

**Planning Commission Hearing Minutes**  
**DATE: April 9, 2018**

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Barbara Nicklas – Chair	Katie Isaac	Gabrielle Collard, Division Manager of Current Planning
Arlene Perkins – Vice Chair		Cherian Eapen, Traffic Engineer
Kelly Russell – Alderman & Secretary		Rachel Depo, Assistant City Attorney
Ron Burns		Scott Waxter, Assistant City Attorney
Alan Imhoff – Alternate		Pam Reppert, City Planner
		Marshall Brown, City Planner
		Jessica Murphy, Administrative Assistant

**I. ANNOUNCEMENTS:**

Ms. Collard made the following announcements about upcoming events and opportunities:

- Bike to Work Day on May 18th
- Visualize 2045 on Wednesday, April 11, 2018 7-9pm at TJ High School. This is a discussion for long range transportation planning efforts in the National Capital Region.
- The Sustainability Committee Facebook page is listing dates for stream clean up events in the upcoming months and there is information on the Mayor’s challenge for water conservation.
- HPC staff will be holding a Digging Local presentation on Tuesday, April 17, 2018 at 6pm at the Library for Archeology month.
- The Workshop Agenda with attachments are available online for the workshop scheduled for Monday April 16, 2018 at 2pm in the Municipal Annex Building.

**II. APPROVAL OF MINUTES:**

Approval of the **March 9, 2018** Pre-Planning Commission Meeting Minutes as amended:

**MOTION: Commissioner Imhoff**

**SECOND: Alderman Russell**

**VOTE: 5-0.**

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Approval of the **March 12, 2018** Planning Commission Minutes as amended:

**MOTION: Commissioner Perkins**

**SECOND: Commissioner Imhoff**

**VOTE: 5-0.**

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Approval of the **March 19, 2018** Planning Commission Workshop Minutes as amended:

**MOTION: Commissioner Perkins**

**SECOND: Commissioner Imhoff**

**VOTE: 5-0.**

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Approval of the **April 6, 2018** Pre-Planning Commission Workshop Minutes as amended:

**MOTION: Commissioner Perkins**

**SECOND: Commissioner Imhoff**

**VOTE: 5-0.**

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**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”.*

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**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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**V. CONTINUANCES:**

**A. PC17-996PSU/PC17-997FSI, Combined Preliminary Plat and Final Site Plan, West Park Village**

**PLANNING COMMISSION ACTION:**

**MOTION:** Commissioner Perkins moved to approve a continuance to the May 14, 2018 Planning Commission hearing.

**SECOND:** Commissioner Imhoff

**VOTE:** 5-0

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**B. PC17-1077-01, Architectural Review, West Park Village**

**PLANNING COMMISSION ACTION:**

**MOTION:** Commissioner Perkins moved to approve a continuance to the May 14, 2018 Planning Commission hearing.

**SECOND:** Commissioner Imhoff

**VOTE:** 5-0

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**VI. MISCELLANEOUS:**

**No Items.**

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*The Applicant for the item under Old Business was not present and the Commission moved on to the first item under new business until the Applicant arrived.*

**D. PC18-53FSU, Final Subdivision Plat, Enelrad**

Mr. Brown 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 a modification to Section 601 of the LMC for the placement of a new access drive off on Center Street, based on the following findings in accordance with Section 510 of the LMC:

1. That the improvements on the Property present unusual conditions that make it impracticable or undesirable to insist upon strict adherence;
2. That the modification does not conflict with the general purpose and intent or the regulation as the driveway has been located as far away as possible from the intersection; and
3. That the modification allows for the resubdivision of the lot which is consistent with elements of the Land Use, the Municipal Growth, and Housing elements of the 2010 Comprehensive Plan.

**SECOND:** Commissioner Imhoff

**VOTE:** 5-0

**PLANNING COMMISSION ACTION:**

**MOTION:** Commissioner Perkins moved to approve final plat, PC18-53FSU, based on the findings in accordance with Article 5 of the LMC, entitled *Subdivision*, and Section 507, *Criteria for Subdivision Approval* with the following conditions:

1. That a right of way encroachment agreement be executed for the existing improvements on Lot 243 which project into the public right of way.
2. The payment of \$1,000.00 in lieu of parkland dedication be provided prior to plat recordation.

3. That a note be added to the plat indicating that a modification to the entrance spacing requirements of Section 601 was approved by the Planning Commission on April 9, 2018 and that the remaining frontage of Lot 241 which is not proposed for the driveway be labeled as "denied access".

**SECOND:** Commissioner Imhoff

**VOTE:** 5-0

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**VII. OLD BUSINESS:**

**C. PC17-719ZTA, Text Amendment, Section 405, Building Heights**

**PLANNING COMMISSION ACTION:**

**MOTION:** Alderman Russell moved to allow a suspension of the rules to allow for another round of public comment on the project after the applicants rebuttal.

**SECOND:** Commissioner Imhoff

**VOTE:** 5-0

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**PLANNING COMMISSION ACTION:**

**MOTION:** Commissioner Burns moved to send a recommendation from the Planning Commission to the Mayor and Board of Aldermen recommending against the amendments as proposed based on the finding that the proposed amendments are not consistent with the existing regulations and policies and implementation strategies of the 2010 Comprehensive Plan and the standards of the LMC, with a strong recommendation that a comprehensive evaluation and guidelines be developed addressing all of the characteristics of the built environment, in addition to height, that either promote or threaten compatibility because addressing any one component in isolation may be ineffective or create adverse impacts that are not anticipated.

**SECOND:** Commissioner Perkins

**VOTE:** 4-1 (Commissioner Nicklas Opposed)

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**VIII. NEW BUSINESS:**

**E. PC17-999FSU, Final Subdivision Plat, Worman's Mill Industrial Park, Lot 8-R and Lot 8-S**

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

**PLANNING COMMISSION ACTION:**

**MOTION:** Commissioner Burns moved to conditionally approve of the Final Subdivision Plat PC17-999FSU for the Worman's Mill Lots 8-RR and 8-S, in accordance with Article 5, Section 507 of the LMC,

which includes conformance with the Comprehensive Plan, compliance with all of the applicable criteria of Articles 4, 6, 7, and 8 of the LMC, and consistency with any roads and streets shown on the transportation element of the Comprehensive Plan, with the following conditions to be met:

1. Show the side and rear setback lines on the lots.
2. Change Lot 8-R to 8-RR on the drawing and in the title block.
3. Show the limits of 100-year floodplain per FEMA case #99-03-1300A as shown on plat book 67, page 89 and revise Note #2 accordingly.
4. Add a note stating, "a confirmatory deed shall be recorded upon the recordation of this plat and this plat shall be referenced in it and all succeeding deeds."
5. Show private right of way and easement as described in L.1527 F.832 and shown on plat book 67, page 89.

**SECOND:** Commissioner Imhoff

**VOTE:** 5-0

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**F. PC17-1067FSI, Final Site Plan, Northgate Hotel**

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

**PLANNING COMMISSION ACTION:**

**MOTION:** Commissioner Imhoff moved to approve a modification in accordance with Section 309(j) of the LMC to Section 607, Table 607-2, *Parking Schedule*, to allow for up to four spaces in excess of what is permitted bringing the total number of spaces to 124 finding that:

- A. The additional parking spaces are not contrary to the intent of the Code since the spaces will be used specifically for electric vehicles and not towards the general parking numbers;
- B. The modification is consistent with the City Comprehensive Plan Transportation Element, Policy TE6-2 to educate the community about transportation alternatives; and
- C. The compensating design is the designated use for vehicle recharging.

**SECOND:** Commissioner Perkins

**VOTE:** 5-0

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**PLANNING COMMISSION ACTION:**

**MOTION:** Commissioner Burns moved to conditionally approve Final Site Plan PC17-1067FSI for the Northgate Plaza Lot 10R-B for a 6-story 118 room hotel based on compliance with Section 309(e) of the LMC, which includes compliance with all of the applicable criteria of Articles 4, 5, 6, 7, 8 and 12 of the LMC, and conformance with the 2010 Comprehensive Plan, the adequacy of facilities and services to accommodate the impacts of the development, with the following conditions to be met:

1. Add a note to plan stating: The design of the Byte Drive entrance shall be finalized and approved by the City Engineer at the time of improvement plan review.

2. Add a note to plan stating: Final specifications for the EV stations will be finalized and approved at the improvement plan stage.
3. Add the Cross Access Easement recording references to the plan.
4. The final subdivision plat for Lots 10R-A and 10R-B must be recorded.
5. The two parking spaces adjacent to the shared drive aisle shall be removed and the three parking spaces at the end of the drive shall be redesigned to avoid a conflict with the shared drive. Correct parking notes accordingly.
6. Relocate one fire hydrant from the side of the building in the drive to the front per exhibit provided.

**SECOND:** Commissioner Perkins

**VOTE:** 5-0

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**G. PC17-1077MU, Master Plan, West Park Village**

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

**This is the first of two required public hearings.**

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**H. PC17-576ZTA, Text Amendment, Section 864, Sign Regulations**

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

**PLANNING COMMISSION ACTION:**

**MOTION:** Commissioner Imhoff moved to approve a continuance to the May 14, 2018 Planning Commission hearing.

**SECOND:** Commissioner Perkins

**VOTE:** 5-0

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**I. PC18-188ZMA, Zoning Map Amendment, 5 Linden Avenue**

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

**This is the first of two required public hearings.**

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**Meeting approximately adjourned at 8:30 pm**

Respectfully Submitted,

Jessica Murphy  
Administrative Assistant

APPROVED 05/14/2018