

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

August 6, 2007

CALL TO PODIUM:

Greg Ossont
 Director of Planning and Code
 Administration

RESPONSIBLE STAFF:

Greg Ossont
 Director of Planning and Code
 Administration

AGENDA ITEM:

(please check one)

<input type="checkbox"/>	Presentation
<input type="checkbox"/>	Proclamation/Certificate
<input type="checkbox"/>	Appointment
<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Historic District
<input type="checkbox"/>	Consent Item
<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	Resolution
<input type="checkbox"/>	Policy Discussion
<input type="checkbox"/>	Work Session Discussion Item
<input checked="" type="checkbox"/>	Other: From Staff

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:

Guidance on a Memorandum from Director of Planning and Code Administration Greg Ossont Dated August 2, 2007 Concerning a Proposed Modification to the I-3 Zone

SUPPORTING BACKGROUND:

Staff will be seeking guidance on the attached memorandum.

DESIRED OUTCOME:

Provide guidance to staff.

MEMORANDUM TO: Mayor and City Council

VIA: David B. Humpton, City Manager *DH*

FROM: Greg Ossont, Director
Planning and Code Administration *GO*

DATE: August 1, 2007

SUBJECT: Proposed Text Amendment – I-3 Industrial-Office Park Zone

Please find the attached letter from Ms. Barbara Sears of Linowes and Blocher. Staff has been working with Monument Realty on an amendment to their approved office park plan which is located north of the IBM/Lockheed campus on North Frederick Avenue. While there is considerable work required and staff is continuing to work with the applicant on the plan, staff does believe there is merit to expanding the permitted uses in order to reduce trip generation and to provide after hours activity.

The proposed project would necessitate a text amendment to allow certain hotel uses in the I-3 Zone (Industrial and Office Park) subject to certain provisions.

Accordingly, staff will be seeking guidance as to whether the Mayor and City Council would like to schedule a joint public hearing for the proposed text amendment.

Attachments

Distribution:

F. Felton

L. Pruss

LINOWES
AND BLOCHER LLP
ATTORNEYS AT LAW

August 1, 2007

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Mr. Greg Ossont, Director
Planning and Code Administration
31 South Summit Avenue
Gaithersburg, Maryland 20877

Re: Proposed Text Amendment to Section 24-143 of the Gaithersburg City Code

Dear Greg:

On behalf of our client, Monument Realty, LLC (“Monument”), and pursuant to your request, the purpose of this letter is to provide you with the reasoning behind our requested amendment to Section 24-143 of the Gaithersburg City Code to make full service and limited service hotels permitted uses in the I-3 zone, if certain conditions are met (“Proposed ZTA”). In summary, Monument believes the addition of full and limited service hotels to the I-3 zone would further the purpose of the I-3 zone by (1) enhancing the intended “campus” atmosphere of developing office parks with a compatible use, (2) lessening the traffic impacts of out-of-town visitors to the office park on the surrounding uses by providing a hotel in easy walking distance for those in need of accommodations (satisfying the objective of the I-3 zone to “reduce the impact of employment centers on surrounding uses by lessening traffic congestion”), and (3) adding after-work hours activity and presence to an otherwise working-hours only environment, which will assist in keeping the area and adjoining properties safe and secure.

As you are aware, Monument is currently developing the Monument Corporate Center, which is approved for a total of 750,000 square feet of office space in multiple office buildings in the southwest quadrant of the intersection of Maryland Route 355 and Watkins Mill Road (the “Project”). Recently, several hotel chains have approached Monument regarding the potential development of a hotel as part of the build-out of the Project. After analyzing this possibility, Monument has decided to pursue this option. However, in order to do so in the I-3 zone, the Proposed ZTA is required because hotels are not currently a permitted use. As noted above, Monument believes that the incorporation of a hotel use in the Project would enhance the campus-like atmosphere of the development by providing a mix of complimentary uses and

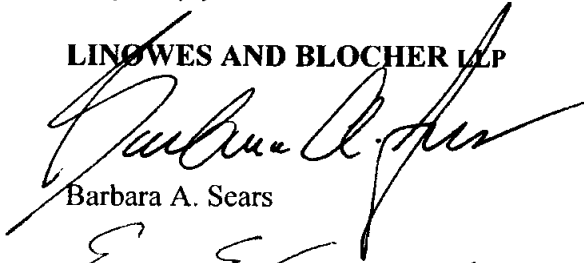
Mr. Greg Ossont
August 1, 2007
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provide business people with more efficient access to the Project's office tenants. We note, however, that to ensure the maintenance of a satisfactory mix of uses with the emphasis on office, the Proposed ZTA proposes a cap on hotel uses of no more than 20% of the total square footage of the complex.

We hope this information is helpful in your consideration of the Proposed ZTA. If you have any questions or concerns, or require any additional information, please feel free to contact us.

Very truly yours,

LINOWES AND BLOCHER LLP



Barbara A. Sears



Erin E. Girard

cc: Ms. Lauren Pruss
Ms. Trudy Schwarz
Mr. Kirk Salpini

AN ORDINANCE TO AMEND CHAPTER 24 OF THE CITY CODE, ENTITLED "ZONING," ARTICLE III, ENTITLED, "REGULATIONS APPLICABLE TO PARTICULAR ZONES," DIVISION 15, ENTITLED, "I-3 ZONE, INDUSTRIAL AND OFFICE PARK," TO ADD FULL SERVICE AND LIMITED SERVICE HOTELS AS PERMITTED USES IN THE I-3 ZONE IF CERTAIN CONDITIONS ARE MET.

Text Amendment T-_____

BE IT ORDAINED, by the Mayor and City Council of the City of Gaithersburg, in public meeting assembled, that Chapter 24 of the City Code, Article III, Division 15 is hereby amended to read as follows:

ARTICLE III. REGULATIONS APPLICABLE TO PARTICULAR ZONES.

* * * * *

DIVISION 15. I-3 ZONE, INDUSTRIAL AND OFFICE PARK

* * * * *

Sec. 24-143. Uses permitted by right.

The following uses are permitted by right in the I-3 Zone:

* * * * *

(12) Hotel, full service, subject to the following provisions:

a. The property lies in a designated Employment District of an adopted Land Use Plan.

b. The hotel is part of a larger office complex and contains not more than twenty percent (20%) of the total square footage of the complex.

(13) Hotel, limited service, subject to the following provisions:

a. The property lies in a designated Employment District of an adopted Land Use Plan.

b. The hotel is part of a larger office complex and contains not more than twenty percent (20%) of the total square footage of the complex.

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by Amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
***	<i>Existing law unaffected by bill.</i>

ADOPTED this ____ day of _____, 2007 by the City Council of Gaithersburg, Maryland.

SIDNEY A. KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland, this ____ day of _____, 2007. APPROVED by the Mayor of the City of Gaithersburg, this ____ day of _____, 2007.

SIDNEY A. KATZ, MAYOR

THIS IS TO CERTIFY that the foregoing ordinance as adopted by the City County of Gaithersburg, in public meeting assembled, on the ____ day of _____, 2007, and that the same was approved by the Mayor of the City of Gaithersburg on the ____ day of _____, 2007. This Ordinance will become effective on the ____ day of _____, 2007.

David B. Humpton, City Manager

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<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
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