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DRAFT

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION AUGUST 6, 2008

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

I. APPROVAL OF MINUTES

July 16, 2008, Planning Commission Meeting

Commissioner Kaufman moved, seconded by Alternate Commissioner Lanier, to APPROVE the Minutes of the July 16, 2008, Planning Commission Meeting as submitted.

Vote: 3-0-1 (Abstained: Hopkins)

II. CONSENT

SP-07-0004 -- Crown Farm Neighborhood 3 – Phase 1
Fields Road
60 Townhouses and 49 Single-Family Detached Units
EXTENSION OF APPROVAL

Commissioner Kaufman moved, seconded by Alternate Commissioner Lanier, to grant SP-07-0004- Crown Farm Neighborhood 3, Phase 1, EXTENSION OF APPROVAL.

Vote: 3-0-1 (Abstained: Hopkins)

AFP-08-024 -- Fry Residence
3 Seville Way
Sunroom Addition
AMENDMENT TO FINAL PLAN REVIEW

Commissioner Kaufman moved, seconded by Commissioner Hopkins, to grant AFP-08-024 - Fry Residence at 3 Seville Way, AMENDMENT TO FINAL PLAN APPROVAL.

Vote: 4-0

III. RECOMMENDATION TO THE BOARD OF APPEALS

A-536 -- Special exception to erect six telecommunications antennas and related equipment on the rooftop of 200 Orchard Ridge Drive in Quince Orchard Park, Gaithersburg, Maryland. The property is located in the MXD (Mixed Use Development) Zone. The special exception is allowed by § 24-160D.3(d) of the

Approved minutes are available at www.gaithersburgmd.gov/minutes.

Zoning Ordinance (Chapter 24 of the City Code) in compliance with § 24-167(D)(2)

Planner Seiden located the site and introduced the applicant.

Applicant, Adam Knubel, Network Building and Consulting, on behalf of AT&T Mobility, stated the telecommunications antennas are needed to fill a gap in AT&T's coverage in the area and expand the capabilities of their network. He indicated the proposed six 54"-panel antennas would be flush-mounted to the existing penthouse wall and painted to match the brick facade. He also stated the rooftop equipment platform would be screened from public view. Mr. Knubel presented the proposed elevation, showing the placement of the antennas.

Director Pruss noted that a public hearing is scheduled for August 14, 2008, before the Board of Appeals.

Ms. Seiden stated that staff had prepared a draft Resolution of Approval for the Board of Appeals, with conditions as listed in the resolution (Exhibit 23). The Commission voiced no concerns and moved as follows:

Commissioner Kaufman moved, seconded by Commissioner Hopkins, to recommend to the Board of Appeals, APPROVAL of Special Exception A-536 with the following conditions:

1. At such time as AT&T Mobility ceases to use this facility, the antennas, cabinets and associated equipment shall be removed by the applicant at the applicant's expense;
2. Prior to the issuance of a building or site work permit, petitioners are to provide an executed lease from the property owner that requires at such time as AT&T Mobility ceases to operate, that the antennas, cabinets and associated equipment must be removed;
3. AT&T Mobility is to submit an actual coverage threshold map to the Board of Appeals sixty (60) days after the equipment becomes operational. The map will be the same type as provided in Exhibit # 18;
4. Installation of antennas and associated equipment must be completed by August 14, 2009;
5. If the installation is not complete by August 14, 2009, the petitioner must request a time extension, in writing, prior to August 14, 2009, and each subsequent year thereafter until such time as the installation is complete.

Vote: 4-0

IV. SITE PLANS

SP-08-0004 -- Crown Property/Aventiene - Neighborhood 1
Fields Road
Infrastructure Plan
FINAL PLAN REVIEW

MXD Zone

Commissioner Hopkins recused himself from this review due to a possible conflict of interest.

Planner Robinson noted the applicant is requesting final site plan approval for the infrastructure associated with public roads linking Neighborhood 1 of the Crown Farm development to the adjoining neighborhoods and roads; specifically, Diamondback Drive, extended portions of Crown Village Boulevard, Aveniense Way and Public Roads Q and R. He located the site and introduced the applicant.

Applicant, Greg May, Crown Farm Village, LLC, stated this application only pertains to the infrastructure plan, namely, the roads and utilities that support residential and commercial portions of Neighborhood 1. He explained that two consultants have worked on this project, *Streetsense*, and *VIKA*. *Streetsense* did the landscape/street plan and *VIKA* did the bulk of the engineering.

John Huntzinger, Streetsense, presented the landscape plan. He noted that in response to previous comments regarding the tree species, they isolated and varied the tree species by block. Mr. Huntzinger also presented the paving pattern for the commercial zone, noting that it conforms to the Design Guidelines. He presented the plan for the Diamondback/Crown Village Boulevard intersection, and the area on Street Q, which includes a Jarvis Imprint product for the pavement treatment. He answered questions about the color of the imprint and the depth of the product, noting it is $\frac{3}{4}$ " thick, a synthetic asphalt treatment with an integral color. Mr. Huntzinger showed the landscape plan for the island at Street R and Sam Eig Highway, noting it will be the location for a future sign, framed by small ornamental trees and medium to small shrubbery and flower beds.

In response to Chair Bauer's question regarding the alignment of the sidewalk, Mr. Huntzinger indicated the change in alignment on one side was to reduce the crossing distance to a connecting sidewalk.

Planner Robinson pointed out that the change in sidewalk alignment not only shortens the pedestrian distance but also improves pedestrian safety along Sam Eig Highway. In response to a question of Commissioner Kaufman, Mr. Robinson explained there is an existing crosswalk on the other side of Sam Eig Highway that will be enhanced at a later date.

There was no testimony from the public.

Planner Robinson voiced staff's recommendation for approval, as the plan meets the criteria of the City Code, with conditions listed in the Staff Comments previously furnished to the Commission.

In response to Chair Bauer, Planner Robinson indicated that as part of SDP-06-005, there are triggers in place for completion of Diamondback Drive; however, there is not a definite timeline tied to the Neighborhood 1 infrastructure. Mr. May explained the on-site plan requires that Diamondback Drive be constructed before the occupancy of any units in Neighborhood 1.

Commissioner Kaufman was pleased with the number of trees planned. Planner Robinson noted that the trees would be planted approximately 30 feet on center. Mr. Huntzinger added that the tree wells would be 6' x 12' and set back two feet from the street. Commissioner Kaufman was concerned that the wrought iron fencing around the tree wells could prevent passengers from exiting their cars. Planner Robinson noted that sufficient leeway for car doors had been taken into account.

Commissioner Kaufman moved, seconded by Alternate Commissioner Lanier, to grant SP-08-0004 – Crown Property Neighborhood 1 Infrastructure, FINAL SITE PLAN APPROVAL, finding it in compliance with Zoning Ordinance §§ 24-160D.9(c), 24-170 and 24-171, with the following conditions:

1. The applicant shall submit the tree well fence details for staff approval prior to plantings;
2. The applicant is to provide final signing, lane marking, turning radii plans, lighting plans, paving and storm drain plans, storm water management plans, grade establishment plans, and details to be reviewed and approved by the Department of Public Works (DPW) prior to the issuance of public works permits;
3. The applicant is to enter into a maintenance agreement with the City regarding decorative "behind the curb" paving within public rights-of-way;
4. The applicant is to provide final details of bulb-outs, traffic calming, and crosswalks, including the design changes requested by Montgomery County Department of Permitting Services (DPS) to be reviewed and approved by DPW prior to the issuance of public works permits;
5. The applicant shall receive all necessary connection permits from Montgomery County DPS for the existing and proposed Diamondback Drive prior to the issuance of public works permits;
6. The applicant shall submit additional hardscape details, such as bike rack and trash receptacles locations, as part of future commercial core site plan applications; and
7. The applicant shall submit a sign package to include, but not be limited to, entry feature signage to be approved by the Planning Commission as a future amendment to final plan.

Vote: 3-0

AFP-08-023 -- Sodexo, Inc.

MXD Zone

9801 Washingtonian Boulevard
Replacement of Existing Building Sign
AMENDMENT TO FINAL PLAN REVIEW

Planner Eby located the property and presented the applicant.

Applicant, Jerry Kramer, Gable Signs and Graphics, presented a drawing of the proposed sign and noted that the new sign would have white lettering with a red underline, and be smaller than the previous sign.

Planner Eby noted that the proposed sign is over 100 square feet and, therefore, needs to be reviewed by the Planning Commission. He added that the new sign is smaller in width and height and will have fewer star icons than the existing sign.

There was no testimony from the public.

Planner Eby voiced staff's recommendation for approval, including a sign adjustment, finding the proposal in conformance with Zoning Ordinance § 24-212.

staff would work with the applicant to provide pedestrian access through the outdoor eating area.

Commissioner Hopkins also expressed a concern over the private alley and access to the restaurant. Director Pruss stated that all adjacent property owners have access rights to the private alley. Mr. Lozopone stated there is no private drive connecting Brookes and old North Frederick Avenue. In response to a question from Commissioner Kaufman, Director Pruss stated the alley would not accommodate parking.

Commissioner Hopkins encouraged the owner to redevelop the property and commended the applicant for doing a great job with a difficult piece of property. Commissioner Kaufman stated the historic significance of the building should be explored.

Commissioner Kaufman moved, seconded by Commissioner Hopkins, to grant AFP-08-021, AMENDMENT TO FINAL PLAN APPROVAL, finding it in compliance with Zoning Ordinance §§ 24-170 and 24-172, with the following conditions:

1. The applicant shall submit for approval a record consolidation plat of the site, and an easement for the private alley extension, and have it recorded prior to the issuance of final occupancy of the restaurant;
2. The applicant shall receive approval of the final landscape and lighting plan by City staff prior to the issuance of site work permits;
3. The applicant shall receive approval from the appropriate utility agencies for the relocation of the two onsite utility poles prior to the issuance of site work permits;
4. The applicant shall receive an access approval permit from Maryland State Highway Administration (SHA) prior to the issuance of site work permits;
5. The applicant shall provide a handicap access ramp at the Brookes Avenue entrance to the site on the site plan prior to the issuance of site work permits; and
6. The Planning Commission shall grant a three-foot waiver for the width of the two-way drive aisle.

Vote: 4-0

Commissioner Kaufman moved, seconded by Commissioner Hopkins, to grant AFP-08-021 a WAIVER of three feet for the width of the two-way drive aisle.

Vote: 4-0

SP-07-0008 -- Monument
735 Watkins Mill Road
1,172,051 Total Square Footage, Including:
Existing 622,051 Sq. Ft. Office, and
Proposed 90,000 Sq. Ft. hotel & 460,000 Sq. Ft. Office
AMENDED CONCEPT/PRELIMINARY PLAN REVIEW

Director Pruss located the site and introduced the applicant.

Attorney for the applicant, Barbara Sears, Linowes & Blocher, on behalf of Monument, stated that the Mayor and City Council amended the original annexation agreement to allow for a hotel at the site, for which they propose reducing the office space by 90,000 square feet.

Architect for the applicant, Chris Garwood, Davis, Carter, Scott, presented the original and revised site plans and discussed proposed changes in the phasing plan.

Architect for the applicant, David Wysocki, Phillips Partnership, presented the hotel elevations and discussed the architecture.

There was no testimony from the public.

Director Pruss voiced staff's recommendation for approval, as the plan met the approval criteria of the City Code, with conditions that she listed.

Chair Bauer noted that the hotel elevations could not be approved this evening, since this is a preliminary plan review. Commissioner Hopkins recommended a stronger base to the hotel building, noting that more architectural detail should be added for final plan review. Commissioner Kaufman was pleased with the overall plan and, particularly, with the decrease in parking levels. He and Chair Bauer encouraged the developer to seek Leadership in Energy & Environmental Design (LEED) certification.

Alternate Commissioner Lanier was also pleased with this amended concept/preliminary plan, which would result in less traffic. She questioned, however, a staff-recommended condition that would preclude food/services on the first floor. Commissioner Hopkins voiced his concern if the hotel were to provide full service due to its close proximity to the Watkins Mill Town Center, a mixed use development.

Chair Bauer questioned the original condition for providing full service at the hotel. Planning and Code Administration Director Ossont explained that this amended concept/preliminary approval replaces the original approval, so there is no need for that condition. Chair Bauer emphasized the need to see detailed elevations of the parking garage at final site plan review to ensure harmony between the building and the parking structure.

Commissioner Hopkins moved, seconded by Commissioner Kaufman, to grant SP-07-0008, Monument Office Park, AMENDED CONCEPT/PRELIMINARY PLAN APPROVAL, finding it in preliminary compliance with § 24-170 and Article V of Chapter 20 of the City Code, with the following conditions:

1. Applicant is to work with staff to evaluate the materials and design of the facade of the parking garage, specifically but not limited to the side facing North Frederick Avenue and the side next to the main entry via Watkins Mill Road at the time of final site plan approval of Office Building #3 and the parking garage;
2. Applicant is to provide storm water management (SWM) for temporary parking and Office Building #3 in accordance with SWM requirements of the City of Gaithersburg at the time of final site plan submission; and
3. Applicant is to record the executed Third Amendment to the Annexation Agreement prior to the issuance of any permits.

Vote: 4-0

V. FROM STAFF

Planning Director Pruss

Listed the Commission's schedule of upcoming regular meetings.

Planning and Code Administration Director Ossont

Reported that staff is working on a commercial green building and LEED certification requirement as part of the Building Code.

VI. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 9:00 p.m.

Respectfully submitted,

Linda Kobylski
Recording Secretary