



City of Gaithersburg

31 South Summit Avenue
Gaithersburg, Maryland 20877

DRAFT

Mayor and City Council Regular Session Minutes City Hall - Council Chambers Monday, March 21, 2016

I. CALL TO ORDER

Mayor and City Council regular session was called to order at 7:30 p.m. with Mayor Ashman presiding. Council Members present: Harris, Sesma, Spiegel, and Wu. Council Member absent: Marraffa. Staff present: City Manager Tomasello, Deputy City Manager Enslinger, City Attorney Board, Public Works Director Johnson, Finance and Administration Director Walker, Economic and Business Development Director Lonergan, Human Resources Director Yocklin, Senior Program Supervisor Ludington, Human Resources Program Coordinator Newhart, Planning Division Chief Matsen, Planner II Mann, Community Planning Manager Schwarz, and Administrative Assistant Coupé. Planning Commission Members present for Joint Public Hearing: Bauer, Kaufman, Winborne, Hopkins, Weich and Wessell.

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IX. JOINT PUBLIC HEARING

A. **CTAM-7245-2016: Modifications of the Height Restriction and General "Housekeeping" in the E-1 (Urban Employment) and E-2 (Moderate Intensity Industrial Park) Zones**

Planner Mann and Planning Division Chief Matsen presented the above text amendment to modify the height restriction and general "housekeeping" updates in the E-1 (Urban Employment) and E-2 (Moderate Intensity Industrial Park) Zones. The joint public hearing was duly advertised in The Washington Post on March 3 and March 10, 2016 and posted on the City's website. The purpose of the proposed amendment is to encourage redevelopment of older existing parcels which have reached the end of their usable and marketable lifecycle. The City is forecast to continue to grow over the next 10 years, barring annexations, most growth will be in the form of redevelopment. The text amendment would increase the current maximum building height in the E-1 Zone from forty-five (45) feet to eighty-five (85) feet and address setback requirements as they relate to adjacent residential properties. The amendment would also increase the height limits in the E-2 Zone. Staff noted that the current forty-five (45) foot height limitation may not accommodate a newly constructed four story building. Staff also noted that minor "housekeeping" items, including incorrect Code cross-references, will be corrected with said amendment. If approved, the new maximum building height and setbacks would be by-right as both the E-1 and E-2 are Euclidean Zones. Planner

Mann reviewed all amendments proposed by staff and oriented the public with the areas on the E-1 and E-2 location map.

Speaker from the public:

1. Jody Kline, Attorney for Miller, Miller and Canby, representing Minkoff Development Corporation, expressed support for the text amendment. Stated that the amendment will improve the City, creating an economic development incentive to help grow and have a presence along I-270.

There were no other speakers from the public.

Clarification was provided that if a building design didn't comply with setbacks requirements, then the height would have to be lowered. Clarification was given regarding the approval process for the City Council and Planning Commission. Staff stated that developers will have the opportunity to design buildings up to the eighty-five (85) feet but the Planning Commission will have the final review before the plans are approved. The height restrictions and impact on parking garages were questioned. Garages would be required to follow the same height restriction limitation and setbacks. Building height restriction were questioned when the location is close to a residential area. Staff responded that during the site planning process, the Planning Commission could restrict the height. All the zone district standards such as parking and building design would have to be met. The restrictions would only happen if those by-right issues were causing a problem with health safety. It was noted that the distance from a residential area directly affects the height of a building; the higher the building, the farther they have to be from a residential property. When there are abutting residential zones, an eighty-five (85) foot building would need to provide a sixty (60) foot rear or side yard as applicable. It was pointed out that one of the long term goals of the City is to continue to have employment centers, not just residential. The E-1 zones were designated to encourage businesses to locate to Gaithersburg and create job growth.

Mayor Ashman recognized newly appointed Planning Commissioners Ruthzaly Weich and Phillip Wessell.

Motion was made by Lloyd Kaufman, seconded by Matthew Hopkins, that the Planning Commission record on CTAM-7245-2016: Modifications of the Height Restriction and General "Housekeeping" in the E-1 (Urban Employment) and E-2 (Moderate Intensity Industrial Park) Zones, remain open until 5 p.m. Monday, April 11, 2016 (21 days) with anticipated recommendation Wednesday, April 20, 2016.

Vote: 5-0

Motion was made by Michael Sesma, seconded by Ryan Spiegel, that the Mayor and City Council record on CTAM-7245-2016: Modifications of the Height Restriction and General "Housekeeping" in the E-1 (Urban Employment) and E-2 (Moderate Intensity Industrial Park) Zones, remain open until 5 p.m. April 25, 2016 (35 days) with anticipated Policy Discussion on May 16, 2016.

Vote: 4-0

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XVI. ADJOURNMENT

There being no further business to come before this session of the City Council, the meeting was duly adjourned at approximately 8:47 p.m.

Respectfully submitted,

Michelle Coupé, Administrative Assistant
Dori Stokes, Municipal Clerk

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*CTAM-7245-2016
Modifications of the Height
Restriction and General
“Housekeeping” in the E-1 and E-2
Zones.*

Text Amendment Chronology

2

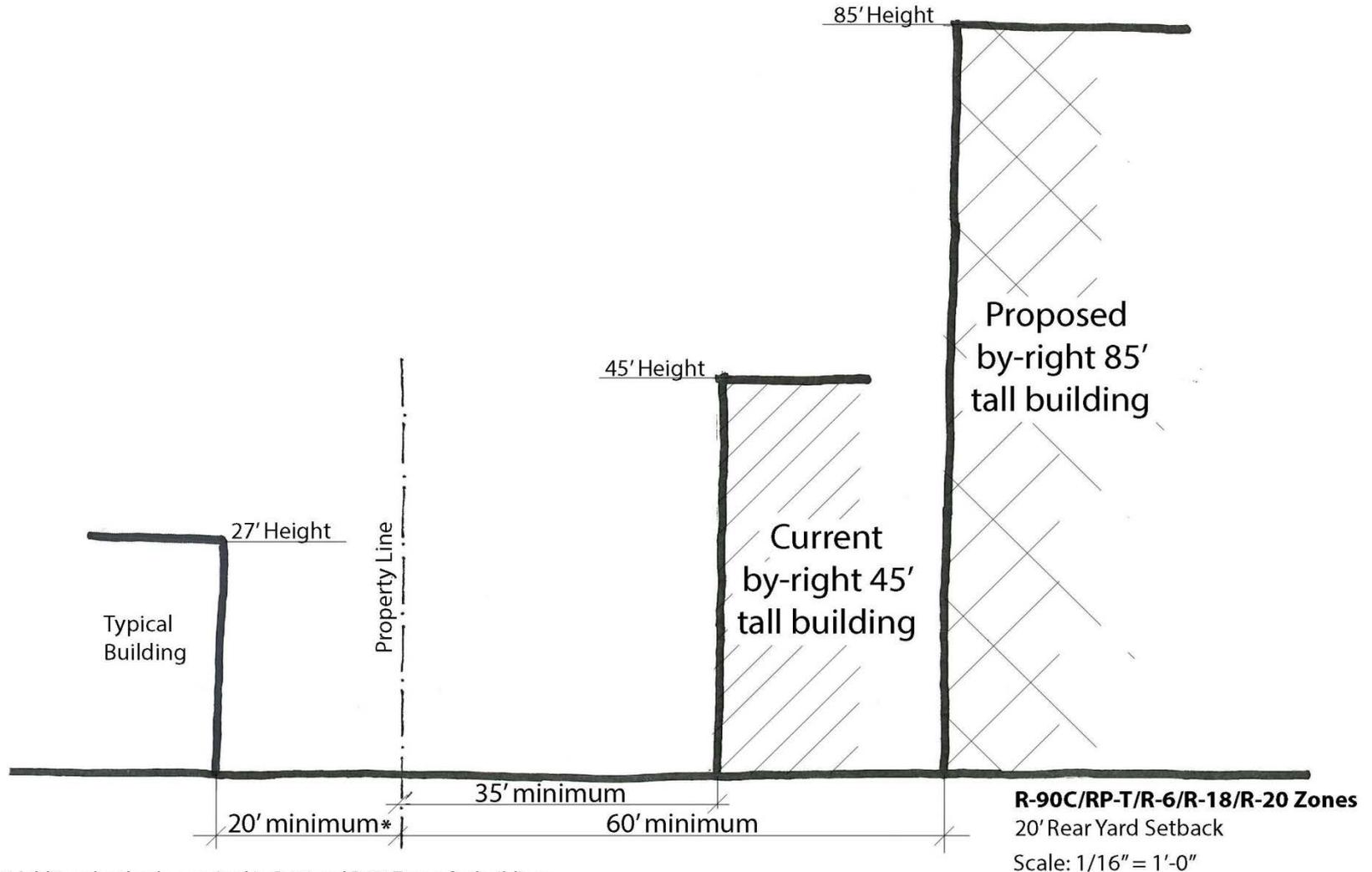
- Sponsorship: February 16, 2016
- Consolidated Joint Public Hearing:
March 21, 2016
- Planning Commission Recommendation:
April 20, 2016
 - Planning Commission recommended adoption of the proposed Text Amendment.

Facets of the Amendment

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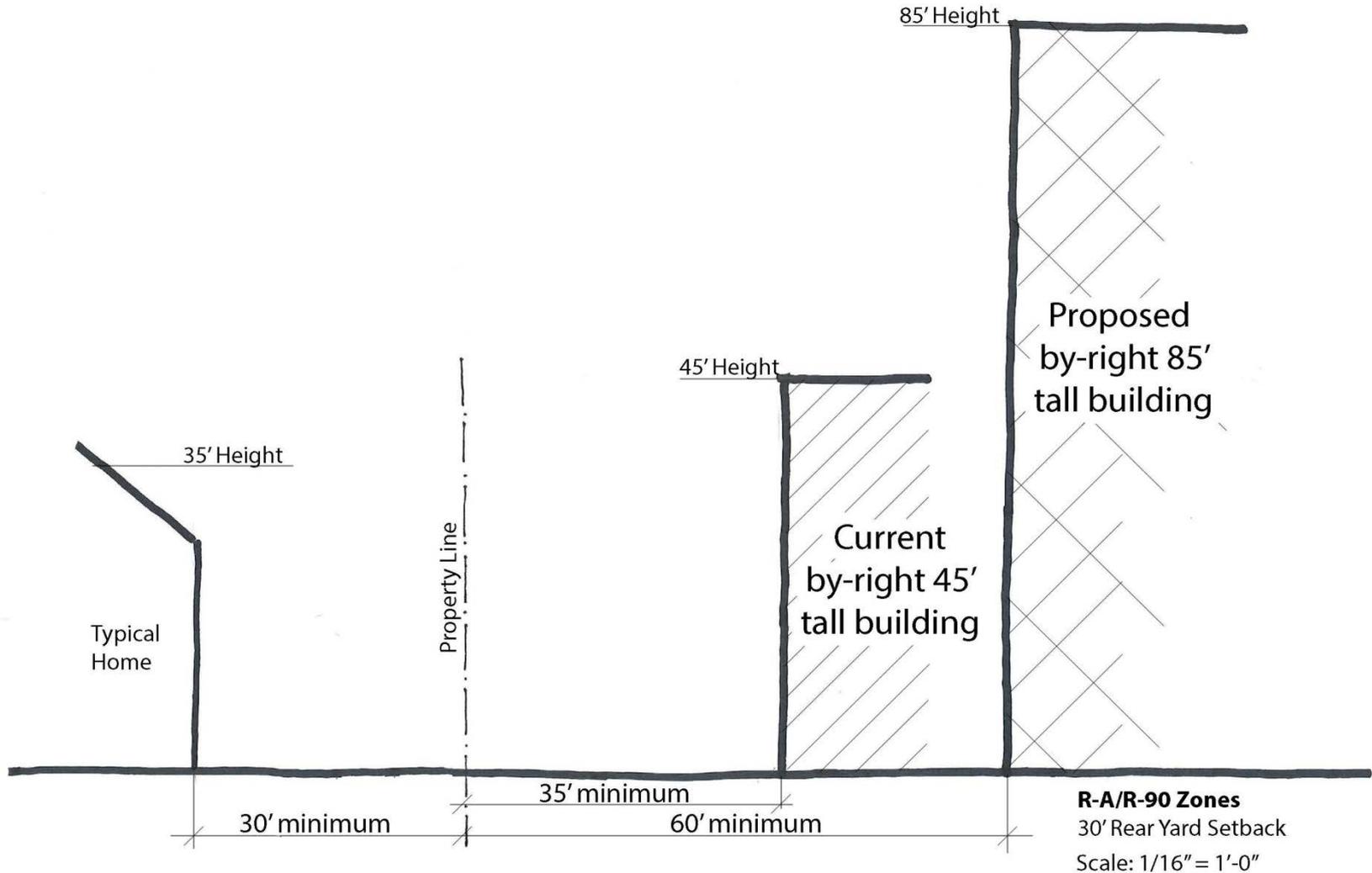
- Three facets of the Text Amendment:
 - ▣ Increase the maximum building height in the E-1 Zone from 45' to 85'.
 - ▣ Amend the setbacks
 - ▣ Housekeeping
- Because of cross-referencing, the amendment will also amend the E-2 Zone.

Proposed Text Amendment



* Additional setbacks required in R-18 and R-20 Zones for buildings over a certain height (35' in the R-18 Zone and 30' in the R-20 Zone).

Proposed Text Amendment



Proposed Text Amendment

Zone	Setback	Maximum Building to Building Distance
R-A	Rear Yard: 30 Feet Side Yard: 15 Feet	Rear Yard: 90 Feet Side Yard: 75 Feet
R-90	Rear Yard: 30 Feet Side Yard: 10 Feet	Rear Yard: 90 Feet Side Yard: 70 Feet
R-90C	20 Feet external boundary.	80 Feet
R-20	Rear Yard: 30 Feet Side Yard: 20 Feet <u>Townhouse development</u> Rear Yard: 20 Feet	Rear Yard: 90 Feet Side Yard: 80 Feet Rear Yard: 80 Feet
RP-T	20 Feet outside boundary line.	80 Feet
R-6	20 Feet outside boundary line.	80 Feet
R-18	20 Feet outside boundary line.	80 Feet

Proposed Text Amendment

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- Kaiser Permanente (655 Watkins Mill Road) – **83 feet** (6 stories), I-3 Zone
- 656 Quince Orchard Office Building – **94 feet** (7 stories), C-2 Zone
- MedImmune Area 6 – Great Seneca Highway -**106 feet** (7 Stories) a 20' mechanical penthouse is not included in the height of the building
- Washingtonian South – **108 feet** (8 stories), MXD Zone

Proposed Text Amendment

9

Kaiser Permanente (655 Watkins Mill Road) – **83 feet** (6 stories), I-3 Zone



Proposed Text Amendment

10

656 Quince Orchard Office Building – **94 feet** (7 stories), C-2 Zone



Proposed Text Amendment

11

MedImmune Area 6 – Great Seneca Highway - **106 feet** (7 Stories) a 20' mechanical penthouse is not included in the height of the building



Proposed Text Amendment

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Washingtonian South – **108 feet** (8 stories), MXD Zone

