



DRAFT

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MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OCTOBER 21, 2009

Chair John Bauer called the meeting to order at 7:30 p.m. Present at the meeting were Commissioners Matthew Hopkins, Lloyd Kaufman, and Lenny Levy, Alternate Commissioner Geri Lanier, Planning and Code Administration Director Greg Ossont, Planning Director Lauren Pruss, Community Planning Director Trudy Schwarz, and Recording Secretary Myriam Gonzalez. Chair Bauer noted Alternate Commissioner Lanier would actively participate this evening, since not all Commissioners were present. Absent: Vice-Chair Danny Winborne.

I. APPROVAL OF MINUTES

October 7, 2009, Planning Commission Meeting

Commissioner Levy moved, seconded by Alternate Commissioner Lanier, to APPROVE the Minutes of the October 7, 2009, Planning Commission Meeting as submitted.

Vote: 5-0

II. RECOMMENDATIONS TO MAYOR AND COUNCIL

Z-307(A) -- Woodfield Investments, LLC

Request to amend the approved Zoning Map Amendment Z-307 sketch plan by revising the layout of the buildings and setbacks, and reducing the amount of retail/amenity square footage (sq.ft.) from 20,000 sq.ft. (12,000 sq.ft. retail and 8000 sq.ft. amenity space) to 12,000 sq.ft. (4,000 sq.ft. retail and up to 8,000 sq.ft. amenity space). The number of multi-family dwellings will remain as approved at 300 units. The application also proposes to revise the approval conditions of Z-307. The property is a 6.58-acre parcel, currently known as Parcel 1, The Summit, in the City of Gaithersburg. The parcel is located in the northeast quadrant of Goshen Road and Girard Street at 559 Girard Street, in Gaithersburg, Maryland, in the MXD (Mixed Use Development) Zone.

and

SDP-09-002 - Request for approval of the schematic development plan per sketch plan Z-307(A), known as the Residences at Hidden Creek (former Summit Center shopping center), on Parcel 1, The Summit, in Gaithersburg, Maryland. The proposed plan includes a mix of uses, including 300 multi-family units and 12,000 sq.ft. of retail and amenity uses on approximately 6.58 acres of land. The parcel is located in the northeast quadrant of Goshen Road and Girard Street at 559 Girard Street, in Gaithersburg, Maryland, in the MXD (Mixed Use Development) Zone.

Community Planning Director Schwarz located the property on an aerial photograph. She provided background relating to the above-referenced applications, noting on the rendered plan the relocation of buildings and the consolidation of parking proposed by Z-307(A). She indicated the amended sketch plan also proposes the reduction of retail/amenity square footage and revisions to the approval conditions of Z-307. Regarding the proposed schematic

development plan, she indicated that it provides detailed engineering supporting the newly-proposed sketch plan. Mrs. Schwarz noted that although the unit count remained unaltered, the unit types have changed, but the details of which would not be definite until final plan review. She stated that the proposal is in accordance with the City's Adequate Public Facilities Ordinance, including in terms of school capacity, noting that a revision to the Ordinance (T-392) regarding this matter was adopted on October 19, 2009.

Mrs. Schwarz briefly discussed the bases for staff's recommendation for approval of both applications, subject to conditions as listed in the Staff Analysis. She referenced a typographical error on Conditions 5 and 4 of Z-307(A) and SDP-09-002, respectively.

Commissioner Hopkins regretted the proposed reduction in retail square footage, although he acknowledged that converting later a larger number of residential units to retail use would be financially burdensome for the petitioner. Commissioner Kaufman noted this revision reflects the economic situation of the nation. Commissioner Levy pointed out the subject site is presently an eyesore and it is in the City's interest to move this project to development. Commissioner Kaufman commented favorably on the cooperation of the applicant and the community, noting that development of the site would benefit all.

Chair Bauer strongly encouraged staff to ensure that substantial landscaping is incorporated into the streetscape, as the proposed revisions have the buildings pushed back from the street. In addition, he cautioned against a monolithic appearance of the buildings, suggesting the use of broken rooflines, broken ridgelines, and other details for added architectural interest. Commissioners Hopkins and Kaufman agreed. Commissioner Hopkins further recommended that the first floor of architectural facades along the internal street be designed so as to provide a pedestrian environment in an urban street setting. It was noted that although the parking proposal does not conform to the standard of the Zoning Ordinance, the finding of the Staff Analysis was that the parking provision is adequate.

Commissioner Levy moved, seconded by Commissioner Kaufman, to recommend to the City Council APPROVAL of Sketch Plan Z-307(A) with the following conditions:

1. Future development of the site shall include up to 12,000 square feet of commercial-retail-office uses, of which no less than 4,000 square feet shall be leasable for commercial-retail-office and the balance may be used for the apartment management office and tenant amenities;
2. Future development of the site shall include up to 300 residential units in structures three to five stories in height;
3. The Applicant shall maintain the setbacks established on both the revised Sketch Plan and Schematic Development Plan (Exhibits # 42);
4. The Applicant shall construct Cedar Spring Street to its full two-way width as shown on the on the schematic development plan within 180 days of the issuance of the first building permit for a residential structure;
5. The Final Site Plan and Construction Stormwater Management Plans for this site shall be approved prior to May 4, 2010. The Applicant shall also make a contribution to the City not to exceed \$41,004.00 toward stream mitigation

at the area of outfall, prior to issuance of site development permits;

6. The Applicant shall submit and have approved a preliminary Forest Conservation Plan showing required afforestation to be met onsite prior to the approval of the Schematic Development Plan;
7. Prior to the submission of Final Site Plan, the Applicant shall submit letters affirming the applicant's ability to grade and construct improvements and obtain the necessary public right-of-way on Outlot C, Section Two, Woodwinds Park (Plat No. 9589). In the event that the Applicant does not obtain an easement on Outlot C, the Applicant shall submit an alternative plan without Outlot C as part of the Final Site Plan and amend the Schematic Development, as necessary.;
8. The Applicant, at the time of submission of Schematic Development Plan, shall provide a Road Improvement Plan for Girard Street, including the intersection at Goshen (North Summit) Road in accordance with the approved Traffic Impact Study to both the City and Montgomery County Department of Public Works and Transportation for review and approval;
9. The Applicant is to complete the improvements for Girard Street prior to the approval of the final use and occupancy inspection of the residential units;
10. Applicant shall coordinate with City staff and Montgomery County Ride-On to relocate the western bus stop and eastern bus shelter, currently located on Girard Street, and install a new bus shelter or provide funding not to exceed \$10,000.00 for the western stop; in addition, the applicant and the City need to coordinate adequate service to bus transportation during the construction, all prior to the issuance of the site development permit; and
11. Applicant shall comply with all conditions outlined in the July 15, 2009, letter to Trudy Schwarz from Gregory Leck, Development Review Team Manager of Montgomery County Department of Transportation (MCDOT) (Exhibit #42) and all conditions outlined in a letter from Sam Farhadi, MCDOT Traffic Engineering & Operation, dated August 16, 2007, to Trudy Schwarz prior to the issuance of a site development permit.

Vote: 5-0

Commissioner Levy moved, seconded Commissioner Kaufman, to recommend to the City Council APPROVAL of SDP-09-002 – Residences at Hidden Creek, with the following conditions:

1. Future development of the site shall include up to 12,000 square feet of commercial-retail-office uses, of which no less than 4,000 square feet shall be leasable for commercial-

retail-office and the balance may be used for the apartment management office and tenant amenities;

2. Future development of the site shall include up to 300 residential units in structures three to five stories in height;
3. The Applicant shall construct Cedar Spring Street to its full two-way width, as shown on the schematic development plan, within 180 days of the issuance of the first building permit for a residential structure;
4. The Final Site Plan and Construction Stormwater Management Plans for this site shall be approved prior to May 4, 2010. The Applicant shall also make a contribution to the City not to exceed \$41,004.00 toward stream mitigation at the area of outfall, prior to the issuance of site development permits;
5. Prior to the submission of Final Site Plan, the Applicant shall submit letters affirming the applicant's ability to grade and construct improvements and obtain the necessary public right-of-way on Outlot C, Section Two, Woodwinds Park (Plat No. 9589). In the event that the Applicant does not obtain an easement on Outlot C, the Applicant shall submit an alternative plan without Outlot C as part of the Final Site Plan and amend the Schematic Development Plan, as necessary;
6. The Applicant shall obtain appropriate permits from Montgomery County Department of Public Works and Transportation for the portion of the Road Improvement Plan for Girard Street that intersects with Goshen prior to the issuance of the site development permit;
7. The Applicant is to complete the improvements for Girard Street prior to the approval of the final use and occupancy inspection of the residential units;
8. The Applicant shall coordinate with City staff and Montgomery County Ride-On to relocate the western bus stop and eastern bus shelter, currently located on Girard Street, and install a new bus shelter or provide funding not to exceed \$10,000.00 for the western stop; in addition, the applicant and the City need to coordinate adequate service to bus transportation during the construction, all prior to the issuance of the site development permit;
9. The Applicant shall comply with all conditions outlined in the July 15, 2009, letter to Trudy Schwarz from Gregory Leck, Development Review Team Manager of Montgomery County Department of Transportation (MCDOT) (Exhibit #42), and all conditions outlined in a letter from Sam Farhadi, MCDOT Traffic Engineering & Operation, dated August 16, 2007, to Trudy Schwarz prior to the issuance of a site development permit;

10. The Applicant is to obtain all required/necessary grading easements from adjoining properties prior to Final Site Plan approval;
11. The Applicant is to participate in the Art in Public Places program prior to the release of bonds for the project; and
12. Prior to the approval of Final Site Plan, the Applicant shall confirm that the swimming pool and deck area comply with Montgomery County Code 51.00.01.04.

Vote: 5-0

III. FROM THE COMMISSION

Commissioner Hopkins

Commented favorably on the U.S. Green Building Council (USGBC) presentation on international green building at the Swedish Embassy, held on October 21.

Commissioner Levy

Reiterated the need for revisiting the Parking Ordinance, as evidenced by the frequency with which parking waivers are granted.

IV. FROM STAFF

Community Planning Director Schwarz

Listed the Commission's regular meeting schedule for October and November, and announced that joint public hearings on two elements of the Master Plan's 2009 revision are scheduled for December 7, 2009.

V. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 8:55 p.m.

Respectfully submitted,

M. Gonzalez
Recording Secretary