

Planning Commission Hearing Minutes
Date: March 14, 2022

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Barbara Nicklas – Chair Ronald Beattie – Secretary Dorothy Menelas Ben MacShane, Alderman	Joan Strawson – Vice Chair	Gabrielle Collard, Division Manager of Current Planning Joe Adkins, Deputy Director of Planning/Community Dev. David Simon, Planner II Sherry Kelly, Planner II Susan Suarez, Planner II Pam Reppert, Planner III Cherian Eapen, Traffic Engineer Jessica Murphy, Planner Technician

I. CALL TO ORDER:

II. ANNOUNCEMENTS:

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

- Planning Commission Workshop Monday, March 21st, 2022, items will be available on the City of Frederick website.
- The NAC Planning Presentation is at 6pm also on the 21st.
- Accepting applications for Planning Commission and Historic Preservation Vacancies on the City of Frederick website.
- April Planning Commission Meeting will be in person.

III. APPROVAL OF MINUTES:

Approval of the **February 22, 2022** Planning Commission Workshop Meeting Minutes as amended:

MOTION: Commissioner Beattie

SECOND: Commissioner Menelas

VOTE: 4-0.

Approval of the **March 3, 2022** Special Planning Commission Workshop as amended:

MOTION: Commissioner Menelas

SECOND: Commissioner Beattie

VOTE: 4-0.

Approval of the **March 11, 2022** Planning Commission Pre-Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Menelas

SECOND: Commissioner Beattie

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: N/A

VI. MISCELLANEOUS:

A. PC18-387-04MU, Architectural Review, Bloomfields

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for approval of architectural elevations PC18-387-04MU for the Bloomfields Age-Restricted Community Development with the following conditions:

1. Provide the clubhouse elements in the Design Elements Matrix.
2. Incorporate the Design Elements Matrix into one PDF as part of the elevation package.
3. Correct the Design Elements Matrix for the Villas that the Windows and Entryways is element F and other elements sequentially.
4. Add a note on the elevation sheets that the landscaping on lots will be maintained by the HOA.
5. Obtain unconditional approval of Combined Preliminary Plat and Final Site Plan PC21-1301PSU/FSI.

SECOND: Commissioner Menelas

VOTE: 4-0.

VII. OLD BUSINESS: N/A

VIII. NEW BUSINESS:

B. PC21-1301PSU/FSI, Combined Preliminary Plat and Final Site Plan, Bloomfields Section 1

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of Combined Preliminary Plat and Final Site Plan (PC21-1301PSU/FSI) for Bloomfields development to change the SFD-E unit detail from a one-car garage to two-car garage unit with the following conditions to be met:

1. Add a note to document the age-restrictive covenants with recorded references and effective date April 13, 2021.
2. Update Note 16 with the correct NAC meeting date of 12/20/21.
3. Update Note 2 providing the Final Forest Conservation Plan for Section 1 case number and approval date.
4. Verify the assigned units for respective lots throughout the plan.
5. Note 20, correct to "Full Sewer Line Capacity".
6. Update Note 14 with MPDU agreement recorded references and effective date April, 22, 2021.

SECOND: Commissioner Beattie

VOTE: 4-0.

C. PC21-913PSU/FSI, Combined Preliminary Plat and Final Site Plan, Renn Quarter

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for a modification to Section 803 of the Land Management Code (LMC), entitled Accessory Structures, to exceed 30% impervious surface in the actual front yard for the A-3E lot detail.

SECOND: Commissioner Menelas

VOTE: 4-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of Combined Preliminary Plat and Final Site Plan PC21-913PSU/FSI for Renn Quarter Phase 3 for 75 townhouse lots with the following conditions to be met:

1. The landscape plans need to be signed and sealed by a registered Landscape Architect.
2. In Open Space (OS)-9 the Eastern Redbud (cc) is not a street tree and plan notes and drawing to be corrected.
3. Obtain FAA 7460-1 approval for the Phase 3 of Renn and add approval date in Note 26.
4. On sheet 3, label the drive width and indicate landscaping of the front yard in unit detail A-3E.

SECOND: Commissioner Beattie

VOTE: 4-0.

D. PC21-1168FSI, Final Site Plan, Andochick Properties

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved to approve a modification to Table 607-4, *Minimum Off-Street Loading Spaces*, to provide two small (9' x 20') loading spaces instead of the two large (12' x 50') loading spaces required for the site.

SECOND: Commissioner Menelas

VOTE: 4-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the Final Site Plan, PC21-1168FSI, Andochick Properties with the following conditions:

1. Revise Note #12 on Sheet 1 to indicate the approval date of the requested modification for the loading space requirement.
2. Revise Note #15 on Sheet 1 to indicate that final plat, Case STF-22-40FSU, must be recorded prior to building permit issuance for Phase 1 construction.
3. Revise Note #15 on Sheet 1 to eliminate the reference to the full certificate of road adequacy.

SECOND: Commissioner Beattie

VOTE: 4-0.

E. PC21-1158FSI, Final Site Plan, The Junction at 511

John Robinson of 428 West Patrick Street wanted to make sure his letter was received.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved to approve a modification of Section 601(f), Table 601-2, *Separation Standards*, which requires a minimum separation distance between a driveway and another driveway on an arterial street of 200'.

SECOND: Commissioner Menelas

VOTE: 4-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the Final Site Plan PC21-1158FSI for The Junction at 511 with the following conditions:

1. The proposed access easement be recorded and recording references for it and the existing access easement along the rear of 420, 422, and 424 W. Patrick be added to the site plan.
2. Show the existing 1” plastic gas service on the west side of house at 424 W. Patrick Street.
3. Revise the Note on Sheet 1 below the vicinity map to indicate that the consolidation plat will be recorded prior to building permit issuance.
4. Update Note I on Sheet one to include the approval date of the combined forest plan.
5. Provide a note on Sheet 1 referencing the modification request and approval date.
6. Provide the recording references for all existing easements.
7. Provide 2 benchmarks with their corresponding descriptions and elevations and show graphically.
8. Revise the adjoining City property labeled as a 10’ r/w (south of #31 South Jefferson Street) by adding the Liber JLJ5 Folio 474 recording reference.

SECOND: Commissioner Beattie

VOTE: 4-0.

F. PC21-1160FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, The Junction at 511

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved to approve the Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, PC21-1160FSCB for The Junction at 511

SECOND: Commissioner Menelas

VOTE: 4-0.

G. PC21-1162FSI, Final Site Plan, The Junction at 524

India Hitchcock of 100 Thomas Avenue has concerns regarding the placement of the entrance and how that will affect traffic, and also about street parking.

Kelly Russell of 301 College Avenue asked if the applicant would consider using stamped concrete instead of brick for the sidewalk.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved to approve a modification to Section 607, Table 607-2, the *Parking Schedule*, in accordance with Section 607(d)(2) of the LMC to allow for three off-site parking spaces to be counted toward the minimum parking requirement.

SECOND: Commissioner Beattie

VOTE: 4-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for approval of the Final Site Plan PC21-1162FSI for The Junction at 524 with the following conditions:

1. Revise the footnote in Note F to indicate the approval date of the off-site parking request.
2. Revise Note K to correct the approval date of the provisional certificate for schools to 2/7/22.
3. Provide 2 benchmarks with their corresponding descriptions and elevations and show graphically.

SECOND: Commissioner Menelas

VOTE: 4-0.

H. PC21-809FSI, Final Site Plan, The Terrace

Joseph Kreke of 428 Carroll Parkway is concerned about SWM and is not convinced the problem has been resolved. He says the site has had flooding issues in the past, and he would like to be assured that if there is a problem the owner will be willing to mitigate it. He is also questioning where visitor parking will be.

Robert Dinsmore of 416 Carroll Parkway is concerned about SWM and Sanitary infrastructure.

Paul Flynn supports the project.

Sarah Costlow of 330 West College has concerns about SWM and pedestrian safety.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved to approve a modification to §601(f), Table 601-2 to decrease the separation distance required between access points on an arterial road from 200 linear feet to 14 and one-half linear feet for the eastern entrance on W Patrick Street and 34 linear feet for the western entrance on W Patrick Street.

SECOND: Commissioner Beattie

VOTE: 4-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved to approve a modification to §601(f), Table 601-2 to decrease the separation distance required between access points on a collector road for the southern entrance on W College Terrace from 100 feet to 18 feet.

SECOND: Commissioner Menelas

VOTE: 4-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved to approve a modification to §607(e)(2)(D) to allow for some light spillover across the property line between The Terrace and 489 W Patrick Street, the Gladchuk Bros. Restaurant.

SECOND: Commissioner Beattie

VOTE: 4-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved to approve the Final Site Plan PC21-809FSI for The Terrace to construct three, four-story buildings with the following conditions:

1. Revise Note #25 to include the date of Provisional Approval for APFO-Schools of 3/3/22.
2. Revise Site Plan Notes #28 as follows:
 - a to reflect the correct LMC provision of **§601(f)**,
 - b to add the modification to §607(e)(2)(D); and
 - c to add the approval date of the modifications
3. Execute the cross access easement for 489 W. Patrick Street, the Gladchuck Bros. Restaurant, and label the recording reference (liber/folio) on the plan.
4. Execute the cross access easement for the benefit of 499 W. Patrick Street and label the recording reference (liber/folio) on the plan.
5. Execute the MPDU Payment Agreement.
6. The Landscape Plan must be signed/sealed by a registered Landscape Architect.
7. The Surveyor's Certification on Sheet 1 must be signed.

SECOND: Commissioner Menelas

VOTE: 4-0.

I. PC21-810FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, The Terrace

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved to approve a modification to §721 to allow for the removal of five (5) specimen trees from the Property.

SECOND: Commissioner Beattie

VOTE: 4-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved to approve the Combined Forest Stand Delineation and Preliminary Forest Conservation Plan PC21-810FSCB for The Terrace with the following conditions:

1. The design professional certification on Sheet 1 will have to be stamped and signed by a Landscape Architect registered in the State of Maryland.

SECOND: Commissioner Menelas

VOTE: 4-0.

Meeting approximately adjourned at 10:00 pm

Respectfully Submitted,

Jessica Murphy
Planner Technician

APPROVED 5/9/22