

Planning Commission Hearing Minutes

Date: November 14, 2022

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Barbara Nicklas – Chair Joan Strawson – Vice Chair Ronald Beattie – Secretary Ben MacShane, Alderman April Lee – Alternate	Dorothy Menelas	Gabrielle Collard, Division Manager of Current Planning Scott Waxter, Assistant City Attorney Sharon Kemper Suarez, Planner II Jennifer Van de Griek, Administrative Assistant

I. CALL TO ORDER:

II. ANNOUNCEMENTS:

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

- Planning Commission Workshop will be Monday, November 21st at 2pm, in-person, items will be available on the City of Frederick website.
- The Citywide Planning Division Community Outreach Meeting is also Monday, November 21st, at 6pm.

III. APPROVAL OF MINUTES:

Approval of the **October 10, 2022**, Planning Commission Meeting Minutes:

MOTION: Commissioner Strawson

SECOND: Commissioner Beattie

VOTE: 4-0-1.

Approval of the **October 17, 2022**, Planning Commission Workshop Minutes

MOTION: Commissioner Beattie

SECOND: Commissioner Strawson

VOTE: 4-0-1.

Approval of the **November 10, 2022**, Planning Commission Pre-Planning Commission Meeting Minutes

MOTION: Commissioner Strawson

SECOND: Commissioner Beattie

VOTE: 4-0-1.

IV. PUBLIC HEARING-CONSENT ITEMS: N/A

(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. PC21-1431FSI, Final Site Plan, East Pat Lofts

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for a continuance to the January 9, 2023 Planning Commission hearing.

SECOND: Commissioner Beattie.

VOTE: 4-0-1.

VI. MISCELLANEOUS: N/A

VII. OLD BUSINESS: N/A

VIII. NEW BUSINESS:

B. PC22-654FSI, Final Site Plan, Pistarro's Restaurant

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for approval of the Final Site Plan PC22-654FSI, Pistarro's Restaurant Building Addition with the following condition:

1. Revise Note 9 to indicate that prior to building permit issuance, the Applicant must provide a cost estimate for the project and the cost of the amenities provided in order to confirm that the 1% amenity requirement has been met.

SECOND: Commissioner Strawson.

VOTE: 4-0-1.

C. PC22-653FSI, Final Site Plan, Nicolock Expansion Riverside Corporate Park

PLANNING COMMISSION ACTION 1:

MOTION: Commissioner Strawson moved for a modification to Section 607(e)(2) in order to allow minor light spillage at the property line along Progress Court.

SECOND: Commissioner Beattie.

VOTE: 4-0-1.

PLANNING COMMISSION ACTION 2:

MOTION: Commissioner Beattie moved for approval of the Final Site Plan PC22-653FSI, Nicolock Building Expansion, with the following condition:

1. Revise the Case History on Sheet 1 to indicate the approval date for the requested lighting plan modification.

SECOND: Commissioner Strawson.

VOTE: 4-0-1.

D. PC22-631FSI, Final Site Plan, Tonix Parking Lot Relocation

PLANNING COMMISSION ACTION 1:

MOTION: Commissioner Strawson moved for a modification to Section 605(e), Table 605-3 to the requirement for a Level I buffer along the property lines abutting IST and PB zoned properties.

SECOND: Commissioner Beattie.

VOTE: 4-0-1.

PLANNING COMMISSION ACTION 2:

MOTION: Commissioner Beattie moved for approval of Final Site Plan PC22-631FSI for the TONIX Parking Lot Relocation, with the following conditions:

1. Revise the labels on the landscape plan (drawing L-2.1) and the notations referencing Level II property line screening in Areas A, C and D to reference Level I.
2. Add a note on the landscape plan (drawing L-2.1) referencing the Planning Commission's approval of the modification to Section 605(f) Table 605-3 screening requirements for property lines.
3. Add the date of the Planning Commission's approval of the forest conservation plan to Note 46.
4. The landscape credit areas depicted on the forest conservation plan (PC22-632FSCB) must be depicted on the site plan and the plantings incorporated into the landscaping calculations as well as the planting schedule.

SECOND: Commissioner Strawson.

VOTE: 4-0-1.

E. PC22-632FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, Tonix Parking Lot Relocation

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of Combined Forest Stand Delineation and Preliminary Forest Conservation Plan PC22-632FSCB for TONIX Parking Lot Relocation.

SECOND: Commissioner Beattie.

VOTE: 4-0-1.

F. PC22-292FSI, Final Site Plan, JT Motorsports Industrial Center East Lot 338

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of Final Site Plan PC22-292FSI for JT Motorsports, with the following conditions:

1. The Applicant must provide confirmation from the FAA and MAA documenting that the proposed additions will not create a hazard to air traffic.
2. Update Note 22 with the Planning Commission approval date of the forest plan and add the forest plan case number to Note 9.

SECOND: Commissioner Beattie.

VOTE: 4-0-1.

G. PC22-293FSI, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, JT Motorsports Industrial Center East Lot 338

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for approval of Combined Forest Stand Delineation and Preliminary Forest Conservation Plan PC22-293FSCB for JT Motorsports

SECOND: Commissioner Strawson.

VOTE: 4-0-1.

H. PC22-513FSI, Final Site Plan, 550 Highland

PLANNING COMMISSION ACTION 1:

MOTION: Commissioner Strawson moved for a modification to Section 601(1), which requires sites with parking lots of over 100 spaces to provide a vehicular connection to the adjoining property.

SECOND: Commissioner Beattie.

VOTE: 4-0-1.

PLANNING COMMISSION ACTION 2:

MOTION: Commissioner Beattie moved for a modification to Section 607(e)(2) to allow parking lot lighting to spillover onto adjacent properties.

SECOND: Commissioner Strawson.

VOTE: 4-0-1.

PLANNING COMMISSION ACTION 3:

MOTION: Commissioner Strawson moved for approval of the Final Site Plan, PC22-513FSI, 550 Highland, with the following conditions:

1. Provide confirmation from the Federal Aviation Administration (FAA) and Maryland Aviation Administration (MAA) that the Form 7460-1 has been approved and revise Note 17 to indicate the approval dates.
2. Label the adjoining property owner information for all properties within 100' of the site.
3. Label the existing buildings.
4. Label all existing storm drains as depicted on the Grading and Utility Plan entitled Airpax Building Addition.
5. Revise Note 10 to delete the second sentence.
6. Add a note indicating the approval date of the two requested modifications.

SECOND: Commissioner Beattie.

VOTE: 4-0-1.

I. PC22-647ZTA, Zoning Text Amendment, Article 4, Section 404, Professional Business (PB)
Zoning District

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for a recommendation from the Planning Commission to the Mayor and Board for approval of the proposed text amendment pertaining to Article 4, Section 404, Table 404-1 of the LMC entitled the Use Matrix to allow Schools, Public/Private as a permitted use.

SECOND: Commissioner Strawson.

VOTE: 3-1-1.

Meeting adjourned at approximately 7:50 pm.

Respectfully Submitted,

Jennifer Van de Griek
Administrative Assistant