

**Planning Commission Hearing Minutes
March 14, 2016**

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Alderman Russell Kate McConnell Barbara Nicklas Arlene Perkins Ron Burns		Gabrielle Collard -Division Manager for Current Planning Brandon Mark – City Planner Scott Waxter- Assistant City Attorney Tracy Coleman –Deputy Director For Engineering Zack Kershner – Director of Public Works Carreanne Eyler – Administrative Assistant

I. ANNOUNCEMENTS:

Ms. Collard announced that the Planning Commission Workshop will be held on Monday, March 21, 2016 for interested parties who would like to attend.

Approval of the **February 8, 2016** Planning Commission Meeting Minutes as published:

MOTION: Commissioner Perkins.

SECOND: Commissioner Nicklas.

VOTE: 5-0.

Approval of the **February 16, 2016** Planning Commission Workshop Minutes as published:

MOTION: Commissioner Perkins.

SECOND: Commissioner Burns.

VOTE: 4-1. (Commissioner Nicklas abstained)

Approval of the **March 11, 2016** Pre-Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Perkins.

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. PC15-922PND, Master Plan, Nicodemus/East Church

Planning Commission Action:

MOTION: Commissioner Perkins moved to continue PC15-922PND, Nicodemus master plan to the April 11, 2016 Planning Commission Hearing.

SECOND: Commissioner Nicklas.

VOTE: 5-0.

VI. MISCELLANEOUS:

B. Capital Improvement Program

Ms. Collard entered the entire staff report into the record. Mr. Kershner followed up the report by reviewing various projects and providing a description of the work it entailed. There was no public comment on this item.

Planning Commission Action:

MOTION: Commissioner Burns moved for a positive recommendation to the Mayor and Board of Aldermen for the projects and their timing as contained in the CIP with the following adjustments:

1. That funding is moved forward for the Christopher's Crossing project between Opossumtown Pike and McClellan Drive which provides for the widening of that section from one lane in each direction to two lanes in each direction showing cash flow in FY17 or FY18 such that the improvements will be completed prior to the completion of the interchange at Rt 15/Monocacy Blvd. (Project #320018)
2. That Phase II of the Rails With Trails project for East Street show construction funding for FY17 as suggested in the "Wish List" and that item be accelerated from the "Wish List" to the current 2017-2022 CIP so that the section from 7th Street to Market Street can be funded to support the new development in that area. (Project #380004).

SECOND: Commissioner Perkins.

VOTE: 5-0.

VII. NEW BUSINESS:

C. PC15-831FSI, Final Site Plan, Chipotle

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

Planning Commission Action Per Section 601, Separation Standards:

MOTION: Commissioner Nicklas moved for the approval of a modification to Section 601, Table 601-2, *Separation Standards*, with the three findings of facts as read into the record by staff.

SECOND: Commissioner Perkins.

VOTE: 5-0.

Planning Commission Action for finding of adequacy for roads/intersections:

MOTION: Commissioner Nicklas moved for the recommendation to finding of adequacy for the following roads/intersections based on the fact that adequacy as specified in Section 4-11(b)(1) and Section 1203 of the LMC cannot be achieved without alteration or removal of existing improvements, and based on the finding that the developer has incorporated as much mitigation as reasonably possible in accordance with Section 4-11(b)(1)(D) of the APFO for the following intersections:

- The intersection of US 40 and Baughman’s Lane/Linden Avenue, and
- The intersection of the private access points to the Motel 6 and Frederick County Square Shopping Center at Baughman’s Lane. .

SECOND: Commissioner Perkins.

VOTE: 5-0.

Planning Commission Action PC15-831FSI:

MOTION: Commissioner Perkins moved for the approval of final site plan PC15-831FSI for Chipotle finding that the application complies with all applicable sections of the LMC and with the following conditions to be met:

1. The Applicant must revise Notes 1, 3 and 4 to indicate the proposed use is General Restaurant and adjust the parking table accordingly.
2. The Applicant must revise Note 23 to indicate the linear feet of the building front are 186 feet.
3. The Applicant revise note 11 to update the amount of seating proposed for the restaurant as 88 as well as the parking calculation accordingly.
4. The Applicant must depict a marked pedestrian route from Baughman’s Lane to the proposed restaurant.
5. Prior to unconditional approval the need for “No U-Turn” signs at both ends of the median on Baughman’s Lane be evaluated and if deemed necessary by the City Engineer a note be added to the Final Site Plan indicating that “No U-Turn” signs on Baughman’s Lane will be bonded along with other site improvements.
6. The Applicant must depict a marked pedestrian route from the Motel 6 to the proposed restaurant.

SECOND: Commissioner Nicklas.

VOTE: 5-0.

Meeting adjourned approximately 7:15 p.m.

Respectfully Submitted,

Carreanne Eyer
Administrative Assistant

APPROVED 04-11-2016