

Planning Commission Hearing Minutes
Date: May 10, 2021

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Barbara Nicklas – Chair Joan Strawson – Vice Chair Kelly Russell – Alderman & Secretary Dorothy Menelas Shannon Sperati		Gabrielle Collard, Division Manager of Current Planning Sherry Kelly, Planner II Pam Reppert, Planner III Carreanne Eyer, Office Manager Jessica Murphy, Administrative Assistant Cherian Eapen, Traffic Engineer Scott Waxter, Assistant City Attorney Tracy Coleman, Deputy Director of Engineering

I. CALL TO ORDER:

II. ANNOUNCEMENTS:

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

- Planning Commission Workshop Monday, May 17, 2021 items are available on the City of Frederick website.
- The NAC Planning Presentation is at 6pm also on the 17th.
- ZBA has a vacancy for an alternate and the City is still accepting applications.

III. APPROVAL OF MINUTES:

Approval of the **April 12, 2021** Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Menelas

SECOND: Commissioner Sperati

VOTE: 4-0.

Approval of the **April 19, 2021**, Planning Commission Workshop Meeting Minutes as amended:

MOTION: Commissioner Menelas

SECOND: Commissioner Sperati

VOTE: 4-0.

Approval of the **May 7, 2021**, Planning Commission Pre-Planning Meeting Minutes as amended:

MOTION: Commissioner Menelas

SECOND: Commissioner Sperati

VOTE: 4-0.

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. PC21-192ZMA, Zoning Map Amendment, Monocacy Boulevard Parcels C, E, and F

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved to approve a continuance to the June 14, 2021, Planning Commission hearing.

SECOND: Commissioner Sperati

VOTE: 5-0.

Commissioner Strawson entered the meeting.

VI. MISCELLANEOUS:

B. PC21-200MU, Architectural Review, Monocacy Center Lot 6

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of the architectural elevations for the townhouses in the Monocacy Center mixed use development with the following condition:

1. Update the Design Booklet to remove previous elevations for Lot 6 and replace with the new elevations presented.

SECOND: Commissioner Menelas

VOTE: 5-0.

C. PC16-436-04PND, Architectural Review, Sycamore Ridge

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the modification of Section 604(b)(3)(h)(2)(a).

SECOND: Commissioner Sperati
VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the architectural elevations for the single-family detached units for Sycamore Ridge.

SECOND: Commissioner Sperati
VOTE: 5-0.

VII. OLD BUSINESS:

D. PC20-888ZMA, Zoning Map Amendment, Highland Trail

E. PC20-889MU, Master Plan, Highland Trail

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for a positive recommendation from the Planning Commission to the Mayor and Board for Zoning Map Amendment PC20-888ZMA to apply the MU-2 floating zone to 26.49 acres with no conditions of rezoning.

SECOND: Commissioner Sperati
VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for a positive recommendation from the Planning Commission to the Mayor and Board for a modification to Section 417, Table 417-2 to reduce the minimum required rear setbacks for lots adjacent to alleys and private drives as follows:

- a. TH-1: 20' to 3'
- b. TH-2: 20' to 15'
- c. MF-1: 20' to 3'

SECOND: Commissioner Sperati
VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for a positive recommendation from the Planning Commission to the Mayor and Board for a modification to Section 417, Table 417-2, and Section 606(b)(2) to allow lots without public road frontage so as to create lots that front on open space.

SECOND: Commissioner Strawson

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for a positive recommendation from the Planning Commission to the Mayor and Board for a modification to Section 417, Table 417-2 to exceed the 25' maximum interior setback and the 35' maximum street setback for non-residential lots.

SECOND: Commissioner Strawson

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for a positive recommendation from the Planning Commission to the Mayor and Board for a modification to Section 417, Table 417-2 to exceed the 35' maximum street setback for multifamily lots.

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 for a modification a modification to Section 606(g)(5), which requires that when a lot fronts along a right-of-way that is less than 50' wide that the setbacks be measured from the centerline plus 25', so as to allow the setbacks to be measured from the right-of-way line.

SECOND: Commissioner Sperati

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for a positive recommendation from the Planning Commission to the Mayor and Board for a modification to the Standard City Detail for Collector Roads (ST-10) and Local Roads (ST-11.1 and ST-11.2) in accordance with Section 611, *Street Improvement Standards*.

SECOND: Commissioner Strawson

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for a positive recommendation from the Planning Commission to the Mayor and Board for a car wash as a mixed-use, conditional use per Section 404, Table 404-1 and in accordance with Sections 301 and 837 of the LMC.

SECOND: Commissioner Sperati

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for a positive recommendation from the Planning Commission to the Mayor and Board for a reduction in the APFO testing period from 10 years to three years in accordance with Section 4-10 of the City Code, the Adequate Public Facilities Ordinance.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for a positive recommendation from the Planning Commission to the Mayor and Board for a finding of road adequacy in accordance with Section 4-14 of the City Code, the Adequate Public Facilities Ordinance.

SECOND: Commissioner Sperati

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for a positive recommendation from the Planning Commission to the Mayor and Board for Master Plan PC20-889MU for Highland Trail, with the following conditions:

1. The Traffic Impact Study (TIS) must receive final approval and Note 7 revised to indicate the approval date.
2. The Moderately Priced Dwelling Unit (MPDU) Payment Agreement must be executed and Note 6 revised to indicate the recording reference of the agreement.

3. Note 15 must be updated to indicate that provisional or full APFO certificates have been issued and the issuance date for each test.
4. The Forest Stand Delineation (FSD) must be unconditionally approved and Note 27 revised to include the approval date.
5. Note 3 must be revised to indicate the total amount of parkland dedication requirement per Section 608 of the LMC in addition to the minimum required per Table 417-1.
6. Note 26 must be revised to eliminate item F., the modification to intersection design standards, and to include the date of approval of all modifications.
7. Note 27 must be revised to include the Demolition Review case number and approval date.

SECOND: Commissioner Menelas

VOTE: 5-0.

VIII. NEW BUSINESS:

F. PC21-81FSU, Final Plat, Hamilton Square

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of Final Plat PC21-81FSU for Hamilton Square with the following condition:

1. The public utility and water meter easements must be recorded, and the recording references added to the plat.

SECOND: Commissioner Strawson

VOTE: 5-0.

G. PC20-1057FSI, Final Site Plan, Governor's Place Lot 4B

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of a modification to Section 607(h), Loading Space Requirements, to substitute two 9' x 20' loading spaces for the requirement of one large, 12' x 50', loading space.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of a modification to Section 607(e)(2)(D), Parking Area Lighting, that requires light be contained within the property boundaries.

SECOND: Commissioner Strawson

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of a modification to Section 605, Table 605-3 Buffer and Screening by District or Use, that requires Level I screening for parking lots and along property lines between PB zoned properties.

SECOND: Commissioner Strawson

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of Final Site Plan PC20-1057FSI for Governor's Place Lot 4B, with the following conditions:

1. The final plat (STF20-812FSU) must be recorded.
2. Note 5, Delete the last sentence.
3. The recording reference for cross access easement must be added to the plan.
4. Note 4, add the stormwater management report approval date.
5. Note 9, add the APFO Roads certificate approval date.
6. Correct planting spacing to 15'-20' on center for the Giant Arborvitae.
7. Show plantings and verify number of trees on lot to comply with Section 605(c)(2) and edit notes, accordingly, including the Plant Schedule.

SECOND: Commissioner Menelas

VOTE: 5-0.

H. PC21-84FSI, Final Site Plan, Monocacy Manor

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of Final Site Plan PC21-84FSI for Monocacy Manor with the following conditions to be met:

1. Provide a complete set of elevations showing all four elevations to reflect the revised/supplemental elevations labeling the dormers on the front elevation to meet the roof design element under Section 604.
2. Label the square footage of the plaza.
3. Sheet 16, remove the gardens from Table 608 Parkland Standards.
4. Provide 2 benchmarks on site with their corresponding descriptions and elevations and show them graphically.

5. Remove landscape trees within the afforestation areas and correct the planting notes and schedules, accordingly.
6. Finalize the traffic impact study and receive approval from the city Traffic Engineer.

SECOND: Commissioner Sperati

VOTE: 5-0.

I. PC20-89MU, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, Monocacy Manor

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of the Combined Forest Stand Delineation and Preliminary Forest Conservation Plan PC21-86FSCB for Monocacy Manor with the following conditions to be met:

1. Add to Surety Note 5 that 50% of the signage to remain permanently.
2. Page 6, add protection signage symbol in the legend and place signage symbols 50' on center around the afforestation areas.
3. Place protection fencing symbols along the north and west property lines.
4. Enlarge protection symbols on drawing.
5. The fence detail symbol and the fence symbol in the legend should match.
6. Under signage detail, remove the word "seedling" from Note 2 and delete Note 4.

SECOND: Commissioner Strawson

VOTE: 5-0.

Andrea Mayer, resident on E. 4th Street advised she is opposed to the project. Ms. Mayer advised the project is inconsistent, harmful and not compatible with the neighborhood.

J. PC20-1058FSU, Final Plat, 5th Street and Maxwell Avenue

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval of Final Plat PC20-1058FSU with the following conditions:

1. The encroachment agreements for 106 and 108 E. 5th Street be executed and the recording references added to the plat.
2. The 106, 108, and 110 E. 5th Street sidewalk be inspected for adequacy by city staff.

SECOND: Commissioner Menelas

VOTE: 5-0.

Karen Thomassen, resident at 107 E. 4th Street read a letter into the record to discuss various concerns about the project to include safety, parking and traffic.

Steve Jakubczyk, resident at 424 N. Market Street advised he is opposed to the project and is very upset about how the project has moved forward for various reasons and factors. Mr. Jakubczyk urged the Planning Commission to deny the project.

Robert Robey, resident at E. 2nd Street advised he does not agree that the project is compatible with the 2020 Comp Plan and neighborhood. He advised that the project should be compared to assets in the HPC district. Mr. Robey also discussed the height and mass of the project.

Kevin Sellner, resident at 102 E. 5th Street advised concerns with stormwater management and the infill compatibility. Mr. Sellner does not approve of the project. He is also concerned about the height.

Resident of E. 5th Street called and discussed the process and concerns about the project height. He urged the Planning Commission to stop the development and produce something compatible.

K. PC20-884PSU/FSI, Combined Preliminary Plat and Final Site Plan, 5th Street and Maxwell Avenue

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval for a modification to Section 607, Table 607-2 of the LMC, Parking and Loading Standards, to reduce the required number of parking spaces to 1.5 per unit for a total of 7.5 spaces.

SECOND: Commissioner Sperati

VOTE: 4-1. (Commissioner Strawson Opposed)

PLANNING COMMISSION ACTION:

MOTION: Commissioner Sperati moved for approval for a modification to Section 607(e)(8), Parking Space Design, Turn Around Required, to allow cars to back into N. Maxwell Avenue.

SECOND: Commissioner Menelas

VOTE: 4-1. (Commissioner Strawson Opposed)

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of a modification to Section 601(f), Access Drive Separation, which requires a minimum of 20' of separation between a single-family driveway and other driveway, in order to allow the driveway for proposed Lot 5 to be 19'11" from the driveway to the south on N. Maxwell Avenue.

SECOND: Commissioner Sperati

VOTE: 4-1. (Commissioner Strawson Opposed)

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of approval of the combined preliminary plat/final site plan PC20-884PSU/FSI with the following conditions:

1. Revise Note 8 to indicate the date the Adequate Public Facilities Exemption was approved.
2. Revise the rolled curb along N. Maxwell Avenue to provide standard curb and gutter and driveway aprons.
3. Provide a cross section of N. Maxwell Avenue along the frontage of the Property for approval by the Engineering Department.
4. Correct the centerline location of N. Maxwell Avenue to correspond to that shown on Final Plat PC20-1058FSU.
5. Submit \$1,000 per unit in lieu of parkland dedication in accordance with Section 608(f)(3)(B).

SECOND: Commissioner Sperati

VOTE: 4-1. (Commissioner Strawson Opposed)

Meeting approximately adjourned at 11:15 pm

Respectfully Submitted,

Jessica Murphy
Administrative Assistant