

Planning Commission Hearing Minutes
Date: December 14, 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 Scott Waxter, Assistant City Attorney Sherry Kelly, Planner II Charles Morrison, Planner I Cherian Eapen, Traffic Engineer Brandon Mark, Division Manager of Comprehensive Planning/Urban Development Jessica Murphy, Administrative Assistant

I. CALL TO ORDER:

II. ANNOUNCEMENTS:

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

- Planning Commission Workshop December 21, 2020 items are available on the City of Frederick website.
- The Planning Department currently has a Zoning Board of Appeals vacancy. The applications are due on January 4th and information can be found on the City of Frederick website.
- The Mayor & Board will hold another comprehensive plan workshop on Wednesday, December 23, 2020 at 3PM.

III. APPROVAL OF MINUTES:

Approval of the **November 9, 2020** Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Strawson

SECOND: Commissioner Menelas

VOTE: **5-0.**

Approval of the **November 16, 2020** Planning Commission Workshop Meeting Minutes as amended:

MOTION: Commissioner Menelas

SECOND: Commissioner Strawson

VOTE: **5-0.**

Approval of the **December 11, 2020** Planning Commission Pre-Planning Meeting Minutes as amended:

MOTION: Commissioner Strawson

SECOND: Commissioner Menelas

VOTE: **5-0.**

Commissioner Burns entered the Hearing.

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.)

A. PC20-720PFCP, Preliminary Forest Conservation Plan, Sycamore Ridge

MOTION: Commissioner Burns moved for unconditional approval of the revised Preliminary Forest Conservation Plan (PC20-720PFCP) for Sycamore Ridge, finding that the plan complies with all of the applicable criteria of Section 721 of the LMC.

SECOND: Commissioner Strawson

VOTE: 5-0.

V. CONTINUANCES:

B. PC19-987ANX, Annexation, Winpenny Tell Property

MOTION: Commissioner Strawson moved for a continuance to the January 11, 2021 Planning Commission hearing.

SECOND: Commissioner Menelas

VOTE: 5-0.

C. PC20-87ANX, Annexation, Christoff Property

MOTION: Commissioner Burns moved for a continuance to the January 11, 2021 Planning Commission hearing.

SECOND: Commissioner Menelas

VOTE: 5-0.

VI. MISCELLANEOUS:

D. Approval of the 2021-2022 Planning Commission Deadline Schedules

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the 2021-2022 Planning Commission Deadline Schedule.

SECOND: Commissioner Menelas

VOTE: 5-0.

E. Presentation of the 2019 Annual Report

PLANNING COMMISSION ACTION:

No action required.

F. PC18-673-01, Planning Commission Modification, Frederick AutoSpa Express Route 26

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved for approval of the modification to Section 864(n) entitled *Sign Regulations*, for the Auto Spa Express carwash to increase the overall amount of signage allowed for the lot from 233 sf to 274.87 square feet and to increase the percentage of attached/building mounted signage allowed from 125% (143.75 sf) of the building frontage to 142% (274.87 sf) of the building frontage finding that:

1. The modification will not be contrary to the purpose and intent of the Code as the building is designed with architectural elements on all four sides and that the topography of the site diminishes its visibility from surrounding roadways and that the increased signage will not adversely impact the character of the area or create visual distractions or hazards;
2. The request is consistent with the Economic Development and Community Character and Design elements of the 2010 Comprehensive Plan; and
3. The design of the building to comply with the shopping center design provisions, including optional design elements, serves as a compensating design or architectural feature.

And with the following conditions:

1. Provide a complete inventory of shopping center signage, including the freestanding sign(s).
2. Correct Note 15 to match request of 274.87 sf.
3. Accurate renderings to be included in the plan.

SECOND: Commissioner Strawson

VOTE: 5-0.

VII. OLD BUSINESS:

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

Sandy Grey of 203 Spring Bank Avenue advised concern about traffic and losing the mountain view due to the project. Ms. Grey mentioned cutting down on volume and parking with different housing. She also mentioned the barrier wall along Rt. 15.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the modification to Section 417 of the Land Management Code (LMC), subsection 417(b), *Uses, Densities/Intensities and Land Allocation* to reduce the nonresidential land use portion of the project to 8.3% of the total project area finding that the project constitutes redevelopment and that the adaptive reuse and preservation of the historic house to accommodate small office uses serves as a compensating design feature.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved approval of the Master Plan (PC20-249MU) for Spring Bank finding that the plan complies with the applicable development technique standards of Section 417 of the Land Management Code (LMC) for mixed use developments, that the plan is consistent with policies of the 2010 Comprehensive Plan, and that the project will be served by adequate public facilities with the following conditions to be met:

1. Note 21, delete the last sentence and replace with statement that retesting was performed, and certificates validated.
2. Note 17.7(k), replace paragraph with the following: *The Applicant must receive approval of a cost estimate from the Engineering Department for the portion of the shared use path along the frontage of the Property and payment in the amount of the approved cost estimate remitted to the City prior to release of public improvement sureties for the project.*
3. A revised MPDU Payment Agreement must be executed and note 12 updated to include the recording reference.

SECOND: Commissioner Menelas

VOTE: 5-0.

VIII. NEW BUSINESS:

H. PC20-725FSI, Final Site Plan, Section 423, City of Frederick Stormwater Pump Station #3

PLANNING COMMISSION ACTION:

This is the first of two required public hearings.

I. PC20-487FSI, Final Site Plan, Sycamore Ridge City Parkland Phase 1

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved to approve the Final Site Plan (PC20-487FSI) for Sycamore Ridge Phase 1 City Parkland, finding that the plan complies with all of the applicable criteria of Articles 4, 5, 6, 7, 8 and 12 of the LMC, that it is consistent with the 2010 Comprehensive Plan, the approved master plan, and preliminary plat, and that the site will be adequately served by public facilities with the following conditions:

1. Provide an additional benchmark that is within or near the site that can be shown on Sheet 2/9 or 3/9.
2. That a proposed easement be shown on the plan surrounding the pavilion and proposed private community entrance sign in City Park A-2 & B and that a note be added to the plan indicating that the proposed access and maintenance easements agreements for HOA maintained improvements will be recorded prior to final plat recordation.

SECOND: Commissioner Strawson

VOTE: 5-0.

J. PC20-655FSI, Final Site Plan, Bluegrass Self Storage Facility

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved to approve of the modification from Land Management Code (LMC) Section 607(e)(2)(d) Parking Area Lighting to allow light spillover between Lots 2 and 3 finding that:

1. The modification will not be contrary to the purpose and intent of the Code as the regulations are intended to prevent adverse impacts on adjacent properties while providing adequate lighting for safety purpose and Lots 2 and 3 are designed to have shared vehicular access which the fixtures will assist in lighting;
2. The modification is consistent with Land Use Element Policy 1 of the 2010 Comprehensive Plan; and
3. The design of the lighting fixture type and locations to reduce spillover to the greatest extent possible is a compensating design feature.

SECOND: Commissioner Menelas

VOTE: 5-0.

MOTION: Commissioner Strawson moved for approval of the final site plan (PC20-655FSI) for the Bluegrass Self Storage Facility finding that the plan complies with all of the applicable criteria of Articles 4, 5, 6, 7, 8, and 12 of the LMC, that it is consistent with the 2010 Comprehensive Plan, and that the site will be adequately served by public facilities, with the following conditions to be met:

1. Edit Note J(2) to remove the reference to an APFO certificate, noting instead that the exemption was approved on December 7, 2020.
2. Edit Note L to state that the concept SWM plan was on December 3, 2020.
3. Edit Note H to include the date of approval of the forest conservation plan.
4. On Sheet 2, provide Lot 2-acre size on drawing.
5. Adjust the curb return/driveway location for the northern access point on Lot 2 such that the curb return will not extend to the frontage of the adjacent property to the north.
6. Label the right-of-way width for South Street and show the measured distance where it is 65'.
7. Revise the plan to show construction of curb and gutter along the entire length of the South Street frontage of Lot 3 and show the curbing detail for the right-in entrance to Lot 3.
8. Add a note to the plan indicating that curb and gutter along the frontage of Lot 3 will be provided as part of the Lot 2 improvements but, that complete street frontage improvements will be finalized with the site plan for Lot 3.
9. Add a note to the plan stating that the 15' right-of-way dedication along Monocacy Blvd is conceptual and to be finalized at the site plan stage for Lot 3, at which time, the right-of-way will be dedicated.

SECOND: Commissioner Menelas

VOTE: 5-0.

K. PC20-656FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, South Street Industrial Park, Lots 2 & 3 (Bluegrass Self Storage Facility)

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved to approve the Combined Forest Stand Delineation and Preliminary Forest Conservation Plan (PC20-656FSCB) for a combination of street tree credits and a fee in lieu of totaling \$9,147.60 for Lots 2 and 3 finding that the plan complies with Article 7, Section 721 of the LMC, with the following condition:

1. The title of the plan be revised to South Street Industrial Park, Lots 2 & 3.

SECOND: Commissioner Menelas

VOTE: 5-0.

Meeting approximately adjourned at 8:10 pm

Respectfully Submitted,

Jessica Murphy
Administrative Assistant

Approved 1/11/2021