

Planning Commission Hearing Minutes
Date: April 10, 2023

| PC MEMBERS | PC MEMBERS ABSENT | STAFF PRESENT |
|--|-------------------|---|
| Barbara Nicklas – Chair Ronald Beattie – Secretary Ben MacShane, Alderman Joan Strawson – Vice Chair April Lee – Alternate | Dorothy Menelas | Gabrielle Collard, Division Manager of Current Planning Rachel Nessen, City Attorney Pam Reppert, Planner III Sherry Kelly, Planner II Sharon Kemper Suarez, Planner II Cherian Eapen, 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, April 17 at 2pm, in-person, items will be available on the City of Frederick website.
- The Citywide Planning Division Community Outreach Meeting is also Monday, April 17th, at 6pm.

III. APPROVAL OF MINUTES:

Approval of the **February 13, 2023**, Planning Commission Meeting Minutes to the April 10, 2023 Planning Commission meeting:

MOTION: Commissioner Strawson

SECOND: Commissioner Beattie

VOTE: 5-0.

Approval of the **February 21, 2023**, Planning Commission Workshop Minutes to the April 10, 2023 Planning Commission meeting:

MOTION: Commissioner Strawson

SECOND: Commissioner Beattie

VOTE: 5-0.

Approval of the **March 13, 2023**, Planning Commission Meeting Minutes to the April 10, 2023 Planning Commission meeting:

MOTION: Commissioner Lee

SECOND: Commissioner Beattie

VOTE: 5-0.

Approval of the **March 20, 2023**, Planning Commission Workshop Minutes to the April 10, 2023 Planning Commission meeting:

MOTION: Commissioner Beattie

SECOND: Commissioner Strawson

VOTE: 5-0.

Approval of the **April 7, 2023**, Planning Commission Pre-Planning Commission Meeting Minutes

MOTION: Commissioner Lee

SECOND: Commissioner Strawson

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. PC13-195-11PND, Architectural Review, Kellerton Land Bay B

B. PC18-387-05MU, Architectural Review, Bloomfields

C. PC14-913-08MU, Architectural Review, Renn Quarter

D. PC22-1102FSI, Final Site Plan, Belle Air Farm

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for approval of all four Public Hearing Consent Items.

SECOND: Commissioner Strawson.

VOTE: 5-0.

V. CONTINUANCES:

E. PC21-508FSI, Final Site Plan, Renn Park Mixed Use (Renn Quarter)

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for the continuance of PC22-508FSI to the May 8, 2023 Planning Commission Meeting.

SECOND: Commissioner Lee.

VOTE: 5-0.

VI. MISCELLANEOUS: N/A

VII. OLD BUSINESS:

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

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for a recommendation to the Mayor and Board of Aldermen for the removal of the Institutional (IST) floating zone at 430 Pine Avenue and reversion to the Light Industrial (M1) zone.

SECOND: Commissioner Beattie.

VOTE: 5-0.

VIII. NEW BUSINESS:

G. PC22-921FSI, Final Site Plan, Edge Express Carwash

PLANNING COMMISSION ACTION 1:

MOTION: Commissioner Lee moved for approval of the modification of Section 601(f)(2), Access Drive Separation, to reduce the minimum distance requirement between driveways on an arterial road.

SECOND: Commissioner Strawson.

VOTE: 5-0.

PLANNING COMMISSION ACTION 2:

MOTION: Commissioner Beattie moved for approval of a modification of LMC Section 607(e)(2)(d), Parking Lot Lighting, to allow slight light spillover.

SECOND: Commissioner Strawson.

VOTE: 5-0.

PLANNING COMMISSION ACTION 3:

MOTION: Commissioner Strawson moved for approval of the Final Site Plan PC22-921FSI for Edge Express Car Wash, with the following conditions:

1. In Note 17, add the date of approval for the modifications.
2. In Note 22, add the date of the Commission's approval of the preliminary forest conservation plan.

SECOND: Commissioner Beattie.

VOTE: 5-0.

H. PC22-923PFCP, Preliminary Forest Conservation Plan, Edge Express Carwash

PLANNING COMMISSION ACTION:

MOTION: Commissioner Beattie moved for approval of the Preliminary Forest Conservation Plan, PC22-923PFCP, for the Edge Express property, with the following condition:

1. Provide the seal of the licensed landscape professional on the plan.

SECOND: Commissioner Strawson.

VOTE: 5-0.

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

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the Final Site Plan PC21-1431FSI for East Pat Lofts, with the following conditions:

1. Note 37 on Sheet 1 must be revised to:
 - a. Indicate the date the water line and sewer line APFO certificates were issued.
 - b. Indicate the final findings of the Archeological Assessment process.
 - c. Remove the space for the date of approval for the encroachment agreement and to replace it with a notation that it will be recorded prior to final plat recordation.
2. Note 39 on Sheet 1 must be deleted as the project is not in the Airport Overlay (AO).
3. Note 14 and the site data table on Sheet 1 must be revised to indicate that the nonresidential square footage is 2,590 sf.
4. Add the words Site Plan and the Case #21-1431FSI to the cover page and title block of all sheets.
5. Label the existing encroachment onto the East Patrick Street City ROW on the Site Plan sheet.
6. Include the City Standard Detail ST-3.0 on the Site Details sheet.

SECOND: Commissioner Beattie.

VOTE: 5-0.

J. PC22-1006FSI, Final Site Plan, Bojangles Restaurant

PLANNING COMMISSION ACTION 1:

MOTION: Commissioner Lee moved for approval of a modification to Section 607, Table 607-1 of the LMC, the *Parking Schedule*, to provide 34 parking spaces instead of the 21 parking spaces as required.

SECOND: Commissioner Beattie.

VOTE: 5-0.

PLANNING COMMISSION ACTION 2:

MOTION: Commissioner Beattie moved for approval of the Final Site Plan PC22-1006FSI for Bojangles Restaurant with the following condition:

1. That the Case History table on Sheet 3 be updated to include the date of the Commission's approval of the forest plan and the parking modification.

SECOND: Commissioner Strawson.

VOTE: 5-0.

K. PC22-1009FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, Bojangles Restaurant

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, PC22-1009FSCB for Bojangles Restaurant.

SECOND: Commissioner Beattie.

VOTE: 4-0.

L. PC22-835PSU/FSI, Combined Preliminary Plat and Final Site Plan, Summervale

PLANNING COMMISSION ACTION 1:

MOTION: Commissioner Lee moved for approval of a modification to Section 605(f) *Street Tree Landscaping Requirements* to allow for some street trees to be planted on lots within a landscape easement instead of in the public right of way.

SECOND: Commissioner Beattie.

VOTE: 5-0.

PLANNING COMMISSION ACTION 2:

MOTION: Commissioner Strawson moved for a modification to the screening requirements of Section 605(d), Table 605-3, *Buffer and Screening by District or Use*, for the required Level 1 lot line screening requirement.

SECOND: Commissioner Lee.

VOTE: 5-0.

PLANNING COMMISSION ACTION 3:

MOTION: Commissioner Beattie moved for a modification to Section 601, Table 601-2, *Separation Standards*, for Drystraw Lane, a local street, which must be at least 200' from the intersection with Mt. Phillip Road, an arterial street, to allow 75' of separation on the northern end of the street and +/- 85' separation on the southern end of the street.

SECOND: Commissioner Strawson.

VOTE: 5-0.

PLANNING COMMISSION ACTION 4:

MOTION: Commissioner Strawson moved for a modification to Section 601, Table 601-2, *Separation Standards*, for Winoing Place (Alley 1), a private drive, which must be at least 400' from Butterfly Lane, an arterial street (Sheet 9/SP-4) to allow for +/- 180 feet of separation.

SECOND: Commissioner Beattie.

VOTE: 5-0.

PLANNING COMMISSION ACTION 5:

MOTION: Commissioner Lee moved for approval of architectural elevations for single family units and townhouse units.

SECOND: Commissioner Strawson.

VOTE: 5-0.

PLANNING COMMISSION ACTION 6:

MOTION: Commissioner Beattie moved for a positive recommendation to the Mayor and Board for the project to receive credit for the construction of the Overlook Park improvements depicted on the final site plan towards the park facilities development impact fees.

SECOND: Commissioner Lee.

VOTE: 5-0.

PLANNING COMMISSION ACTION 7:

MOTION: Commissioner Strawson moved for approval of the Combined Preliminary Plat and Final Site Plan, PC22-835PSU/FSI for Summervale, with the following conditions:

1. On the Architectural Elevations, Sheet 3 A-BS, in the lower left corner correct the title of the detail to "Right Elevation" instead of "Left Elevation".
2. On the Architectural Elevations, on all "Hi-Viz" elevations of single family detached models add "Hi-Viz side elevations will include elements from the front elevation (i.e., shutters and trim boards)".
3. Execute an amended MPDU Payment Agreement to reflect the number of lots approved on this application and update Note 14 on Sheet 1 to include the recording reference and date of recordation.
4. Revise the modification note on Sheet 1 to indicate the approval of the requested modifications associated with the preliminary plat/final site plan.

SECOND: Commissioner Beattie.

VOTE: 5-0.

Meeting adjourned at approximately 8:30 pm.

Respectfully Submitted,

Jennifer Van de Griek
Administrative Assistant

APPROVED 5/8/23