

Planning Commission Hearing Minutes
DATE: February 11, 2019

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Barbara Nicklas – Chair		Gabrielle Collard, Division Manager of Current Planning
Arlene Perkins – Vice Chair		Scott Waxter, Assistant City Attorney
Kelly Russell – Alderman & Secretary		Pam Reppert, City Planner
Joan Strawson		Marshall Brown, City Planner
Ron Burns		Tierre Butler, City Planner
Matt Jones – Alternate		Jessica Murphy, Administrative Assistant

I. ANNOUNCEMENTS:

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

- The Workshop Agenda with attachments are available online for the workshop scheduled for Tuesday, February 19, 2019 at 2pm in the Municipal Annex Building.
- Commissioner Matt Jones will be leaving the Planning Commission.
- The Mayor & Board of Aldermen have started the discussion at workshops for APFO. The workshop to discuss APFO for schools will be on February 13th, APFO for sewer will be discussed February 20th and APFO for roads will be discussed February 27th. All workshops start at 3pm in the City Hall boardroom.

II. APPROVAL OF MINUTES:

Approval of the **January 14, 2019** Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Burns

SECOND: Alderman Russell

VOTE: 3-0. (Commissioner Perkins & Commissioner Strawson Abstained)

Approval of the **January 22, 2019** Planning Commission Workshop Minutes as amended:

MOTION: Commissioner Strawson

SECOND: Alderman Russell

VOTE: 4-0. (Commissioner Perkins Abstained)

Approval of the **February 8, 2019** Planning Commission Workshop Minutes as amended:

MOTION: Commissioner Perkins

SECOND: Commissioner Strawson

VOTE: 4-0. (Commissioner Burns 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. MISCELLANEOUS-

A. FY2020-2025 Capital Improvement Program

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved to approve the recommendation letter from the Planning Commission to the Mayor & Board of Aldermen with the following:

- That continued support and funding be provided for CIP Project #210009, the New Police Headquarters, and for CIP Project #380416, the Conference Center Parking Facility.
- That the following roadway projects, listed in order of priority, be added to the CIP:
 1. The construction of a public road connecting East Street and Pine Avenue as depicted in the 2010 Comprehensive Plan as aligning with 7th Street.
 2. The construction of East Street infrastructure improvements consistent with the East Street Corridor Small Area Plan.
 3. The construction of an interchange at Monocacy Blvd and MD 26.
- That additional funding be allocated to CIP Project #380001, the Shared Use Path, for the design of the Carroll Creek Path from Waterford Park to Christophers Crossing as recommended by the Bicycle and Pedestrian Advisory Committee (BPAC) in their letter dated 9/4/2018.

SECOND: Commissioner Perkins

VOTE: 5-0

V. 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.)

B. PC18-880PFCP/FFCP, Preliminary and Final Forest Conservation Plan, Sanner

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved to approve PC18-880PFCP/FFCP, Preliminary and Final Forest Conservation Plan, Sanner

SECOND: Commissioner Perkins

VOTE: 5-0

VI. CONTINUANCES:

C. PC16-434MU, Master Plan, Summers Farm

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved to approve a 30-day continuance to the **March 11, 2019** public meeting.

SECOND: Commissioner Strawson

VOTE: 5-0

D. PC18-1016FSI, Final Site Plan, Love My Car Carwash

E. PC18-1017FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, Love My Car Carwash

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved to approve a 30-day continuance to the **March 11, 2019** public meeting.

SECOND: Commissioner Strawson

VOTE: 5-0

VII. OLD BUSINESS:

None

VIII. NEW BUSINESS:

F. PC18-1110FSI, Final Site Plan, Sharpe Square

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved to approve of the Applicant's request to reduce the time period for which the certificates of Adequate Public Facilities for the project remain valid from five years to one year.

SECOND: Commissioner Strawson

VOTE: 5-0

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved to approve Final Site Plan PC18-1110FSI for Sharpe Square based on compliance with all of the applicable criteria of Articles 4, 5, 6, 7, 8, and 12 of the LMC and consistency with the 2010 Comprehensive Plan, with the following conditions:

1. That the site plan be revised to include a note concerning APFO certificate full and provisional approval dates; and,
2. That the site plan indicates that the Certificate of Adequate Public Facilities for schools was approved with a reduced time period of one year.

SECOND: Commissioner Strawson

VOTE: 5-0

G. PC18-670FSI, Final Site Plan, SunTrust

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved to approve the modification to Section 808(d) to waive the requirement to screen ATMs finding that:

1. The modification will not be contrary to the purpose and intent of the Code because the location of the ATM in relation to the buildings and accessory structures on the site provides an effective visual barrier;
2. The modification is consistent with the 2010 Comprehensive Plan in that it is compatible with the character of the surrounding area.
3. The application includes compensating design or architectural features so as to meet overall objectives of the particular requirement because the ATM will also be within a fabricated panel to include a 2ft canopy.

SECOND: Commissioner Strawson

VOTE: 5-0

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved to approve approval of the modification to Section 605(e) to waive the requirement to screen parking with Level II screening finding that:

1. The modification will not be contrary to the purpose and intent of the Code because the combination of existing trees and a row of shrubs provides an effective visual barrier;
2. The modification is consistent with the 2010 Comprehensive Plan in that it is compatible with the character of the surrounding area.
3. The application includes compensating design or architectural features so as to meet overall objectives of the particular requirement because the Applicant will be adding a Red Sunset Maple for additional screening.

SECOND: Commissioner Strawson

VOTE: 5-0

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved to approve a of the modification to Section 819(b)(1) to modify the required number of drive through queue spaces to four (4) finding that:

1. The modification will not be contrary to the purpose and intent of the Code because the design is using existing drive aisles;
2. The modification is consistent with the 2010 Comprehensive Plan in that it is compatible with the character of the surrounding area.
3. The application includes compensating design or architectural features so as to meet overall objectives of the particular requirement because the site provides as many stacking spaces as the existing drive will allow.

SECOND: Commissioner Strawson

VOTE: 5-0

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved to approve a of the modification to Section 607, Table 607-4 to waive the requirement for one (1) small loading space finding that:

1. The modification will not be contrary to the purpose and intent of the Code based on the specific operational characteristics of the bank which do not require designated loading spaces as evidenced by its ongoing successful operation.
2. The modification is consistent with the 2010 Comprehensive Plan in that it is compatible with the character of the surrounding area.
3. The application includes compensating design or architectural features so as to meet overall objectives of the particular requirement in that the parking lot and drive through circulation patterns have been designed to balance accessibility, vehicular circulation, and pedestrian movements.

SECOND: Commissioner Strawson

VOTE: 5-0

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved for conditional approval of the Final Site Plan, PC18-670FSI, to relocate the ATM to utilize the existing drive as a new ATM drive-thru and bypass lane based on compliance with all of the applicable criteria of Articles 4, 5, 6, 7, 8, and 12 of the LMC and consistency with the 2010 Comprehensive Plan with the following condition:

1. The Landscaping plan must be signed and sealed by a certified landscape architect.
2. Revise Note 13 to indicate the Planning Commission approval date of the requested modifications.

SECOND: Commissioner Strawson

VOTE: 5-0

H. PC18-671FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, SunTrust

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved for unconditional approval of the Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, PC18-671FSCB, in conjunction with the final site plan for the installation of an ATM at the existing bank at 1700 Rosemont Avenue based on compliance with all of the applicable criteria of Section 721 of the LMC and consistency with the 2010 Comprehensive Plan.

SECOND: Commissioner Jones

VOTE: 5-0

I. PC18-887PSU/FSI, Combined Preliminary Plat and Finals Site Plan, 126 S. Carroll Street

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved for conditional approval of the Preliminary Plat and Final Site Plan, PC18-887PSU, to resubdivide lot two in order to construct six new multifamily units based on compliance with all of the applicable criteria of sections 309 and 507 of the LMC as well as the applicable criteria of articles 4, 5, 6, 7, 8 and 12 and consistency with the 2010 Comprehensive Plan and APFO requirements with the following conditions:

1. The Applicant submit a payment of \$2,000 in lieu of parkland dedication per Section 608(f)(3)
2. Revise Note 20 regarding the parkland dedication to reference the Frederick Historic District, National Register of Historic Places as opposed to the local Historic Preservation Overlay (HPO).
3. Revised Note 28 to indicate the date of APFO approvals for waterline, sewer line, and schools and the exemption approval for roads.
4. Revise the plan to show that the swing of the door on the building of Lot 2A will not encroach into the right of way of East South Street.
5. Revise the notes on the plan to be in sequential order.

SECOND: Commissioner Perkins

VOTE: 5-0

IV. BOARD BUSINESS

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved to re-elect Barb Nicklas as the PC chair.

SECOND: Commissioner Strawson

VOTE: 5-0

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved to re-elect Arlene Perkins as the PC vice chair.

SECOND: Commissioner Nicklas

VOTE: 5-0

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved to re-elect Alderman Russell as the PC secretary.

SECOND: Commissioner Perkins

VOTE: 5-0

Meeting approximately adjourned at 7:30 pm

Respectfully Submitted,

Jessica Murphy
Administrative Assistant

APPROVED 3/11/2019