

to the Mayor and City Council to defer action until additional information relating to several issues of concern is provided for their consideration. Mr. Ossont reviewed the Commission's concerns included in the Planning Commission's communication (CPC).

Chair Bauer requested the CPC include a copy of Article 66B of the Annotated Code of Maryland and the Models and Guidelines published by the Maryland Department of Planning. Commissioner Hopkins additionally requested that staff provide a status report on the issues of concern when the Commission's recommendation is presented to the City due to the complexity of the issues. Commissioner Kaufman agreed and suggested making a power point presentation for the City Council when T-377 is scheduled on their November 20 Agenda for policy discussion.

Chair Bauer emphasized the Planning Commission's support of an Adequate Public Facilities Ordinance.

Vice-Chair Levy moved, seconded by Commissioner Winborne, to recommend that the Mayor and City Council DEFER ACTION on Text Amendment T-377 until such time as additional information and clarification on the issues discussed in the CPC is provided for their consideration.

Vote: 5-0

T-378 -- Ordinance to amend Chapter 24 of the City Code (City Zoning Ordinance), Article III, § 24-160G.5, entitled, "Waiver of Development Standards," so as to amend the waiver standards so that the City Council may, by resolution, waive the building and structure height requirements in the Corridor Development Zone (CD Zone) as follows: for a residential district to allow a height not to exceed four (4) stories, or forty-eight (48) feet

Planning and Code Administration Director Ossont provided a brief background about the proposed ordinance, noting that the catalyst for the text amendment was a redevelopment proposal by Fairfield Residential of the property formerly known as Stratford Place Apartments. He noted that staff and the applicant agree that redevelopment under the CD Zone would be more suitable than the R-20 zoning currently on the property. He also noted that due to the CD Zone's height restrictions of the residential district of the Frederick Avenue Corridor, where the property is located, waivers of the building height requirements would be needed. He explained that said restrictions would impede the redevelopment envisioned for properties in that area. Mr. Ossont pointed out that if the text amendment is adopted, waivers would be granted by resolution and, consequently, they would be considered on a case-by-case basis.

Chair Bauer inquired as to the submittal requirements for waiver requests. Community Planning Director Schwarz responded by noting that concept plans or schematic development plans would include the waiver request. Chair Bauer suggested that architectural and building design compatibility standards should be made a part of the consideration of said waivers, noting that the elevations and streetscape should be an integral part of the review of waiver requests. Commissioners Hopkins and Levy shared Chair Bauer's comments and voiced their support of the proposed ordinance, as it provides an incentive for redevelopment of properties in an area of the City that needs revitalization. Commissioner Hopkins additionally noted that four stories is a more realistic approach for multifamily development, pointing out, however, that an expectation of amenities in exchange for the waiver should be made clear to developers.

Commissioner Kaufman moved, seconded by Commissioner Winborne, to recommend Text Amendment T-378 for ADOPTION to the Mayor and City Council. The Commission further

recommended that a review of architectural elevations be made part of the required findings for granting waivers.

Vote: 5-0

IV. SITE PLANS

AFP-06-047 -- Observatory Heights - 122/126 George Street R-90 Zone
Lots 91 & 92 - New Model,
Grading/House Footing Revisions
AMENDMENT TO FINAL PLAN REVIEW

Planner Marsh located the property on an aerial photograph and introduced the applicant's representative.

Engineer for the applicant, Richard Witmer, Witmer & Associates, located the lots under consideration on a rendered site plan and presented the proposed elevations for the two models. He discussed the siting of the houses on the lots and the revised elevations, noting brick veneer front facades, and vinyl siding on remaining sides. He indicated that tree-save areas remain the same as previously approved. Mr. Witmer pointed out that on Lot 91 sliding doors in the rear would be changed to standard windows. He added that an option for a deck is provided on the side due to the building restriction line to the rear.

There was no testimony from the public.

Ms. Marsh voiced staff's recommendation for approval, as the plan complies with the approval criteria in the City Code, subject to the applicant's compliance with conditions that she listed.

Commissioner Hopkins commented favorably on the plan, noting it is a quality upgrade of the approved plan. Commissioner Winborne agreed. Vice-Chair Levy questioned the design of the elevation facing the service road. Chair Bauer pointed out that since there are no design guidelines for this neighborhood, the compatibility issue for a façade with less visibility is not subject to compliance with an established standard. Commissioner Hopkins added that the approved plan was not required to have an embellished side façade either.

Vice-Chair Levy moved, seconded by Commissioner Winborne, to grant AFP-06-047 - Observatory Heights, 122/126 George Street, AMENDMENT TO FINAL PLAN APPROVAL, finding the plan in compliance with Zoning Ordinance §§ 24-32, 24-170 and 24-172, with the following conditions:

1. Applicant shall replace the sliding glass doors with windows on the rear elevation of Lot 91 prior to the issuance of any permits;
2. Applicant, in addition to the two year maintenance responsibility for the tree-save areas, shall also have a two-year (after the issuance of final occupancy permits) maintenance and monitoring responsibility for the 38" Southern Red Oak located on the adjacent property. If, after the applicant has been given permission to perform the arborist's impact mitigation recommendations, this tree significantly declines during this period as a result of development activities, the applicant would be responsible for the removal and replacement, in kind, of the tree; and

with Zoning Ordinance §§ 24-170 and 172, with the following conditions:

1. Applicant must receive final approval for the side elevation of the Vanderbilt model and gateway unit architecture, in accordance with Conditions 34 and 35 of SP-05-0013;
2. Applicant must comply with all other remaining conditions associated with SP-05-0013; and
3. Applicant is to work with staff to reorient the rooftop decks on Lots 1-16/Block O, to face the stream valley buffer.

Vote: 5-0

V. DISCUSSION

Plan #120070270 -- Quince Trace
(Formerly Christian Life Center)
Darnestown Road
45 Townhouses

Co. RT-8

Planner Seiden noted this is a courtesy review of a preliminary development plan for the above-referenced property located outside the City limits. She reported that staff had reviewed this plan for 45 townhouses, which included nine moderately-price dwelling units, and discussed staff's recommendations regarding sidewalk connectivity, handicapped access, parking, and site access at Darnestown Road.

Commissioner Hopkins commented on the lack of connectivity of this development to the community next to it, and was disappointed that traditional neighborhood development (TND) principles had not been applied in the design of the plan. The Commission agreed with staff's recommendations and added that significant landscaping is needed to buffer the integrity of the historic site to the west of this property.

VI. FROM THE COMMISSION

Commissioner Hopkins

Stressed the need for adding public amenities in the Adequate Public Facilities Ordinance.

VII. FROM STAFF

Planning and Code Administration Director Schwarz

Listed upcoming joint meetings with the Council, which included a worksession on December 11 and a public hearing on December 18.

VIII. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 9:15 p.m.

Respectfully submitted,

M. Gonzalez
Recording Secretary