

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

Vote: 5-0

IV. RECOMMENDATION TO MAYOR AND CITY COUNCIL

MP-1-08 -- An amendment to the general plan for the City of Gaithersburg Master Plan revising the Land Use Element for Special Study Area Eight, The Kentlands Boulevard Commercial District

Planning Director Pruss noted the above-referenced plan is the result of work based on public input at three joint workshops, a citizen telephone survey, and a charrette, in addition to the joint public hearing with the City Council in March 2008. She commented on the plan's holistic vision for the redevelopment of the Kentlands Boulevard Commercial District, noting it differentiates between long and near-term goals and objectives, defines a new street network that gives importance to frontage design, and provides recommendations and guidelines for redevelopment on a block-by-block basis. She indicated the Commission's public hearing record closed on April 8, 2008, and listed staff's recommended revisions to the document that was presented at the public hearing, which were made for language clarification purposes only.

Chair Bauer congratulated all who contributed to the preparation of the plan, and, particularly, staff and the consultant, HOK Planning Group, for their work. He suggested recommending to the City Council, via a separate Communication from the Planning Commission (CPC), the formation of a committee to oversee how the near-term recommendations of the plan are implemented and take an active roll in guiding the implementation of immediate-term objectives.

Planning and Code Administration Director Ossont noted that the Market Square Advisory Committee could work on developing implementation strategies, in addition to identifying its current and future roles. He added that as part of the latter, the committee could assist in the implementation of MP-1-08, citing, for instance, the way-finding of market issues for Main Street, crosswalks, and other near-term issues. In response to Chair Bauer, Mr. Ossont pointed out that the boundaries of the area of the Committee's oversight include Main Street, the live-work units, Kentlands Square Shopping Center, and Kentlands Place. Mr. Ossont also noted that a different name to better reflect the scope of the Committee is currently under consideration.

Chair Bauer proposed that staff e-mail to the Commission a draft CPC, reflecting the oversight recommendation discussed above for the Commission's approval, so that it can accompany the Commission's formal recommendation to the City Council regarding the Master Plan under consideration this evening. Commissioner Kaufman favored the suggestion, noting the importance of moving the process forward given the current economic conditions.

Commissioner Hopkins, although in support of the guiding language of the proposed master plan amendment, voiced some concern with the recommendation for wrapped garages in narrower blocks, pointing out the need for some flexibility to accommodate a deeper floor plan. He noted that wrapped garages might render unusable office space in some of the narrower blocks on the Market Square side of Kentlands Boulevard. Commissioner Winborne commented favorably on the language referring to fire and rescue.

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to APPROVE Planning Commission Resolution PCR-2-08 recommending ADOPTION of MP-1-08 by the City Council.

Vote: 5-0

V. SITE PLAN

AFP-08-013 -- Bohrer Park Hillside Pavilion at Summit Hall Farm R-A Zone
506 South Frederick Avenue
Enlarging Pavilion Area and Handicap Parking
AMENDMENT TO FINAL PLAN REVIEW

Community Planning Director Schwarz located the site of the proposed pavilion as well as the access to the site on an aerial photograph. She presented the site plan, noting it upgrades the existing pad and canvas canopies by enlarging the pad to approximately 1,211 square feet, by installing a permanent pavilion structure, and by improving the electrical feed to the property. She discussed the details of the plan, including the widening of the existing driveway access, which necessitates the removal of a retaining wall along a portion of it, and the addition of a gravel driveway to access the handicap parking, which will be paved. She presented a sample of the material ("Gravelpave2") to be used under the gravel to minimize the impact on the grass. She also discussed the roof material and color.

Facilities Administration Director Lahs discussed the City's pavilion rental services as well as the existing directional signage, and noted the subject proposal is a significant improvement and the additional permanent pavilions are needed to respond to the public demand.

There was no public testimony.

Mrs. Schwarz stated the plan complies with the approval criteria of the Zoning Ordinance, with conditions as listed in the Staff Comments previously furnished as part of the informational packet of this application. Chair Bauer commented favorably on this proposal, and, in particular, on the proposed driveway. Commissioner Hopkins echoed Chair Bauer's comments.

Vice-Chair Levy moved, seconded by Commissioner Winborne, to grant AFP-08-013 - Bohrer Park Hillside Pavilion at Summit Hall Farm, AMENDMENT TO FINAL PLAN APPROVAL, finding it in compliance with Zoning Ordinance §§ 24-170 and 24-172A, with the following conditions:

1. Applicant is to revise and receive approval of HDPE Pipe Bedding Detail and the wall detail prior to the issuance of any permits;
2. Applicant is to revise the architectural plan to add conduit to the concrete pad with a detail to provide electrical service to the pavilion prior to the issuance of any permits;
3. Applicant is to submit structural certification of the pavilion at the time of permit application;
4. Applicant is to work with the Parks Maintenance Division of the Department of Public Works, Park Maintenance and Engineering (DPWPM&E) to limb trees noted on the plans prior to the installation of the sediment control and tree protection measures; and
5. Applicant is to work with Parks Maintenance Division of DPWPM&E and Environmental Services to establish a planting plan for the rain garden prior to final approval of the permit.

Vote: 5-0

VI. DISCUSSION

Zoning Ordinance § 24-168 – Residential Site Development Plan Requirements

Planning and Code Administration Director Ossont noted the Commission had previously received an analysis of how the above-referenced issue is handled in other jurisdictions. He provided a PowerPoint presentation to update the Commission on staff's ongoing preliminary work for a potential text amendment relating to this issue of regulating changes to existing residences that have no site plan. He discussed staff's recommended objectives and intent of the text amendment and requested the Commission's guidance as to the validity of the proposed goals, the importance of promoting sustainability of existing properties, preventing destabilization of neighborhoods by excessively large residential additions, and the timing for new regulations, since no significant problems with mansionization have arisen.

Commissioner Hopkins inquired about educating the public. Commissioner Kaufman suggested working with the Historic Preservation Advisory Committee (HPAC), since older housing is more vulnerable to mansionization. Chair Bauer commented on the "promoting" aspect of staff's recommendation, noting that it should not be understood as an "incentive" for redevelopment, but rather as facilitating the process for structural additions. Director Ossont indicated that home owner notification would be used for significant additions only and agreed with the suggestion of working with the HPAC when appropriate, without duplicating reviews. Commissioner Hopkins commented favorably on the system utilized by the City of Rockville.

The following speakers were in favor:

West Riding Citizens Association President JoAnn Schimke, 734 Tiffany Court, favored the Commission's proactive approach and supported a 50 percent size increase threshold. She indicated that façade changes, in addition to size, could also become issues of concern, citing rooflines and material changes in particular, noting they can render a structure inharmonious with its neighborhood. She encouraged the City Council to move forward with a text amendment.

William Fallon, 822 Jonker Court, read a letter he had previously sent to the City, which requested approval for a fence along his property line abutting 821 Jonker Court to minimize the impact from an excessively large expansion project on that property. He questioned the practicality of the current permit issuance regulations for erection of fencing on residential property, noting that there is a discrepancy in the current notification requirement, since it is easier for a large expansion project to obtain approval than for fencing.

Chair Bauer, upon getting confirmation of the accuracy of Mr. Fallon's statements, indicated that the effort afoot could streamline the permitting process and mitigate issues such as in Mr. Fallon's case. Chair Bauer emphasized the importance of formulating a process with language clarity, quantifiable criteria, and specific notification procedures. The Commission's consensus was in support of the staff-recommended intent and goals and favored proceeding with drafting a text amendment for public hearing in the fall. The importance of language clarity was emphasized.

FROM THE COMMISSION

Commissioner Kaufman

1. Inquired about the City regulations concerning site plan development implementation, noting some private projects in the City are not progressing. Planning and Code

Administration Director Ossont explained the measures available and most commonly used by the City.

2. Reported that some rental trucks are still parking on the Market Square parking lot, adding that all trucks should be removed promptly.

Vice-Chair Levy

Reported he had learned that the development on the Crown Farm project will be renamed, voicing his support of that decision.

Commissioner Winborne

Gave kudos to the Department of Planning and Code Administration staff, particularly, Planning and Code Administration Director Ossont, Planning Director Lauren Pruss, and Permits and Inspections Director Wes Burnette for expeditiously responding to a resident's concerns, noting that the professionalism and expertise of the Department should be commended.

FROM STAFF

Community Planning Director Schwarz

Listed three joint public hearings with the City Council scheduled for April 21 and noted the Commission's regular meetings in May will be on the 7th and the 21st.

ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 8:45 p.m.

Respectfully submitted,

M. Gonzalez
Recording Secretary