

Planning Commission Hearing Minutes
Date: January 11, 2021

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Barbara Nicklas – Chair Kelly Russell – Alderman & Secretary Joan Strawson Dorothy Menelas Shannon Sperati- Alternate Member		Gabrielle Collard, Division Manager of Current Planning Joe Adkins, Deputy Director of Planning & Community Development Sherry Kelly, Planner II Charles Morrison, Planner I Jessica Murphy, Administrative Assistant Jenny Willoughby, Sustainability Manager Rachel Nessen, Assistant City Attorney Cherian Eapen, Traffic Engineer

I. CALL TO ORDER:

II. ANNOUNCEMENTS:

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

- Planning Commission Workshop Tuesday, January 19, 2021 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 29th and information can be found on the City of Frederick website.
- The Mayor & Board will hold another comprehensive plan workshop on Wednesday, January 13, 2021 at 6PM.

III. APPROVAL OF MINUTES:

Approval of the **December 14, 2020** Planning Commission Meeting Minutes as amended:

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

Approval of the **December 21, 2020** Planning Commission Workshop Meeting Minutes as amended:

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

Approval of the **January 8, 2021** Planning Commission Pre-Planning Meeting Minutes as amended:

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

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 Strawson moved for a continuance to the February 8, 2021 Planning Commission hearing.

SECOND: Commissioner Menelas

VOTE: 5-0.

VI. MISCELLANEOUS:

B. Climate Action Plan

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved to send a recommendation from the Planning Commission to the Mayor and Board of Aldermen to approve the final draft of the Climate Action Plan.

SECOND: Commissioner Sperati

VOTE: 5-0.

VII. OLD BUSINESS:

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

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of a modification to Section 420(f)(3)(A) for the maximum street setback from the property line; of the Land Management Code (LMC) as it pertains to the Certificate of Urban Design Compliance:

Finding that:

1. The modifications will not be contrary to the purpose and intent of Section 420 as the pump station is visually compatible with the improvements along the Carroll Creek Linear Park and, in addition to its primary functions, promotes the creation of a high quality pedestrian environment by supplying public restrooms and space for equipment used to maintain the Park;
2. The modifications are consistent with the Comprehensive Plan and any City adopted plans; specifically, the Community Character and Design Element of the 2010 Comprehensive Plan, Policy CCD 5, The City's capital improvement projects shall make a positive contribution to the City's character; and
3. That the materials, window/door openings, and proposed landscaping serve as compensating design or architectural features so as to meet overall objectives of the particular requirement while meeting the operational needs of the equipment contained therein.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of a modification to Section 420(f)(3)(B) for the required interior setback; of the Land Management Code (LMC) as it pertains to the Certificate of Urban Design Compliance:

Finding that:

1. The modifications will not be contrary to the purpose and intent of Section 420 as the pump station is visually compatible with the improvements along the Carroll Creek Linear Park and, in addition to its primary functions, promotes the creation of a high quality pedestrian environment by supplying public restrooms and space for equipment used to maintain the Park;
2. The modifications are consistent with the Comprehensive Plan and any City adopted plans; specifically, the Community Character and Design Element of the 2010 Comprehensive Plan, Policy CCD 5, The City's capital improvement projects shall make a positive contribution to the City's character; and
3. That the materials, window/door openings, and proposed landscaping serve as compensating design or architectural features so as to meet overall objectives of the particular requirement while meeting the operational needs of the equipment contained therein.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of a modification to Section 420(f)(5)(A)(5) for the requirement that a vertical transition be provided between consecutive bays which is offset by at least 6” and no greater than 2’; of the Land Management Code (LMC) as it pertains to the Certificate of Urban Design Compliance:

Finding that:

1. The modifications will not be contrary to the purpose and intent of Section 420 as the pump station is visually compatible with the improvements along the Carroll Creek Linear Park and, in addition to its primary functions, promotes the creation of a high quality pedestrian environment by supplying public restrooms and space for equipment used to maintain the Park;
2. The modifications are consistent with the Comprehensive Plan and any City adopted plans; specifically, the Community Character and Design Element of the 2010 Comprehensive Plan, Policy CCD 5, The City’s capital improvement projects shall make a positive contribution to the City’s character; and
3. That the materials, window/door openings, and proposed landscaping serve as compensating design or architectural features so as to meet overall objectives of the particular requirement while meeting the operational needs of the equipment contained therein.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of a modification to Section 420(f)(5)(B)(1) for the requirement that a horizontal expression lines be provided in between the base, middle, and roof level; of the Land Management Code (LMC) as it pertains to the Certificate of Urban Design Compliance:

Finding that:

1. The modifications will not be contrary to the purpose and intent of Section 420 as the pump station is visually compatible with the improvements along the Carroll Creek Linear Park and, in addition to its primary functions, promotes the creation of a high quality pedestrian environment by supplying public restrooms and space for equipment used to maintain the Park;
2. The modifications are consistent with the Comprehensive Plan and any City adopted plans; specifically, the Community Character and Design Element of the 2010 Comprehensive

Plan, Policy CCD 5, The City's capital improvement projects shall make a positive contribution to the City's character; and

3. That the materials, window/door openings, and proposed landscaping serve as compensating design or architectural features so as to meet overall objectives of the particular requirement while meeting the operational needs of the equipment contained therein.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of a modification to Section 420(f)(5)(B)(2) for the requirement that horizontal expression lines be provided in between the base, middle, and roof level; of the Land Management Code (LMC) as it pertains to the Certificate of Urban Design Compliance:

Finding that:

1. The modifications will not be contrary to the purpose and intent of Section 420 as the pump station is visually compatible with the improvements along the Carroll Creek Linear Park and, in addition to its primary functions, promotes the creation of a high quality pedestrian environment by supplying public restrooms and space for equipment used to maintain the Park;
2. The modifications are consistent with the Comprehensive Plan and any City adopted plans; specifically, the Community Character and Design Element of the 2010 Comprehensive Plan, Policy CCD 5, The City's capital improvement projects shall make a positive contribution to the City's character; and
3. That the materials, window/door openings, and proposed landscaping serve as compensating design or architectural features so as to meet overall objectives of the particular requirement while meeting the operational needs of the equipment contained therein.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of a modification to Section 420(h)(2)(B) for the requirement that all external loading areas be screened on all sides with a minimum six-foot high wall with the exception of the access opening as it pertains to the Certificate of Urban Design Compliance:

Finding that:

1. The modifications will not be contrary to the purpose and intent of Section 420 as the pump station is visually compatible with the improvements along the Carroll Creek Linear Park and, in addition to its primary functions, promotes the creation of a high quality pedestrian environment by supplying public restrooms and space for equipment used to maintain the Park;
2. The modifications are consistent with the Comprehensive Plan and any City adopted plans; specifically, the Community Character and Design Element of the 2010 Comprehensive Plan, Policy CCD 5, The City's capital improvement projects shall make a positive contribution to the City's character; and
3. That the materials, window/door openings, and proposed landscaping serve as compensating design or architectural features so as to meet overall objectives of the particular requirement while meeting the operational needs of the equipment contained therein.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of a Certificate of Urban Design Compliance based on the approval of the above noted modifications for the Carroll Creek Stormwater Pump Station #3.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of following modifications to Section 420(j)(1)(B), Table 420-4:

1. For the use of precast concrete as an accent material for walls.
2. for the wall materials required for the base level.
3. for the required maximum length to height ratio for windows
4. for the required storefront windows at the base level
5. for the required solid to glazed surface ratio for commercial buildings.

Finding that:

1. The modifications will not be contrary to the purpose and intent of Section 420 as the pump station is visually compatible with the improvements along the Carroll Creek Linear Park and, in addition to its primary functions, promotes the creation of a high quality pedestrian environment by supplying public restrooms and space for equipment used to maintain the Park;

2. The modifications are consistent with the Comprehensive Plan and any City adopted plans; specifically, the Community Character and Design Element of the 2010 Comprehensive Plan, Policy CCD 5, The City's capital improvement projects shall make a positive contribution to the City's character; and
3. That the materials, window/door openings, and proposed landscaping serve as compensating design or architectural features so as to meet overall objectives of the particular requirement while meeting the operational needs of the equipment contained therein.

SECOND: Commissioner Strawson

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of a Certificate of Architectural Compliance based on the approval of the above noted modifications for the Carroll Creek Stormwater Pump Station #3.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of Final Site Plan PC20-725FSI for the City of Frederick's Stormwater Pumping Station #3 finding that the plan complies with all of the applicable criteria of Articles 4, 5, 6, 7, and 8 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:

1. Note 15 on Sheet G-01 be revised to indicate the date of the Planning Commission's approval.

SECOND: Commissioner Strawson

VOTE: 5-0.

VIII. NEW BUSINESS:

D. PC20-808FSI, Final Site Plan, West Patrick Street Sewer Pump Station Upgrade

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved to approve approval of the final site plan (PC20-808FSI), West Patrick Street Sewer Pump Station Upgrade, finding that the plan complies with all of the applicable criteria of Articles 4, 5, 6, 7, 8, and 12 of the LMC, that is it consistent with the 2010

Comprehensive Plan, and that the site will be adequately served by public facilities, with the following conditions:

1. Add the approval date for the APFO exemption to Note I.

SECOND: Commissioner Menelas

VOTE: 5-0.

E. PC20-087ANX, Annexation, Christoff Property

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for a positive recommendation for approval to the Mayor and Board of Aldermen for annexation of the Christoff Property to be zoned Low Density Residential, R4, in accordance with Section 322 after having reviewed the outline for extension of services, including the evaluation of the request for consistency with the Comprehensive Plan and in consideration of the request with the following supporting terms of consideration for annexation:

1. That the developer will meet the requirements of Section 721 of the LMC, Forest Conservation, through onsite afforestation or retention.
2. That, in addition to meeting the dedication requirements of Section 608 of the LMC, Parks and Open Space, onsite, the developer will dedicate to the City the parcel north of Opossumtown Road as public parkland.
3. That the developer will provide a pro rata share contribution towards regional road improvements, including Christophers Crossing.
4. That the developer will provide a contribution toward the County's portion of Christophers Crossing, which involves the widening of the road between Whittier Drive and Walter Martz Road.
5. That Meadow Road will be extended from the Tuscarora Creek Planned Neighborhood Development (PND) through the site to Opossumtown Pike.
6. That individual access drives to single-family attached or detached units will be prohibited on the extension of Meadow Road through the Property.
7. That the developer will provide a pro rata share contribution towards the upgrade of the 4' wide sidewalk along Walter Martz Road to a 10' wide shared-use path.
8. That a 10' wide shared-use path be provided along the south side of Meadow Lane to be constructed within the Property.
9. The developer will coordinate with the County and City on the feasibility of connecting the shared-use path on the south side of Meadow Lane via Bloomfield Road or through the proposed Open Space/Forest Conservation area to the north of Bloomfield Road as shown on the concept plan with the shared-use path proposed on "Old" Willowbrook Road/Bloomfield Roads proposed as part of the Bloomfields development, and where feasible, the developer will construct the path.
10. The developer will provide a 5' wide sidewalk along the Property's frontage on Opossumtown Pike and coordinate with the County and City on the feasibility of extending the sidewalk south to the sidewalk along the frontage of St. Katherine Drexel Church and where feasible, the developer will construct the sidewalk.

SECOND: Commissioner Sperati

VOTE: 5-0.

Meeting approximately adjourned at 8:00 pm

Respectfully Submitted,

Jessica Murphy
Administrative Assistant

APPROVED 2/8/2021