



NAC 6 & 9 Meeting Minutes

Wednesday, July 18, 2018

Recorder: Michele Bowman

Location: William Talley Recreation Center, 121 North Bentz Street, Frederick MD 21701

Start Time: 7:00 pm **End Time:** 8:30 pm

Attendance: 5 residents

POLICE REPORT:

Chief Hargis attended the meeting. Patrol was busy with a call and could not attend the meeting. FPD will be speed data collection on Wilson and Lee Place over the next few weeks.

OLD BUSINESS:

- Crosswalks in area of Rosemont Avenue –
Eric Jones provided an update; the plan is on hold for now. It is not in the budget for this current year. Cherian had brought a rendering to the last NAC 6/9 meeting and residents were in agreement that this was a good plan. The plan included curb and bump outs which were a cost. Eric will email Tracey Coleman and Cherian Eapen to see if they can paint the crosswalks. Request by residents for painted crosswalks and crosswalk signs. Hoping to get an update from city staff.
- **Neighborhood Overlay District Street Side Discussion – Peter Brehm (NAC 9 Coordinator)**
pbrehm@comcast.net - A group of citizens are drafting legislation to present to the Mayor & Board. Below is the information from the group.
 - A. Purpose
 - a. The intended purposes of the Neighborhood Overlay District - Street Side (NOD-S) are to;
 - i. recognize that built environmental characteristics are a major part of the identity and positive image of the City and the quality of life in a neighborhood;
 - ii. conserve and enhance the traditional neighborhood character, fabric and setting (built environment) while guiding future development, reuse, and reinvestment;
 - iii. Maintain property values and promote local design qualities;
 - iv. reduce conflicts between new construction and existing development by encouraging compatible infill development by respecting the context of existing built environment;
 - v. provide guidelines to clarify the community's expectations for the scope and scale of development within the district;
 - B. Applicability
 - a. Certificate of Approval Required. Before constructing, altering, reconstructing, moving, or demolishing any site or structure, a person shall submit an application and obtain a certificate of approval from the Planning Department if:
 - i. The site or structure is in an existing or proposed NOD-S and any exterior change is involved that modifies development standards (see Section E).
 - b. Constructing, altering, reconstructing, moving, or demolishing any site or structure within a NOD-S must conform with the regulations contained in this section for the adopted NOD-S.
 - c. All lots and structures existing at the time that the NOD-S is first applied to the property shall not be deemed a zoning nonconformity solely because of this overlay district.
 - d. All exterior changes and uses must comply with the regulations of the NOD-S, unless the Planning Department approves a special use permit allowing the exterior change or use.
 - e. In addition to the showings required by the Land Management Code, all of the following standards shall be met:
 - i. The building or use existed at the time the NOD-S overlay zoning district regulations requirements were first applied to the property.
 - ii. The requested activity complies with all requirements and regulations of this LMC other than the NOD-S overlay zoning district regulations – in case of conflict, the NOD-S shall control.

- f. Nothing shall be deemed to permit the reconstruction—similar or different, whole or in part—of a building, improvement or use existing at the time the NOD-S overlay zoning regulations were first applied to the property that has been voluntarily demolished or discontinued. Voluntarily torn down buildings and improvements or discontinued uses shall be replaced with buildings, improvements and uses that comply with the regulations of the NOD-S.

C. Locational Guidelines

- a. Except for applications filed by the City or otherwise authorized by the Board of Alderman, the Planning Department is instructed not to accept NOD-S applications unless the application meets all the following:
 - i. Is requesting that either at least a minimum of 15 contiguous properties be zoned NOD-S or that an existing NOD-S be extended;
 - ii. Is applied to an area where at least 75% of the lots are developed; and
 - iii. Is located in an area in which a text change petition is submitted by the Board of Alderman as outlined in Sec. D – NOD-S Creation Process.

D. NOD-S Creation or Amendment Process

- a. Application to create or amend a NOD-S overlay shall be in accordance with the following process;
 - i. Residents representing a minimum of 20% of the property owners in the proposed NOD-S shall submit a petition to the City Clerk requesting the Planning Department consideration for a neighborhood character analysis review. The petition shall:
 - 1. Include the names, addresses and contact information of the petitioners;
 - 2. Define the proposed NOD-S study area;
 - 3. Include a count of the number of houses and secondary structures encompassed by the proposed NOD-S area;
 - 4. Cite specific zoning ordinance section/regulation of concern that the Planning Department should focus on; and
 - 5. Identify the specific built environmental characteristics to be analyzed. See Sec. E - Development Standards
 - ii. The petitioning residents shall send a copy of the petition to the City Clerk, the Community Outreach Coordinator for the City of Frederick and the Coordinators of the affected Neighborhood Advisory Councils (NACs) for inclusion in the agenda and discussion at the next regularly scheduled NAC meeting.
 - iii. Prior to the petition being presented to the Board of Alderman, the Planning Department shall be granted a 60 calendar day period to review the adequacy of the petition and prepare a report confirming that the petition is compliant (the report) with Sec. D(a)(i) above..
 - 1. During this time period, the Planning Department shall mail a letter to all property owners within the proposed study area informing property owners that a NOD-S application has been filed and seeking input on what, if any, guidelines described within Sec. E - Development Standards the property owners may wish the Planning Department to consider.
 - 2. The Planning Department shall compile the property owner survey results and include them as part of their presentation to the Board of Alderman at the conclusion of the 60 calendar day time period.
 - iv. Upon completion, the Planning Department shall present the NOD-S petition package that will include the petition, survey results, and report.
 - v. Following the Board of Alderman's review of the petition, the Board of Alderman shall determine by vote whether to direct Planning Department to complete the neighborhood built environmental characteristics and regulations analysis (NBECR).
 - vi. In accordance with Board of Alderman's directive, the Planning Department shall complete an analysis over a 90 calendar day period of the NBECR for the proposed NOD-S study area and identify the specific NBECR that reflect the predominant representation of the lots within the proposed NOD-S. For the purposes of this paragraph, predominant shall mean greater than 65%.
 - vii. Upon completion of the analysis and development of a preliminary recommendation as it applies to NBECR, the Planning Department shall notify the affected NAC(s) in which the proposed NOD-S boundaries occur.
 - viii. The NAC(s) will schedule a meeting of property owners in the proposed NOD-S study area that will also be open to other NAC residents for neighborhood review of the Planning Department analysis and preliminary recommendations.
 - 1. When scheduling the NAC meeting, the City shall notify via first class mail, all property owners within the proposed NOD-S study area of the date, time and location

of the NAC meeting to be held for the neighborhood, and provide a copy of the analysis and preliminary recommendations.

- ix. Following the NAC meeting, the Planning Department shall develop a final recommendation as it applies to the NBCER, giving great weight to the comments made by property owners in the proposed NOD-S study area.
- x. The Planning Department will present the NBCER analysis, summary of the NAC meeting feedback, and the final Planning Department recommendation (the materials) to the Board of Alderman.
- xi. Within 45 calendar days of receiving the materials, the Board of Alderman shall review the materials & schedule a public hearing to consider and vote on the creation of the proposed NOD-S.

E. Development Standards

- a. The development standards for any NOD-S that are listed below shall include, but are not limited to:
 - i. Required minimum and maximum footprints for any dwelling unit and secondary structures;
 - ii. Maximum residential density;
 - iii. Floor area ratio;
 - iv. Lot coverage ratio;
 - v. Setbacks from property lot lines for primary and secondary structures as viewed from the street right-of-way, excluding alleys, and including building separation on adjacent lots;
 - vi. Height of primary and secondary structures;
 - vii. Width of primary and secondary structures;
 - viii. Depth of primary and secondary structures;
 - ix. Impervious surface ratio to the lot;
 - x. Vehicular surface areas;
 - xi. Landscaping and hardscaping; and
 - xii. Other neighborhood concerns.

F. Implementation of a NOD-S

- a. Immediately following the Board of Alderman adoption of the NBEER, the Planning Department may accept an application to review a property within established NOD-S borders as being compliant with NOD-S guidelines.
- b. No application for a building permit for new external construction or exterior alterations on a property within the proposed NOD-S shall be granted after the NBEER is authorized by the Board of Alderman or until the NOD-S is approved or denied, unless:
 - i. the Planning Department grants an exception using the criteria outlined in the proposed NOD-S NBEER guidelines; or
 - ii. one year has passed.
- c. No application for a demolition permit on a property within the proposed NOD-S shall be granted after the NBEER is authorized by the Board of Alderman or until the NOD-S is approved or denied, unless:
 - i. the Planning Department receives a final set of construction drawings documenting if or how the demolished structure would be rebuilt and grants an exception to those construction documents using the criteria outlined in the proposed NOD-S NBEER guidelines; or
 - ii. one year has passed.
- d. Following the City's official acceptance of an application to designate property as part of an NOD-S, no demolition or building permit shall be issued by the City during the pendency of the application to amend the Official Overlay Map, or other pertinent land management documents, unless the proposed demolition or construction meets all of the provisions of the existing zoning district, and also the adopted neighborhood built environmental characteristics and regulations contained in Sec. E. for the proposed NOD-S.
- e. Following the adoption of the NOD-S, the Planning Department may accept applications to review property for conformance as established to the NOD-S NBEER.
- f. The Planning Department may accept an application to expand a specific NOD-S to contiguous properties.
- g. Following the original adoption of the NOD-S, any subsequent proposed change to the characteristics and regulations of the established NOD-S must follow the process for creating the NOD-S in Section D.
- h. Once an NOD-S is adopted, no application for a demolition permit on a property within the same NOD-S shall be granted unless:
 - i. the Planning Department receives a final set of construction drawings documenting if or how the demolished structure would be rebuilt and grants a certificate of approval, in accordance with Section B(a).

NEW BUSINESS:

SUGGESTIONS/COMMENTS/MISC:

- Sidewalk improvement – what is the update. Alderman Wilson attended and said that some improvements are being completed. He recommended that people call into DPW.
- Can Cherian Eapen (City of Frederick, Traffic Engineer) attend a future meeting
- Concern regarding property on Dill Avenue – a message was sent to Code Enforcement

UPCOMING EVENTS:

- Tuesday, August 7th 6-9 pm National Night Out: Mullinix Park, Carrollton Park, Hill Street Park and Lucas Village Community. Please join the Frederick Police Department and the community!
- Monday, August 20th 6-8 pm Innocence stolen presentation: Presentation by the US Attorney’s Office
Presentation is for adults only. Hosted by NAC 3 and The American Legion.
Event will be held at the American Legion on Taney Avenue. Light food and drinks will be provided. RSVP at <http://evite.me/J4jk4VmGjY>

NAC CONTACT INFORMATION:

Michele Bowman, Public Information/Community Outreach Specialist 301-600-2091 mbowman@frederickmdpolice.org

NAC 6 - Frederick Police Department

Sgt. Mark Pecor	240-674-6787	mpecor@frederickmdpolice.org
Cpl. Chris Prior	240-674-7771	cprior@frederickmdpolice.org

NAC 9 – Frederick Police Department

Sgt. Charlie Snyder	240-674-7806	csnyder@frederickmdpolice.org
Cpl. Corey Borns	240—549-4466	cborns@frederickmdpolice.org

NAC 6 & 9 Coordinators:

Rachel Kavanagh (6)	Rachel.kavanagh@gmail.com	Peter Brehm (9)	pbrehm@comcast.net
Eduardo Martinez (6)	emartinez@law.gwu.edu	Eric Jones (6)	joneseric@gmail.com

<p>NAC 6/9 MEETINGS – 7:00 pm Talley Rec. Center</p> <p style="text-align: center;">2018</p> <p>September 19 November 21</p>	<p style="text-align: center;">FREDERICK POLICE DEPARTMENT</p> <p>Emergency: 911 Non-Emergency: 301-600-2100 Anonymous Crime Tips 301-600 TIPS (8477) – phone 240-674-TIPS (8477) - text fpdcrimetip@frederickmdpolice.org</p>	<p style="text-align: center;">FACEBOOK</p> <p style="text-align: center;">Please “like” the following</p> <p style="text-align: center;">Frederick Police Department Neighborhood Advisory Council</p>
---	--	--