

**Planning Commission Hearing Minutes  
August 8, 2016**

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Alderman Russell Arlene Perkins Ron Burns Katie House Ron Burns		Gabrielle Collard -Division Manager for Current Planning Scott Waxter- Assistant City Attorney Tracy Coleman –Deputy Director For Engineering Grace Bogdan- City Planner

**I. ANNOUNCEMENTS:**

Commissioner Nicklas congratulated Commissioner House on being appointed a full member of the Planning Commission.

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Approval of the **July 11, 2016** Planning Commission Meeting Minutes as published:

**MOTION:** Commissioner Perkins.

**SECOND:** Alderman Russell.

**VOTE:** 3-0. (Commissioner Nicklas abstained)

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Approval of the **July 18, 2016** Planning Commission Workshop Minutes as published:

**MOTION:** Commissioner Perkins.

**SECOND:** Alderman Russell.

**VOTE:** 3-0. (Commissioner Nicklas abstained)

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Approval of the **August 5, 2016** Pre-Planning Commission Meeting Minutes as published:

**MOTION:** Commissioner Perkins.

**SECOND:** Commissioner House.

**VOTE:** 4-0.

**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.)

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**Commissioner Nicklas announced that the elections would be moved to the end of the agenda due to Commissioner Burns being late so they would have a full Commission for voting.**

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V. CONTINUANCES:

B. PC15-730FSU, Final Subdivision Plat, Parcel B Part of Lot 1 Addition to Lot 2, Monocacy Village

Planning Commission Action:

**MOTION:** Commissioner Perkins moved to continue PC15-730FSU, Monocacy Village, for 30 days to the September 12, 2016 Planning Commission Hearing.

**SECOND:** Commissioner House.

**VOTE:** 4-0.

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C. PC16-249FSI/PSU, Final Site Plan/Preliminary Subdivision Plat, Kellerton Land Bay B

Planning Commission Action:

**MOTION:** Commissioner Perkins moved to continue PC16-249FSI/PSU to a date to be determined with notice provided in accordance with Section 301 upon assignment of a new hearing date.

**SECOND:** Commissioner House.

**VOTE:** 4-0.

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VI. NEW BUSINESS:

D. PC16-433FSU, Final Subdivision Plat, Gasemy's Addition to Lot 52, North Market Revitalization

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

Planning Commission Action:

**MOTION:** Commissioner Perkins moved for conditional approval of the final plat PC16-433FSU for the Gasemy Property and Lot 52, North Market Revitalization, finding that the "L" shaped lot is within two zoning districts, Downtown Residential (DR) and Downtown Business residential (DB), however, not creating additional lots for development and in accordance with Sections 515 and 507 which includes conformance with the Comprehensive Plan and other applicable criteria of Articles 4,6,7 and 8 of the Land Management Code (LMC) and that it is consistent with the surrounding community in terms of the seven characteristics of Section 515 of the LMC with the one condition to be met as read into the record by staff.

**SECOND:** Commissioner House.

**VOTE:** 4-0.

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E. PC16-353FSI, Final Site Plan, Rice Tire

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

Planning Commission Action:

**MOTION:** Commissioner Perkins moved for approval of final site plan PC16-353FSI for Rice Tire finding that the parcel is zoned Light Industrial (M1) and as such, the proposed additional square footage is consistent with the existing use on site and is within the Airport Overlay (AO) zone and is in accordance with all the applicable criteria of Articles 4,5,6,7 and 8 of the LMC with the two conditions read into the record by staff.

**SECOND:** Commissioner House.

**VOTE:** 4-0.

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Commissioner Burns arrived at 6:27 p.m.

**F. PC16-509FSCB, Combined Forest Stand Delineation/Preliminary Forest Conservation Plan, Rice Tire**

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

**Planning Commission Action:**

**MOTION:** Commissioner Perkins moved for unconditional approval PC16-509FSCB, Rice Tire finding that it complies with the Forest Conservation Act and Section 721 of the LMC where the ground disturbance required for the proposed addition exceeds 4,000 s.f. and in compliance with the Forest Conservation Act and Section 721.

**SECOND:** Commissioner House.

**VOTE:** 4-0. (Commissioner Burns abstained)

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**F. PC16-359FSI, Final Site Plan, Starbucks**

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

**Planning Commission Action Per Section 863(d) (2):**

**MOTION:** Commissioner Perkins moved for the approval of a modification request to Section 863(d) (2), *Parking Area Setbacks*, to reduce the 25' parking lot setback to 10' to integrate the site with the Walmart shopping center circulation pattern in addition to accommodating functional design for the trademark store and based on the finding that it has met the ingress/egress drive aisle requirements and provides adequate parking on site and with the three findings of fact read into the record by staff.

**SECOND:** Commissioner House.

**VOTE:** 4-0. (Commissioner Burns abstained)

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**Planning Commission Action Per Section 605(d) (2):**

**MOTION:** Commissioner Perkins moved for the approval of a modification request to Section 605(d) (2), Table 605-1, *Buffer Categories and Specifications*, to reduce the required screening number of trees from 30 to 11 collectively along the three property lines north, east and west which is decreasing the number of trees by 19 and the three findings of facts as read into the record by staff.

**SECOND:** Alderman Russell.  
**VOTE:** 4-0. (Commissioner Burns abstained)

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**Planning Commission Action PC16-359FSI:**

**MOTION:** Commissioner Perkins moved for approval of final site plan PC16-359FSI, Starbucks, finding that it meets all the applicable criteria of Section 309(a) of the LMC which includes compliance of all the applicable criteria of Articles 4,5,6,7 and 8 of the LMC, conformance with any area or master plan approval for the subject property and adequacy of facilities and services to accommodate the impacts of the development and is consistent with the Comprehensive Plan and with the following conditions to be met:

1. Obtain County approval to address DUSWM comment: "The 6-inch line is only 2 feet away from sewer monitoring manhole and should be relocated unless this meets City plumbing code."
2. Combine notes 10 and 18 for one site history note.
3. On Sheet 2, remove the 5' sidewalk previously proposed as a pedestrian connection to other lots.
4. Correct photometric plan to reduce lighting levels to 0.0 foot candles along the property lines.
5. Landscaping:
  - a. Correct Landscaping note for Section 605(D) (2), *Screening*, to reflect the requested modification.
  - b. On Sheet 3, label interior parking landscaping areas with square footage amounts to verify that 1,190 s.f. is provided in accordance with Section 605(g).
  - c. Label species of the adjacent Chic-fil-A trees along common property line.
  - d. Correct plant schedule and notes to reflect planting provided.
  - e. Remove signage notes and details from elevations since signage is approved with building permit.
7. Shopping Center Design Compliance:
  - e. Edit Table 863-2, Indicate that element I is not applicable.
  - f. Edit Table 863-2 Provide the building materials to be used to document compliance with element F.
  - g. Add amenities (i.e. tables and chairs) to the colored renderings.
8. Revise Note #4 to on Sheet 1 to indicate that the style of bike racks to be used will be an inverted "U".
9. Add vertical brick elements to the southwest elevation (elevation D) similar to those that have been added to the northwest elevation (elevation A).

**SECOND:** Commissioner House.  
**VOTE:** 4-0. (Commissioner Burns abstained)

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**H. PC16-360FSI, Final Site Plan, MMI-2**

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

**Planning Commission Action Per Section 405(c) (1):**

**MOTION:** Commissioner Perkins moved for approval of the modification request to Section 405(c) (1) Manufacturing/Office (MO) district standard setback modification to reduce the 100' interstate setback to 80' with the three findings of fact read into the record by staff.  
**SECOND:** Commissioner House.  
**VOTE:** 4-0. (Commissioner Burns abstained)

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

**MOTION:** Commissioner Perkins moved for approval of the modification request to Section 607(h) for the Loading Space requirements to reduce the required loading space from 12'x50' to 9'x20' feet with the three findings of fact as read into the record by staff.  
**SECOND:** Alderman Russell.  
**VOTE:** 4-0. (Commissioner Burns abstained)

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**Planning Commission Action Per Section 607:**

**MOTION:** Commissioner Perkins moved for approval of the modification request to Section 607 Table 607-1, Parking Schedule, to reduce the number of bike spaces from 26 to 14 on Lot 7B with the three findings of fact as read into the record by staff.  
**SECOND:** Commissioner House.  
**VOTE:** 4-0. (Commissioner Burns abstained)

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**Planning Commission Action Per Section 605(e):**

**MOTION:** Commissioner Perkins moved for the approval of the modification request to Section 605(e) for the requirement of Level I screening along Lots 7B and 7A and 8H access drive and easement and maintenance agreement common property lines with the three findings of fact as read into the record by staff.  
**SECOND:** Alderman Russell.  
**VOTE:** 4-0. (Commissioner Burns abstained)

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**Planning Commission Action PC16-360FSI:**

**MOTION:** Commissioner Perkins moved for the approval of final site plan PC16-360FSI, MMI-2, Frederick Research Park Lot 7B, in accordance with all the applicable criteria of Articles 4,5,6,7 and 8 of the LMC and conformance with any area or master plan and adequacy of facilities and services to accommodate impacts of the development and the Comprehensive Plan with the three conditions to be met as read into the record by staff.  
**SECOND:** Commissioner House.  
**VOTE:** 4-0. (Commissioner Burns abstained)

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**VII. MISCELLANEOUS:**

**A. Planning Commission Election**

**Chair**

**Planning Commission Action:**

**MOTION:** Commissioner Perkins nominated Commissioner Nicklas to be Chair of the Planning Commission.

**SECOND:** Commissioner Burns.

**VOTE:** 5-0.

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**Vice-Chair**

**Planning Commission Action:**

**MOTION:** Commissioner Burns nominated Commissioner Perkins to be Vice-Chair of the Planning Commission.

**SECOND:** Commissioner Nicklas.

**VOTE:** 5-0.

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**Meeting adjourned approximately 7:20 p.m.**

Respectfully Submitted,

Carreanne Eyer  
Office Manager

APPROVED 09-09-2016