTE: 3-0.

Planning Commission Action PC15-288FSI:

MOTION: Commissioner Perkins moved for the approval of PC15-288FSI in accordance with all applicable provisions of the LMC and with the following conditions to be met:

1. The Applicant revises the plan to depict the compensating features for the modification requests.
2. The Applicant revises the plan to depict two pedestrian connections from the school to the Westside Regional Park by extending the onsite sidewalk to the southern property line from the south and west façade of the building.
3. The Applicant depicts the emergency access drive from the bus loop to the southern drive aisle and labels it for emergency access only.
4. The Applicant relocate the street trees in close proximity of street lights, if it is necessary for the trees to be placed outside of the right-of-way and on the subject property the Applicant must execute an access and maintenance agreement.
5. The Applicant depicts finalized layout of the Butterfly Lane/McCain Drive intersection as approved by the TIS and conditioned upon the provisional CAPF-R.
6. The Applicant updates the plan to depict the conditions of provisional CAPF-Roads approval and notes the date of provisional approval.
7. The notes the final subdivision case number (PC13-638FSU) in the case history.
8. The Applicant must revise the site plan to depict the building footprint and surrounding improvements without the Parks and Recreation addition alternative and must provide either an inset or a separate sheet depicting the footprint and improvements in the event that the addition is constructed and a note must be placed on the plan indicating that the Parks and Recreation component will be constructed if funding allows.
9. The Applicant remove the six portable/temporary classrooms along the southern property line and update the parking calculation on sheet C-0 to indicate that nine portable classrooms are provided instead of 12.
10. The Applicant revises the architectural elevations found on Sheet A-2.1 to label the correct cardinal direction for each elevation.

SECOND: Commissioner Nicklas.

VOTE: 3-0.

K. PC15-480ZMA, Zoning Map Amendment, 423B E. Patrick Street/Schley House

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

Eugene Young, property owner, read a letter into the record stating that he is opposed to the historic preservation overlay designation. He feels it would add additional work and stress financially for the family while maintaining a business.

Anthony Moscato of Frederick Preservation Trust stated that they encourage the overlay on the property because of its significant history, the view shed and the distinctive architectural features.

Planning Commission Action:

MOTION: Commissioner Nicklas moved for a resolution of positive recommendation to the Mayor & Board of Aldermen for the rezoning of 423B E. Patrick Street/Schley House in order to apply historic preservation overlay zone while maintaining the base zone of M1 and the Airport Overlay.

SECOND: Commissioner Perkins.

VOTE: 3-0.

L. PC15-479ZMA, Zoning Text Amendment, 106 Commerce Street/Frederick City Packing Company

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

Anthony Moscato of Frederick Preservation Trust stated that they encourage the overlay on the property to have a positive vote and the resolution.

Planning Commission Action:

MOTION: Commissioner Perkins moved for a resolution of positive recommendation to the Mayor & Board of Aldermen for the rezoning of 106 Commerce Street/Frederick City Packing Company in order to apply historic preservation overlay zone while maintaining the base zone of DB.

SECOND: Commissioner Nicklas.

VOTE: 3-0.

M. PC15-482ZMA, Zoning Text Amendment, 332-340 E. Patrick Street/Union Mills

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

Anthony Moscato of Frederick Preservation Trust stated that they support staffs recommendation and encourages the overlay on the property.

Planning Commission Action:

MOTION: Commissioner Nicklas moved for a resolution of positive recommendation to the Mayor & Board of Aldermen for the rezoning of 332-340 E. Patrick Street/Union Mills in order to apply historic preservation overlay zone while maintaining the base zone of DB and the Carrol Creek Overlay.

SECOND: Commissioner Perkins.

VOTE: 3-0.

N. PC15-481ZMA, Zoning Text Amendment, 400 E. Church Street/Goodwill

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

Anthony Moscato of Frederick Preservation Trust stated that they encourage the overlay on the property to have a positive vote and the resolution.

Planning Commission Action:

MOTION: Commissioner Perkins moved for a resolution of positive recommendation to the Mayor & Board of Aldermen for the rezoning of 400 E. Church Street/Goodwill in order to apply historic preservation overlay zone while maintaining the base zone of DB.

SECOND: Commissioner Nicklas.

VOTE: 3-0.

O. PC15-878ZTA, Zoning Text Amendment, Section 306, Text Amendments & Zoning Map Amendments

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

Planning Commission Action:

MOTION: Commissioner Nicklas moved for a positive recommendation for the amendments as proposed to the Mayor & Board of Aldermen.

SECOND: Commissioner Perkins.

VOTE: 3-0.

Meeting adjourned approximately 7:30 p.m.

Respectfully Submitted,

Carreanne Eyler
Administrative Assistant