

Planning Commission Hearing Minutes
Date: November 9, 2020

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Barbara Nicklas – Chair Kelly Russell – Alderman & Secretary Ron Burns – Vice Chair Joan Strawson Dorothy Menelas Shannon Sperati- Alternate Member		Gabrielle Collard, Division Manager of Current Planning Joe Adkins, Deputy Director of Planning & Community Development Scott Waxter, Assistant City Attorney Sherry Kelly, Planner II Pam Reppert, Planner III Charles Morrison, Planner I Tracy Coleman, Deputy Director of Engineering Cherian Eapen, Traffic Engineer Brandon Mark, Division Manager of Comprehensive Planning/Urban Development Arash Ghahramani, Urban Designer David Edmondson, Transportation Planner II Lisa Mroszczyk Murphy, HPC Planner III Jessica Murphy, Administrative Assistant

I. CALL TO ORDER:

II. ANNOUNCEMENTS:

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

- Planning Commission Workshop November 16, 2020 items are available on the City of Frederick website.

III. APPROVAL OF MINUTES:

Approval of the **October 12, 2020** Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Burns

SECOND: Commissioner Strawson

VOTE: 5-0.

Approval of the **October 19, 2020** Planning Commission Workshop Meeting Minutes as amended:

MOTION: Commissioner Strawson

SECOND: Commissioner Menelas

VOTE: 5-0.

Approval of the **October 9, 2020** Planning Commission Pre-Planning Meeting Minutes as amended:

MOTION: Commissioner Menelas
SECOND: Commissioner Strawson
VOTE: 5-0.

Approval of the Comprehensive Plan Workshop Minutes dated:

January 25, 2020
February 8, 2020
February 15, 2020
May 12, 2020
May 19, 2020
May 26, 2020
June 9, 2020
June 22, 2020
September 28, 2020

MOTION: Commissioner Menelas
SECOND: Commissioner Strawson
VOTE: 4-0. (Commissioner Burns abstained)

IV. PUBLIC HEARING-CONSENT ITEMS:

(All matters included under the Consent Agenda are 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. PC19-987ANX, Annexation, Winpenny Tell Property

MOTION: Commissioner Burns moved for a continuance to the December 14, 2020 Planning Commission hearing.

SECOND: Commissioner Menelas

VOTE: 5-0.

B. PC20-87ANX, Annexation, Christoff Property

MOTION: Commissioner Strawson moved for a continuance to the December 14, 2020 Planning Commission hearing.

SECOND: Commissioner Menelas

VOTE: 5-0.

VI. MISCELLANEOUS:

C. PC16-436-03, Architectural Review, Sycamore Ridge

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the architectural elevations for the single family attached (townhouse units) as presented based on compliance with the criteria of Section 604 of the Land Management Code (LMC) and the approved master plan for the Planned Neighborhood Development (PND).

SECOND: Commissioner Menelas

VOTE: 5-0.

D. 2020 Comprehensive Plan

Elizabeth Law of Wheyfield Drive in Frederick, MD discussed the connection of Christophers Crossing through Area B of Fort Detrick regarding soil contamination. Ms. Law also spoke about groundwater contamination. She also referenced the 9-page letter that is part of the record with language for the plan and a possible second option for the alignment.

Jennifer Hahn of Brunswick, MD and is a member of the Restoration Advisory Board of Fort. Detrick. Ms. Hahn read a letter that was included into the record about the Ft. Detrick contamination. She also referenced the contaminated groundwater and asked that the 5 strategies mentioned be included in the plan.

Jennifer Kunze of Jefferson Street in Baltimore, MD who is the Program Manager for Clean Water Action read a letter that was included in the record. She advised that the information about the Fort Detrick contamination should be included in multiple chapters of the comp plan. Ms. Kunze also has concerns about the extension of Christophers Crossing going through Area B. Ms. Kunze advised the Commission to consider Kemp Lane as an alternative alignment.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for a positive recommendation to the Mayor and Board of Aldermen to adopt the 2020 Comprehensive Plan in accordance with the Code of Maryland, Land Use Article and after reviewing Title 3, Comprehensive Plan with the following conditions:

1. The Land Use Chapter is revised to include a map of Fort Detrick Area B Groundwater Superfund Site with appropriate text.
2. Economic Development Policy 5.2 is revised to replace “as the economy shift toward online shopping and telework” with “as a vibrant economy depends increasingly on these services.”

SECOND: Commissioner Menelas

VOTE: 5-0.

VII. OLD BUSINESS:

E. PC20-99ZMA, Zoning Map Amendment, 423 W. Patrick Street (Wayside Apartments)

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved for a positive recommendation from the Planning Commission to the Mayor and Board of Aldermen for the conditional rezoning of the three separate parcels, containing 2.69 acres, to the Mixed Use (MU-2) floating zone based on the findings of fact made in the applicant’s justification statement relative to population change, the availability of public facilities, the impacts on present and future transportation patterns, compatibility with existing and proposed development and consistency with the Comprehensive Plan and finding that:

1. The proposed development complies with the criteria established for the MU-2 floating zone;
2. The proposed multifamily development is compatible with the character of the existing uses in the vicinity, which includes a variety of residential and nonresidential uses and parkland in a pedestrian oriented, urban environment; and
3. The rezoning is harmony with the Land Use, Municipal Growth, Heritage Resource, Housing, and Community Character and Design Elements of the 2010 Comprehensive Plan.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for a positive recommendation from the Planning Commission to the Mayor and Board of Aldermen for the expansion of the Carroll Creek Overlay (CCO) zone over Lots 2 and 3, containing 2.18 acres, finding that in accordance with Section 306(f)(7), the expansion will further the purpose and intent of the overlay zone and the goals and objectives of the 2010 Comprehensive Plan.

SECOND: Alderman Russell

VOTE: 5-0.

F. PC20-94MU, Master Plan, 423 W. Patrick Street (Wayside Apartments)

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for a positive recommendation from the Planning Commission to the Mayor and Board of Aldermen for the master plan finding that the plan complies with the applicable criteria of Section 417 of the LMC, Mixed Use Districts (MU-1 and MU-2), with the following comments to be addressed prior to submission of the master plan for the Mayor and Board's consideration:

1. Revise Note 12 to add Trip Cap/Acre.
2. Revise Note 2 to switch Lots 1 and 2 description information.
3. Revise Note 6 to eliminate the column for the provided bulk and dimensional standards, listing only those required by the MU District and the CCO and delete the reference to the requested modifications.
4. The architectural elevations exhibit be removed from the master plan set and a note be added to the master plan stating that the urban design standards, architectural and setbacks will be reviewed at the site plan stage. .

SECOND: Commissioner Burns

VOTE: 5-0.

VIII. NEW BUSINESS:

G. PC20-773ZTA, Text Amendment, Section 423, Historic Preservation Overlay (HPO)

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved for a positive recommendation from the Planning Commission to the Mayor and Board of Aldermen for the administrative corrections to references within Section 423.

SECOND: Commissioner Strawson

VOTE: 5-0.

H. PC20-647PSU, Preliminary Plat, Kellerton Land Bay C-1

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved to approve the preliminary subdivision plat for Kellerton Land Bay C1, PC20-647PSU, In accordance with the applicable provisions of Sections 4, 5, 6, 7, and 8 of the LMC and

all other provisions incorporated therein, based on the finding that the application is consistent with the 2010 Comprehensive Plan and the roads and streets depicted thereon as well as the approved master plan, with the following conditions:

1. Removal of the 5' Street Tree Easement on Sheet 5, with a note added that future maintenance of each tree will be the responsibility of the homeowner.
2. Update the Section 605- Landscaping Standards table on Sheet 6 to indicated in the "required" column that street trees are not required as Rocky Springs is a County road.

SECOND: Commissioner Sperati

VOTE: 5-0.

I. PC20-649MU, Master Plan, Spring Bank

PLANNING COMMISSION ACTION:

This is the first of two required public hearings.

Meeting approximately adjourned at 8:30 pm

Respectfully Submitted,

Jessica Murphy
Administrative Assistant