



**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION  
MARCH 5, 2008**

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Chair John Bauer called the meeting to order at 7:30 p.m. Present at the meeting were Vice-Chair Lenny Levy, Commissioners Matthew Hopkins, Lloyd Kaufman, and Danny Winborne, Alternate Commissioner Geri Lanier, Planning and Code Administration Director Greg Ossont, Planning Director Lauren Pruss, Community Planning Director Trudy Schwarz, GIS Analyst Kirk Eby, Planners Jacqueline Marsh, Rob Robinson, and Caroline Seiden, and Recording Secretary Myriam Gonzalez. Chair Bauer noted Alternate Commissioner Lanier would sit at the dais but would not actively participate this evening, since all Commissioners were present.

I. APPROVAL OF MINUTES

February 13, 2008, Planning Commission Meeting

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to APPROVE the Minutes of the February 13, 2008, Planning Commission Meeting as submitted.

Vote: 5-0

II. RECORD PLATS

R-1237 -- Asbury – Manor Homes  
Parcels H, I and J

Vice-Chair Levy moved, seconded by Commissioner Winborne, to APPROVE the Record Plat Agenda.

Vote: 5-0

III. CONSENT

AFP-07-043 -- Maryland Carpet & Tile CD Zone  
305 North Frederick Avenue  
Elevation Revisions  
COMPLIANCE WITH CONDITION OF APPROVAL

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to APPROVE the Consent Agenda.

Vote: 5-0

#### IV. RECOMMENDATION TO MAYOR AND COUNCIL

MP-2-07 -- Community Facilities  
An Amendment to the General Plan for the City of Gaithersburg Master Plan

GIS Analyst Eby indicated the Commission and the City Council held a joint public hearing in December 2007, on this amendment to the 2003 City Master Plan for the Community Facilities Element, with the Commission's record closing on February 12, 2008. He referenced the revised version of the document as Exhibit 33, and briefly reviewed the draft Planning Commission resolution before the Commission this evening, noting the latest changes incorporated comments from the Commission and the Council.

Chair Bauer noted the latest revisions were clarifications rather than changes in content and commended staff and the Ad Hoc Community Facilities Steering Committee for their thorough work.

Vice-Chair Levy moved, seconded by Commissioner Winborne, to APPROVE Planning Commission Resolution PCR-1-08, approving an amendment to the General Plan of the City's Master Plan for the Community Facilities Element, and to recommend to the City Council ADOPTION of MP-2-07.

Vote: 5-0

#### V. SITE PLANS

AFP-08-004 -- Crown Pointe  
98 Sharpstead Lane  
Change in House Type and Elevations  
AMENDMENT TO FINAL PLAN REVIEW  
MXD Zone

Planner Robinson located the property on an aerial photograph and indicated the application includes the introduction of the "Michener Place" house type, the replacement of the NV Homes "Carnegie" unit with the approved "Norwood" house type, and the introduction of a new Norwood color scheme.

*Applicant representative Peter Robertson, Ryan Homes*, indicated on the site plan the two pods that make up this property, noting 13 single-family units and four townhouse buildings on the north pod and six townhouse buildings on the south pod. He noted that NV Homes, who controlled four of the rows (buildings) of townhouses on the south pod, had divested from the project and this proposal is to replace their product with the Ryan Homes Norwood type. He also indicated that at staff's direction, the plan proposes a new single-family detached product, the Michener Place, and two color schemes for the Norwood, one of which is new, in order to add variety to the architecture. He presented and discussed the proposed elevations (A, B, and C) as well as color palettes.

In response to Chair Bauer, who had commented on an apparent lack of color variation in the rear elevations facing Sam Eig Highway, Mr. Robertson stated that colored renderings of those facades were unavailable, noting, however, that their visibility would be limited due to screening. Planning and Code Administration Director Ossont and Planner Robinson addressed Vice-Chair Levy's comment on the insufficient variety of the backs of the buildings under construction and concern that the proposed buildings might also be too similar by noting that the backs of existing buildings would be facing an alley and not the road when the project is

completed and that the backs of the proposed units have remained in accordance with the annexation agreement (X-181).

There was no public testimony.

Mr. Robinson voiced staff’s recommendation for approval, since the plan meets the approval criteria of the Zoning Ordinance, subject to compliance with conditions as listed in the motion below.

Regarding the rear elevations, Commissioner Hopkins noted that a variety of pastel colors in rear elevations is disappointing and that a uniform white is preferable with differing architectural features. Planning and Code Administration Director Ossont additionally pointed out that the two rows in question contain four and five units only and uniformity in color is preferable. Community Planning Director Schwarz pointed out, however, that the rear siding on the south pod is of three color schemes.

Regarding the elevation materials for the Michener Place units, Commissioner Hopkins offered direction to the applicant as to combining stone-to-brick materials by placing stone above on some of the homes, thereby avoiding uniformity. He praised the architectural detail in the design of the single-family homes.

Commissioner Kaufman moved, seconded by Commissioner Winborne, to grant AFP-08-004 - Crown Pointe, AMENDMENT TO FINAL PLAN APPROVAL, finding it in compliance with Zoning Ordinance §§ 24-170 and 24-172, with the following conditions:

1. Applicant is to provide Jamison Place housing units on a minimum of six of the single-family detached lots;
2. The Michener Place units shall be constructed in compliance with Annexation Agreement X-181; and
3. Applicant is to ensure single-family detached houses immediately adjacent to one another shall have distinct and different elevations and non-identical color schemes.

Vote: 5-0

PI-B071057 -- Wyndham Garden Hotel PI-B071058 805 Russell Avenue Building Signage SIGN ADJUSTMENT	C-2 Zone
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Planner Marsh located the property and noted that the above-referenced sign permits are before the Commission this evening in accordance with Zoning Ordinance § 24-212(c)1., because one proposed sign (“A”) is 135 square feet, and Sign “B” is proposed on a side of the hotel that has no public entrance and does not face a public street.

There were no speakers from the audience.

Ms. Marsh voiced staff’s recommendation for approval, as the application meets the approval criteria in Zoning Ordinance § 24-212.

The Commission voiced no objections and moved as follows



1. Applicant shall construct the stick of town homes to be located adjacent to Watkins Mill Road to be consistent with the elevations titled: "West End at Watkins Mill Town Center," specifically with regard to the roof dormers as not being optional; and
2. Applicant shall work with staff to revise the rear elevations with emphasis on the condenser unit platforms to be approved by the Planning Commission as a consent approval.

Vote: 5-0

Commissioner Kaufman moved, seconded by Commissioner Winborne, to grant AFP-08-006 - Watkins Mill Town Center, AMENDMENT TO FINAL PLAN APPROVAL, finding it in compliance with Zoning Ordinance §§ 24-170 and 24-172.

Vote: 5-0

AFP-08-008 -- Community Clinic, Inc. CBD Zone  
 200 Girard Street - Girard Business Center  
 14-Space Parking Waiver for Medical Clinic  
 AMENDMENT TO FINAL PLAN REVIEW

Planning and Code Administration Director Ossont referenced his memorandum to the Commission recommending the Commission waive its Rules of Procedure, in accordance with provisions of the Rule § 12.A, for the application submittal deadline. Mr. Ossont discussed the basis for the request.

Commissioner Kaufman moved, seconded by Commissioner Hopkins, to waive the Commission's Rules of Procedure for the application submittal deadline.

Vote: 5-0

Planner Seiden located the property, noting this application seeks approval for a change in use from office to medical clinic. She indicated the proposed reuse resulted in a 14-space parking deficit and, therefore, a parking waiver is needed for the 370 spaces required for the proposed mix of uses at the Girard Business Center.

*Applicant Mark Langlais, Community Clinic, Inc.,* thanked the staff for their assistance with this plan amendment. He reported that an informal survey of their parking needs revealed that approximately 34 percent of their clients/patients use public transportation or walk, noting that their clinics are usually located on sites in proximity to public transportation. Chair Bauer additionally noted that according to staff's report, the lot has ample parking unutilized.

There was no testimony from the public.

Ms. Seiden voiced staff's recommendation for approval, as the plan meets the approval criteria in the Zoning Ordinance, subject to a condition as listed in the motion below. She answered Commissioner Winborne's inquiry about the recommended condition for clarification purposes.

Commissioner Hopkins commented favorably on the application.

Commissioner Winborne moved, seconded by Commissioner Kaufman, to grant AFP-08-008 - Community Clinic, Inc.,

AMENDMENT TO FINAL PLAN APPROVAL, with the following condition:

1. A parking waiver of 14 spaces is hereby granted to the Community Clinic, Inc., only, and it shall terminate at the time of expiration of their lease and/or any subsequent lease renewals.

Vote: 5-0

VI. FROM THE COMMISSION

Commissioner Winborne

Reiterated a previous safety concern with pedestrians not utilizing the existing painted crosswalks at the Quince Orchard Road/Firstfield Road intersection, suggesting that additional safety measures be considered.

Vice-Chair Levy

Reported that excessive stacking is occurring for left-turning movements from Story Drive onto Diamondback Drive.

Chair Bauer

Inquired about the status of investigations relative to the drafting of a text amendment to address non-site plan residential changes in the R-90 Zone to create a review/approval process that is not burdensome to residents while precluding mansionization. Mr. Ossont noted that the matter could be scheduled as a discussion item at a forthcoming regular meeting of the Commission to report on how other jurisdictions are addressing the issue. He added that residents who had expressed an interest in this subject in the past would be notified.

VII. FROM STAFF

Community Planning Director Schwarz

Listed upcoming joint public hearings and the regular meeting schedule for April.

Planning and Code Administration Director Ossont

Referenced his memorandum to the Commission dated February 29, 2008, requesting guidance from the Commission to address signage for upcoming significant mixed-use development-zoned projects which would include commercial town centers. He stated that in reviewing the design guidelines of these projects, it was noted that the current Sign Ordinance would inhibit creativity in retail and directional signage, as well as in other visual elements. He voiced staff's belief that a text amendment to adopt the review/approval process of the Central Business District and Corridor Development Zones would appropriately address the matter. The Commission agreed to sponsor a text amendment.

VIII. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 9:25 p.m.

Respectfully submitted,

M. Gonzalez  
Recording Secretary