

**Planning Commission Hearing Minutes  
July 11, 2012**

<b>PC MEMBERS</b>	<b>PC MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>
Meta Nash Josh Bokee Alderman Russell Rick Stup	Bill Ryan Lib Fetting	Joe Adkins-Deputy Director for Planning Gabrielle Dunn-Division Manager for Current Planning Devon Hahn-City Traffic Engineer Scott Waxter-Asst. Assistant City Attorney Lea Ortiz-Office Manager

**I. ANNOUNCEMENTS:**

**APPROVAL OF MINUTES:**

Approval of the **June 11, 2012** Planning Commission Meeting Minutes as amended:

**MOTION:** Commissioner Stup.  
**SECOND:** Commissioner Bokee.  
**VOTE:** 4-0.

Approval of the **June 18, 2012** Planning Commission Workshop Minutes as amended:

**MOTION:** Commissioner Stup.  
**SECOND:** Commission Bokee.  
**VOTE:** 4-0.

**II. PUBLIC HEARING-SWEARING IN:**

*“Do you solemnly swear or affirm that the responses given and statements made in this hearing before the Planning Commission will be the whole truth and nothing but the truth.” If so, answer “I do”.*

**III. OLD BUSINESS:**

**A. PC11-805ANX, Annexation-Crum Property**

Mr. Adkins entered the entire staff report into the record. Mr. Adkins noted that if the Mayor and Board of Aldermen approve this annexation the potential timeline and schedules were listed on page 31 of the Staff Report. Mr. Adkins went over the residential pipeline on page 32 of the staff report.

The Commissioner Members went over the Land Use, Transportation, Schools, Water & Sewer, Fire Responders, Parks, Libraries, Historical & Cultural Resources, Fiscal Impact Analysis and Survey that was listed in the Staff Report. Public comment was received.

**MOTION:** Commissioner Stup moved to send a positive recommendation to the Mayor and Board of Alderman of PC11-805 ANX for the annexation of this property in accordance with the Planning Commission Discussion, the Applicants and All of the Testimony, and the

Proffers handout that was distributed this evening, see attached "Crumland Farm Annexation Attachment" (as Exhibit A of any Annexation Agreement) and the Document previously distributed entitled, "Community Vision, Crumland Farm" with the Design and Sustainability Commitments Section amended as requested by Commissioner Bokee (as Exhibit B of any Annexation Agreement), and the following Planning Related Issues are recommended to be resolved by the Mayor and Board of Alderman, as part of their negotiation with the applicant and deliberation on the Annexation:

1. MOU between The City of Frederick and Frederick County with regards to Bloomfield Road, Design, Closing & Cul-de-sac, and Maintenance, and another entrance onto Willow Brook Road.
2. Agreement between The City of Frederick and the Applicant for the City Park Location and timing for the transfer of the property to the City.
3. Agreement between the City and the Applicant for the creation, type and location of a Community Amenity.
4. Require that the two (2) historic properties documentation be provided prior to the end of the Annexation Process.

**SECOND:** Commissioner Bokee  
**VOTE:** 4-0

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**B. PC12-186ANX, Annexation-Keller Property**

Mr. Adkins entered the entire staff report into the record. Public comment received.

Mr. Rand Weinberg, Lawyer commented that his client has always intended to have 700 to 800 marketable dwelling units on this property.

**MOTION:** Commissioner Stup moved to send a positive recommendation to the Mayor and Board of Alderman of PC12-186 ANX for the annexation of this property in accordance with the Planning Commission Discussion, the Applicants and All of the Testimony, the Proffers , and the Staff Report with the following Planning Related Issues are recommended to be resolved by the Mayor and Board of Alderman, as part of their negotiation with the applicant and deliberation on the Annexation:

1. 850 Total Unit Cap of Single Family and Townhouse Units to be developed as a PND with Residential Component only.
2. Provide a Land Use Plan to include the 88 acres of open space to be referenced as an attachment to the Annexation Resolution.
3. The Agreements between The City and County would need to be finalized for road improvement criteria and maintenance prior to submission of any Development or Improvement Plan.
4. Identify in Annexation Resolution which existing roads will become City Streets.
5. Identify specific major improvements to be made by developer:
  - Road Improvements to Yellow Springs Road from City Limits at West Hills to proposed annexation.
  - Identify improvements and/or Developer Responsibility for Christopher's Crossing & Yellow Springs Road Intersection.

- Identify improvements and/or Developer Responsibility for Rocky Springs/Walter Martz Road & Yellow Springs Road Intersection.
  - Identify type of improvement and developer responsibility for Rocky Springs/Walter Martz Road & Yellow Springs Road.
6. Regional Road Improvement Fee be required to be paid or guaranteed with Final Plat Lots.
  7. A water site is required to be transferred to the City.
  8. The H&F Trolley Path to be improved for Biker/Hiker Trail and transferred to the City at Developer's Expense at 25% Platting of Lots except south of Rocky Springs Road.
  9. The H&F Trolley Path through area south of Rocky Springs Road to be improved for Biker/Hiker Trail, Platted and transferred to the City at Developer's Expense as part of the Lot Platting for that area.
  10. The Tuscarora Creek Path, as shown on Land Use Plan, to be improved for Biker/Hiker Trail, Platted and transferred to the City at Developer's Expense at 25% Platting of Lots.
  11. MIHP Forms or the equivalent for the three Farmsteads to be completed and submitted prior to the submission of any Development/Improvement Plan.
  12. The three Farmsteads, excluding the Johnson House, to be saved and incorporated into the development satisfactory to the Planning Commission.
  13. At the time the Master Plan application that a Building Design Guidelines Booklet will be created and agreed upon that includes reference language as to when and where feasible for the internal street network shall interconnect minimizing cul-de-sac locations.
  14. Suggest reference language to include that when and where practical of unit type be intermixed together recognizing that lower density areas be more suitable in proper locations against single family residents.
  15. Agreement with City and County on the Regional Transportation improvement that the portion of the sidewalk be improved.
  16. Not having a Middle School on the property because it is not centrally located and not appropriate for this site.

**DISCUSSION:** Commissioner Nash commented that the parkland dedication was left out of their discussion. 88 acres of open space was discussed as being part of the bubble plan. Mr. Adkins clarified his notes for the Farmsteads of being four and applicant proposed 3. Commission Stup amended his motion above.

**SECOND:** Commissioner Bokee

**VOTE:** 4-0

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There was no further business.

**Meeting adjourned at 9:30 P.M.**

Respectfully Submitted,

Lea M. Ortiz  
Office Manager