

Planning Commission Hearing Minutes
Date: March 13, 2023

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Barbara Nicklas – Chair Ronald Beattie – Secretary Ben MacShane, Alderman April Lee – Alternate	Joan Strawson – Vice Chair Dorothy Menelas	Gabrielle Collard, Division Manager of Current Planning Rachel Nessen, City Attorney Pam Reppert, Planner III Zack Kershner, Director of Public Works Shraddha Praharaj, Traffic Engineer 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, March 20th at 2pm, in-person, items will be available on the City of Frederick website.
- The Citywide Planning Division Community Outreach Meeting is also Monday, March 20th, at 6pm.

III. APPROVAL OF MINUTES:

Continuation of the **February 13, 2023**, Planning Commission Meeting Minutes to the April 10, 2023

Planning Commission meeting:

MOTION: Commissioner Beattie

SECOND: Commissioner Lee

VOTE: 4-0.

Continuation of the **February 21, 2023**, Planning Commission Workshop Minutes to the April 10, 2023

Planning Commission meeting:

MOTION: Commissioner Lee

SECOND: Commissioner Beattie

VOTE: 4-0.

Approval of the **March 10, 2023**, Planning Commission Pre-Planning Commission Meeting Minutes

MOTION: Commissioner Beattie

SECOND: Commissioner Lee

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.)

A. PC22-834FSI, Final Site Plan, Governor's Place Lot 4A

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for approval of a revision to the previously approved final site plan (PC20-205FSI) for Governor's Place Lot 4A.

SECOND: Commissioner Lee.

VOTE: 4-0.

V. CONTINUANCES:

B. PC21-1431FSI, Final Site Plan, EastPat Lofts

PLANNING COMMISSION ACTION:

MOTION: Commissioner Lee moved for the continuance of PC22-1431FSI to the April 10, 2023 Planning Commission Meeting.

SECOND: Commissioner Beattie.

VOTE: 4-0.

VI. MISCELLANEOUS:

C. Capital Improvements Program (CIP) FY2024-2029

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for a recommendation from the Planning Commission to the Mayor and Board of Alderman on items to be included in the FY2024-2029 Capital Improvements Program (CIP).

SECOND: Commissioner Lee.

VOTE: 3-0-1.

D. PC13-195-10PND, Architectural Review, Kellerton Land Bay B

PLANNING COMMISSION ACTION 1:

MOTION: Commissioner Beattie moved for a modification to 604(b)(3)(H)(2), *Windows and Entryways* to allow small, square windows.

SECOND: Commissioner Lee.

VOTE: 4-0.

PLANNING COMMISSION ACTION 2:

MOTION: Commissioner Lee moved for the approval of architectural elevations PC13-195-10PND for single-family dwelling units.

SECOND: Commissioner Beattie.

VOTE: 4-0.

E. PC17-993-04PND, Architectural Review, Free Medwid Property (Towns at Walnut Ridge)

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for the approval of architectural elevations PC17-993-04PND for townhouse dwelling units.

SECOND: Commissioner Lee.

VOTE: 4-0.

F. PC18-667FSI, Final Site Plan, Chapel Alley

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for the approval of a six-month extension to October 8, 2023 for the certificates of adequacy for water line, sewer line, and school capacity in accordance with Section 4-10(e) of the City Code.

SECOND: Alderman McShane.

VOTE: 4-0.

VII. OLD BUSINESS:

VIII. NEW BUSINESS:

G. PC22-1016FSI, Final Site Plan, Frederick Commerce Center Lot 1

PLANNING COMMISSION ACTION 1:

MOTION: Commissioner Lee moved for approval of the modification to Section 605(g), Table 605-6 to reduce the minimum interior parking lot landscaping from 10% of the overall parking area (standard and tractor trailer parking) to approximately 8%.

SECOND: Alderman McShane.

VOTE: 4-0.

PLANNING COMMISSION ACTION 2:

MOTION: Commissioner Beattie moved for approval of a modification to Section 607(e)(2)(D) Parking Area Lighting to allow light spillover onto the adjacent County lots.

SECOND: Alderman McShane.

VOTE: 4-0.

PLANNING COMMISSION ACTION 3:

MOTION: Commissioner Beattie moved for approval of a modification to Table 607-1 Parking Schedule to reduce the minimum requirement from 1,017 to 996 parking spaces as provided.

1. Add approval dates to Notes 23, 27, 28, and 29.
2. Add Case #22-742HPC to the Project Plan History.

SECOND: Commissioner Lee.

VOTE: 4-0.

PLANNING COMMISSION ACTION 4:

MOTION: Commissioner Beattie moved for approval of the Final Site Plan PC22-1016FSI for Frederick Commerce Center Lot 1, with the following conditions:

1. Provide confirmation from the Maryland Aviation Administration (MAA) and the Federal Aviation Administration (FAA) that the proposed improvements will not conflict with Airport operations in the form of an approved Form 7460. Document approval in Note 17.
2. Add a note the SWM hotspot details to be completed and approved at the improvement plan stage.
3. The homes on the County Lots 1 and 2, located along Gas House Pike and south of Lot 1 must be demolished.
4. Add to Note 19 the final plat case # STF21-917FSU and the recording references.
5. On Sheet 6, move the limits of disturbance line that is south of the private drive and 35' distance from the west property line.
6. Address City Fire Engineer comments as provided in drawing attachment.
7. On Sheets 3 and 6, relocate the protective signage and add protection fencing around the specimen tree along the west property line.
8. On Sheets 3, 10 and 11, adjust the new tree plantings out of the root zones of the adjacent afforestation plantings.
9. Provide directional arrows on the drives.

SECOND: Alderman McShane.

VOTE: 4-0.

H. PC22-836FSI, Final Site Plan, VFW Country Club at West Park Village Lot 4

Rob Colter of 2216 Regina Drive, Clarksburg, MD stated that its important for VFW members to have a place where they can get together and talk about things no one else knows about or understands.

Heather Baldwin, of Union Bridge, MD reiterated how important it is for VFW members to have a home where they can be together. She's excited that the awkward lot that is desperate for redevelopment can provide such a home.

PLANNING COMMISSION ACTION 1:

MOTION: Commissioner Lee moved for approval of a modification to Section 417, Table 417-2 to exceed the minimum interior/side setback of 25'.

SECOND: Commissioner Beattie.

VOTE: 4-0.

PLANNING COMMISSION ACTION 2:

MOTION: Commissioner Beattie moved for approval of a modification to Section 417 Table 417-2 to exceed the minimum front setback of 35'.

SECOND: Commissioner Lee.

VOTE: 4-0.

PLANNING COMMISSION ACTION 3:

MOTION: Commissioner Lee moved for approval of a modification to Section 607(e)(2)(D) *Parking Area Lighting* to allow light spillover onto the adjacent Lot 1 and frontage.

SECOND: Alderman McShane.

VOTE: 4-0.

PLANNING COMMISSION ACTION 4:

MOTION: Commissioner Beattie moved for approval of a modification to Section 605 *Landscaping Standards*, Table 605-3 *Buffer and Screening by District or Use*, which requires Level II screening to buffer 10 parking spaces or more between MU and any district.

SECOND: Alderman McShane.

VOTE: 4-0.

PLANNING COMMISSION ACTION 5:

MOTION: Commissioner Lee moved for approval of the Final Site Plan PC22-836FSI, for VFW Country Club at West Park Village Lot 4, with the following conditions:

1. Edit Urban Design Element table to show only the proposed elements to be met.

2. Correct typo on Note 16.
3. Edit Note 18 to document that the Architectural Package for elevation review will be submitted separately for Planning Commission approval.
4. Edit Note 9 to document the modification request for spillover the lot lines.
5. Relocate the bicycle parking to the front of the building in accordance with Section 607(f) and edit note accordingly.
6. Provide 11' wide path connection from the south property line to the Lot 4 parking lot to be constructed by the Applicant/developer.
7. Provide 8' wide path, from the 11' path, through Lot 4 to connect to the SUP along US 40.
8. Provide 8' wide path/sidewalk connection to Lot 1.
9. Darken lot lines for Lots 1 and 3.
10. Provide typical parking space dimensions.
11. Update APFO Note 12 with latest certificate issuance dates.
12. Identify the trees to be removed along the southeast property line due to grading and proposed replanting.
13. Correct Parking Note 4 to reflect removal of the one parking space.

SECOND: Commissioner Beattie.

VOTE: 4-0.

I. PC22-1004ZTA, Zoning Text Amendment, Article 4, Section 417 Mixed Use (MU-1 and MU-2) Districts (Westridge)

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for a recommendation from the Commission to the Board for the approval of the proposed text amendment pertaining to Article 4, Section 417 of the LMC entitled *Mixed Use Districts (MU-1 and MU-2)*.

SECOND: Commissioner Lee.

VOTE: 4-0.

J. PC22-1001ZMA, Zoning Map Amendment, 430 Pine Avenue

This is the first of two public hearings

Meeting adjourned at approximately 8:15 pm.

Respectfully Submitted,

Jennifer Van de Griek
Administrative Assistant