

Planning Commission Hearing Minutes
Date: March 8, 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 Pam Reppert, Planner III Charles Morrison, Planner I Jessica Murphy, Administrative Assistant Cherian Eapen, Traffic Engineer Scott Waxter, Assistant City Attorney

I. CALL TO ORDER:

II. ANNOUNCEMENTS:

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

- Planning Commission Workshop Monday, March 15, 2021 items are available on the City of Frederick website.

III. APPROVAL OF MINUTES:

Approval of the **February 8, 2021** Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Strawson

SECOND: Commissioner Menelas

VOTE: 5-0.

Approval of the **February 16, 2021** Planning Commission Workshop Meeting Minutes as amended:

MOTION: Commissioner Menelas

SECOND: Commissioner Strawson

VOTE: 5-0.

Approval of the **March 5, 2021** Planning Commission Pre-Planning Meeting Minutes as amended:

MOTION: Commissioner Strawson

SECOND: Commissioner Menelas

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.)

A. PC20-809PND, Master Plan, Tuscarora Creek Planned Neighborhood Development (PND)

MOTION: Commissioner Strawson moved for approval for revisions to the previously approved Master Plan for the Tuscarora Creek Planned Neighborhood Development.

SECOND: Commissioner Sperati

VOTE: 5-0.

V. CONTINUANCES: None

VI. MISCELLANEOUS:

B. Election of Officers

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved to approve Commissioner Nicklas as Chair.

SECOND: Commissioner Menelas

VOTE: 5-0.

MOTION: Commissioner Menelas moved to approve Commissioner Strawson as Vice Chair.

SECOND: Commissioner Sperati

VOTE: 5-0.

MOTION: Commissioner Strawson moved to approve Alderman Russell as Secretary.

SECOND: Commissioner Menelas

VOTE: 5-0.

C. PC20-383FSU, Final Plat, West South Street, Lots 1A, 1B, 2A & 2B

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved to amend the previous approval to eliminate Condition #2 as stated in the follow up letter dated August 11, 2021 based on the information contained in the Applicant's response and the determination that it is not feasible to execute the right-of-way encroachment agreement prior to the plats recordation finding that it is not feasible to execute until the plat has been recorded.

SECOND: Commissioner Menelas

VOTE: 5-0.

D. PC16-696-01FSI, Architectural Review, Gateway Plaza East Royal Farms

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved to approval of PC16-696-01FSI, architectural elevations for the Royal Farms within the Gateway East Plaza shopping center on Monocacy Boulevard, finding that the design complies with the requirements of LMC Section 863, *Shopping Centers and Big Box Stores*, and that the applicant also provided three additional optional standards.

SECOND: Commissioner Menelas

VOTE: 5-0.

E. PC16-696-02FSI, Architectural Review, Gateway Plaza East McDonald's

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved to approval of PC16-696-02FSI, architectural elevations for the McDonald's within the Gateway East Plaza shopping center on Monocacy Boulevard, finding that the design complies with the requirements of LMC Section 863, *Shopping Centers and Big Box Stores*, and that the applicant also provided three additional optional standards.

SECOND: Commissioner Strawson

VOTE: 5-0.

VII. OLD BUSINESS: None

VIII. NEW BUSINESS:

F. PC20-973FSI, Final Site Plan, Tuscarora Creek Multifamily (Magnolia Haus)

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the Tuscarora Creek Multifamily final site plan, PC20-973FSI, finding that the plan is consistent with the applicable Sections Articles 5, 6, 7, 8, and 12 of the LMC; that it consistent with the 2010 Comprehensive Plan; and that the site will be adequately served by public facilities, with the following conditions:

1. The height of Building 6 must be reduced to not taller than 55’.
2. Revise the overlapping Notes on Sheet 1 (Note 24 and the Case History Note).
3. The Landscape Plan must be signed and sealed by a registered landscape architect.
4. Revise Note 4 to include that opportunities for interior and garage parking for bicycles will be evaluated by the builder at the time of building permit.

SECOND: Commissioner Strawson

VOTE: 5-0.

G. PC20-968PSU/FSI, Combined Preliminary Plat and Final Site Plan, Riverside Lot 250RA-1 and Lot 250RA-2

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval to reduce the side/interior setback per Section 418(f) on Lots 250RA-1 and 250RA-2 along the common property line to 0’ finding that:

1. Section 418(f) authorizes the Planning Commission to approve development standards for properties within the MXE as part of the site plan review;
2. The requested setback allows for construction that achieves excellence of design, sound planning principles, and the objectives of the MXE; and
3. Other zoning districts where similar uses are approved employ 0’ side/interior setbacks as a way to promote pedestrian friendly design and walkability.

SECOND: Commissioner Sperati

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of a modification to Section 607, Table 607-2 as requested to exceed the maximum number of parking spaces by 166 on Lot 250RA-2 finding that:

1. The modification is not contrary to the intent of the Code as it provides flexibility for infill development;
2. The modification is consistent with the Municipal Growth and Community Character and Design Elements of the 2010 Comprehensive Plan; and
3. The plan design offers compensating design features such as electric vehicle charging stations and removal of existing parking spaces.

SECOND: Commissioner Menelas
VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of a modification to Section 607, Table 607-2 as requested to reduce the number of required bicycle parking spaces by 53 (27 racks) on Lot 250RA-1 finding that:

1. The modification is not contrary to the intent of the Code by providing sufficient parking and reasonable bicycle spaces for the site;
2. The modification is consistent with the Water Resources and Environmental Elements of the 2010 Comprehensive Plan; and
3. The plan design offers compensating design features by introducing bicycle parking to a large site that existed previously with no spaces.

SECOND: Commissioner Sperati
VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the combined Preliminary Plat and Final Site Plan (PC20-968PSU/FSI) finding that the plan is consistent with the 2010 Comprehensive Plan and complies with Articles 4, 5, 6, 7, and 8 of the LMC and with master plan approved for the subject property with the following conditions to be met:

1. Provide the POA approval for the building 4 elevations.
2. Complete Note 18 with APFO status and issuance dates.
3. Add to Note 20 the archeological assessment approval date.
4. Address the Engineering technical comments attached to this report.
5. Remove one of the parking spaces to the rear of the newly proposed 70,000 sf medical lab building and expand the landscape island so as to adjust the crosswalk for an improved alignment.
6. Close the first connection to the parking field at the western end of the main drive aisle in front of the proposed 70,000 sf medical lab building, adjust the parking spaces accordingly.

SECOND: Commissioner Sperati
VOTE: 5-0.

H. PC21-87FSI, Final Site Plan, Waverley View Part I

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson approval of the Final Site Plan (PC21-87FSI) and associated design booklet finding that the plan complies with the applicable standards of Articles 4, 5, 6, 7 & 8 of the LMC and the previously approved master plan and that it will be served by adequate public facilities, consistent with the 2010 comprehensive plan and the master plan and that adequate parking is being provided as requested under the LMC master plan with the following conditions:

1. Design Booklet:
 - a. Add a note to document the maximum number of non-garage units for townhouses with front integral garages.
 - b. Sheet 3, note the single family and townhouses with detached garages have approved two parking spaces as substitution for garages as option.
2. Correct Parking Exhibit with F2 Area label.
3. Sheet 2 –
 - a. Correct Area F3 for townhouse with rear detached garage totals 136 spaces to be verified.
 - b. Area F2 – Calculate the parking spaces in the description for townhouses with rear detached garages.
4. Sheet 3 – Show the option in the townhouse with rear detached garages to allow for 2-car parking pad.
5. Sheet 4- remove the label indicating that the trailway/shared use path may be eliminated upon further discussion with Parks and Recreation at the Improvement Plan stage, in addition to any other notes referencing the path to be eliminated.

SECOND: Commissioner Sperati

VOTE: 5-0.

I. PC20-654PSU/FSI, Combined Preliminary Plat and Final Site, Gambrill View

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas approval of the Combined Preliminary Plat and Final Site Plan (PC20-654PSU/FSI) and associated design booklet finding that the plan complies with the applicable standards of Articles 4, 5, 6, 7 & 8 of the LMC and the previously approved master plan, that it is consistent with the 2010 Comprehensive Plan, and that it will be served by adequate public facilities with the following conditions:

1. Design Booklet:
 - a. Add a note to document the maximum number of non-garage units for townhouses with front integral garages.
2. Sheet 2 –
 - a. Area A, B & D should be labeled Area A for 19.9 acres.
 - b. For clarity, the extra parking spaces and parking along Shookstown Road should only be listed once available for the entire Area A.
3. Sheet 3 – Show the option in the detail for townhouse with rear detached garages to allow for 2-car parking pad.

4. Sheet 1, Note 13, remove statement that signs are appropriate in medians as conflict with no signs permitted in median.
5. Enlarge sign symbols to verify location of entrance signs and place on landscaping sheets.
6. Verify and correct the number of parking spaces along Shookstown Road.
7. On the parking exhibit, the numbered parking spaces are unreadable and the red and darken circle should be changed. Add the parking exhibit as part of the plan.
8. Sheet 10 delete the extraneous notes in regard to street trees that do not match the landscaping notes provided on Sheet 16.
9. Sheet 16:
 - a. Delete extraneous notes that reference missing information.
 - b. Reduce the number of Greenspire Littleleaf Lindens and add more diversity.
 - c. Under the Street Tree Requirements table add the 7 trees to be planted along Kemp Lane.
 - d. Add missing table title for the screening requirements.
 - e. In the maintenance calendar, add deer repellent as necessary.
10. Provide the path system through Area B on the east side of Old Camp Road in accordance with the Master Plan and remove any notes indicating that the railway/shared use path may be eliminated upon further discussion with Parks and Recreation at the Improvement Plan stage.
11. Provide the EPA letter to City staff related to the environmental concerns on site.

SECOND: Commissioner Sperati

VOTE: 5-0.

Meeting approximately adjourned at 8:45 pm

Respectfully Submitted,

Jessica Murphy
Administrative Assistant