

Planning Commission Hearing Minutes September 12, 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 Cherian Eapen – Traffic Engineer Carreanne Eyler – Office Manager

I. ANNOUNCEMENTS:

Ms. Collard stated that Planning Commission workshop will be help on Monday, September 19, 2016 for those who may be interested in attending and the workshop summaries are available online.

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

MOTION: Commissioner Perkins.

SECOND: Alderman House.

VOTE: 5-0.

Approval of the **August 15, 2016** Planning Commission Workshop Minutes as published:

MOTION: Commissioner Perkins.

SECOND: Commissioner Burns.

VOTE: 5-0.

Approval of the **September 9, 2016** Pre-Planning Commission Meeting Minutes as published:

MOTION: Commissioner Burns.

SECOND: Commissioner House.

VOTE: 4-0. (Commissioner Perkins abstained)

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. PC15-730FSU, 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 October 10, 2016 Planning Commission Hearing.

SECOND: Commissioner Burns.

VOTE: 5-0.

VI. MISCELLENEOUS:

B. 16-633, Grove Boulevard Abandonment

Planning Commission Action:

MOTION: Commissioner Burns moved for a recommendation of approval for the vacation/abandonment of Grove Boulevard between Carroll Parkway and the Board of Education Property (on which Frederick High School is located) in accordance with Section 22-22.2 Vacation of Streets, etc. of the City Code with the condition that the Applicant create and grant easements to the City for maintenance of existing utilities beneath the road surface and that the applicant prepare and submit a Quitclaim Deed.

SECOND: Commissioner Perkins.

VOTE: 5-0.

VII. NEW BUSINESS:

C. PC16-508FSU, Final Subdivision Plat, Farmers & Mechanics National Bank

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 to approve PC16-508FSU finding that the split zoning, as commercial residential and downtown residential, described in the staff report will remain and is not prohibited under the LMC and that it meets all the applicable criteria of Section 507 of the LMC which includes conformance with the Comprehensive Plan, compliance with all of the applicable criteria of Articles 4-8 of the LMC and with the one condition that was read into the record by staff.

SECOND: Commissioner Burns.

VOTE: 5-0.

D. PC16-510FSI, Final Site Plan, Ambassador Baptist Church

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

Victoria Seward of 218 Carroll Parkway submitted a letter via email for the record. She has concerns of the flow of rain water and ground water seeping into her basement. She feels that safeguards should be put in place to insure water would not run towards the homes on either side. She is concerned that her hedge and dogwood tree will be removed and feels the expansion is too large for the lot.

Planning Commission Action:

MOTION: Commissioner Burns moved for approval of PC16-510FSI in accordance with all the applicable criteria of Articles 4-8 of the LMC and with the following conditions to be met:

1. Submit a Landscaping Plan in substantially similar form as provided on Sheet 1 of the site plan signed by a certified Landscape Architect.
2. Revise Note 9 of the site plan to reflect that the bike rack will be of the inverted U style.
3. Record an easement for the proposed street tree to allow City access for maintenance.
4. Revise elevations to indicate etched window treatment on east and western elevations.
5. Revise elevations to reflect proper dimensions of proposed handicap ramp.
6. Revise site plan to show the Critical Root Zone of the dogwood tree on the adjacent property and provide the percentage of disturbance anticipated for review by the City Arborist.

SECOND: Commissioner Perkins.

VOTE: 4-1. (Commissioner Nicklas opposed)

E. PC16-344PSU, Preliminary Subdivision Plat-Revision, West Park Village

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

Planning Commission Action Parkland:

MOTION: Commissioner Perkins moved for a positive recommendation to the Mayor & Board of Aldermen for the establishment of approximately four acres of forest conservation easements within the 11.8 acres to be dedicated to the City as public parkland.

SECOND: Commissioner Burns.

VOTE: 5-0.

Planning Commission Action PC16-344PSU:

MOTION: Commissioner Burns moved to approve PC16-344PSU in accordance with Section 507 of the LMC and all applicable regulations and with the following conditions to be met:

1. Receive approval from the Mayor and Board of Aldermen for the creation of forest conservation easements within the parkland to be dedicated to the City for public use and add a note referencing that approval to the plan.
2. Add a note to the plan referencing the State Highway Administration approval granted for the waiver of the on-street bike lane.
3. Eliminate the right-out only access point at the eastern extent of the site as requested by SHA in the letter dated 9/1/2016 on all applicable sheets.
4. Add standardized water note and water and sewer classification to the plat.
5. Show landscape easements necessary for street trees planted on private lots.

6. Add a note to the landscaping sheet that the street tree easements shall be executed prior to recordation of the lots.
7. Show Phase 2 path on Sheet 4 and label with of path as 11’.
8. On Sheet 1, under the Site Development Summary consolidate reference to commercial lots by indicating three proposed nonresidential lots.
9. Add the recording reference and execution date of the School Construction Fee Payment Agreement to Note 3, Sheet 1.
10. Incorporate the road profiles as part of the preliminary subdivision plat.
11. The Applicant depict a reservation of Right of Way at the terminus of Street E which stubs at the property line with the “Gibbons Radio Hill” property for future cross connection.

SECOND: Commissioner House.

VOTE: 5-0.

F. PC16-346FSI, Final Site Plan, West Park Village

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

Planning Commission Action:

MOTION: Commissioner Burns moved to approve PC16-346FSI in accordance with Section 309 of the LMC and in accordance with applicable criteria of Articles 4-8 of the LMC, the standards for the MU-1 district are established in Section 417 and the findings of APFO satisfaction and as the conditions to be met:

1. On Sheet 2, delete existing note and replace with the following: “Prior to the final building permit approval, the developer shall submit a minimum of four proposed architectural elevations (which can be of the same floor plan) for each dwelling unit type, for review and consideration by staff and the Planning Commission as to whether the elevations meet the prescriptive criteria enumerated within the approved West Park Village Mixed Use Master Plan Design Guidelines.
2. Provide a note with the recording reference and approval date of the MPDU Payment Agreement.
3. On Sheet 1, under the Site Development Summary consolidate reference to commercial lots by indicating three proposed nonresidential lots.
4. Label forest conservation areas.
5. Provide standardized City water note on plan.
6. Remove landscaping sheets for the non-residential lots.
7. Eliminate the right-out only access point at the eastern extent of the site as requested by SHA in the letter dated 9/1/2016 on all applicable sheets.
8. Eliminate the sheets pertaining to the road profiles.
The Applicant depict a reservation of Right of Way at the terminus of Street E which stubs at the property line with the “Gibbons Radio Hill” property for future cross connection

SECOND: Commissioner Perkins.

VOTE: 5-0.

G. PC16-621ZTA, Text Amendment, Convenience Stores w/o Gas Sales /Convenience Stores w/Gas Sales

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

Planning Commission Action:

MOTION: Commissioner Burns moved to support the adoption of a resolution for a positive recommendation for the proposed amendments to the Mayor & Board of Aldermen finding that it would implement the policies of the Comprehensive Plan and is consistent with the existing regulations.

SECOND: Commissioner Perkins.

VOTE: 5-0.

Meeting adjourned approximately 7:55 p.m.

Respectfully Submitted,

Carreanne Eyer
Office Manager

APPROVED 10-10-2018