
MEMORANDUM TO: Mayor and City Council and the Planning Commission

VIA: Tony Tomasello, City Manager
John Schlichting, Director of Planning and Code

FROM: Gregory Mann, Planner

DATE: July 21, 2014

SUBJECT: Preliminary Background Report
Z-4520-2014/SDP-4560-2014: Devlin Property

APPLICANT:

Gary Unterberg
Rogers Consulting, Inc.
19847 Century Blvd.
Suite 200
Germantown, Maryland 20874

OWNER:

Steve Eckert
Classic Community Corporation
8120 Woodmont Avenue
Suite 300
Bethesda, Maryland 20814

TAX MAP REFERENCE:

P21 – 09-00818644

REQUEST:

Applications Z-4520-2014¹ and SDP-4560-2014² have been filed requesting sketch plan and schematic development plan approval for the development of an approximately 3.23 acre parcel as a residential community consisting of 19 front load townhomes. The Subject Property is zoned MXD (Mixed Use Development) and is currently undeveloped.

LOCATION:

The subject property is located south and west of the Parklands at Watkins Mill Town Center development and north of the CSX Rail Line. The Property is located at 11506 Game Preserve Road, Parcel P21, in the City of Gaithersburg, Maryland, and is planned to be contiguous with the Parklands at Watkins Mill Town Center development.

Joint Hearing - MCC & PC
Z-4520-2014
Exhibit 18

Joint Hearing - MCC & PC
SDP-4560-2014
Exhibit 55

¹ Z-4520-2014 - Exhibit 1

² SDP-4560-2014 - Exhibit 1



Location Map

REQUIRED ACTIONS

Approval of Z-4520-2014/SDP-4560-2014, by the City Council is dependent upon the findings required under § 24-160D.10 of the City Code as follows:

(a) *The city council shall approve MXD zoning and the accompanying sketch plan only upon finding that:*

(1) The application meets or accomplishes the purposes, objectives, and minimum standards and requirements of the zone; and

(2) The application is in accord with recommendations in the applicable master plan for the area and is consistent with any special conditions or requirements contained in said master plan; and

(3) The application and sketch plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned areas and adjacent areas.

(b) *The city council shall approve a schematic development plan only upon the finding that:*

(1) The plan is substantially in accord with the approved sketch plan; and

(2) The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone, and other requirements of the City Code; and

(3) The plan is in accord with the area master plan and any accompanying special condition or requirements contained in said master plan for the area under consideration; and

(4) The plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned area and adjacent areas; and

(5) That existing or planned public facilities are adequate to service the proposed development contained in the plan; and

(6) That the development staging or phasing program is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and

(7) That the plan, if approved, would be in the public interest.

Therefore, the applicant has the burden of showing that these applications comply with the purpose and intent of the MXD Zone and also complies with the master plan. Additionally, evidence must be shown that the applications will be compatible and harmonious with the surrounding planned and existing land uses and will accomplish the objectives, minimum standards and requirements of the zone.

Chapter 22 - Trees and Forest Conservation – Tree Waiver

The implementation of the plan requires the removal of four trees with a diameter over 30 inches. Due to the size of some of the trees to be removed, the application is requesting a waiver pursuant to the provisions of § 22-12, Variance Provisions for removal of tree³. Pursuant to § 22-12b (c), the requirements for granting a variance are:

- (1) *Describe the special conditions peculiar to the property which would cause the hardship;*
- (2) *Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;*
- (3) *Verify that state water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance; and*
- (4) *Provide any other information appropriate to support the request.*

Chapter 19 - Streets and Sidewalks – Road Code Waiver

As part of this application, the applicant is requesting a waiver from § 19-14, Road Classification and Minimal Requirements⁴. The application is proposing to reduce the minimal pavement width of Caulfield Lane to match existing conditions found within the Parklands at Watkins Mill Town Center community.

ANNEXATION:

In 1968, the Mayor and City council by resolution R-8-68, annexed into the City the subject property as part of annexation X-095 which contained approximately 198 acres of land. At the time of annexation the property was zoned I-3 (Industrial Office Park) by resolution R-9-68.

MASTER PLAN AND ZONING HISTORY:

1997 Master Plan

The 1997 Master Plan recommended the subject property be rezoned from I-3 (Industrial Office Park) to MXD (Mixed Use Development). The 1997 Master Plan also recommended changing the subject properties land use designation from vacant-farm to commercial-industrial-research-office. The Master Plan states the following concerning the subject property (Parcel 21) as well as parts of Parcel 707 and 880:

“Development may occur only after West Watkins Mill Road is constructed over the CSX Rail Line. The maximum housing unit count on this 44 acre parcel for all dwellings will be 300 with 50 percent being single-family detached and 50 percent single-family attached equaling 7 units per acre.”

³ SDP-4560-2014 - Exhibit 43

⁴ SDP-4560-2014 - Exhibit 36 & 44

Z-278

On April 1, 1996, the Mayor and City Council adopted ordinance O-5-96, approving Comprehensive Map Amendment Application Z-278, which reclassified and confirmed zoning for Neighborhood Five. The subject property was part of the aforementioned Map Amendment rezoning the property from I-3 (Industrial Office Park) to MXD (Mixed Use Development), and reclassifying the properties* land use designation to commercial-industrial-research-office. As was customary in previous City sponsored comprehensive rezoning applications, a sketch plan was not submitted.

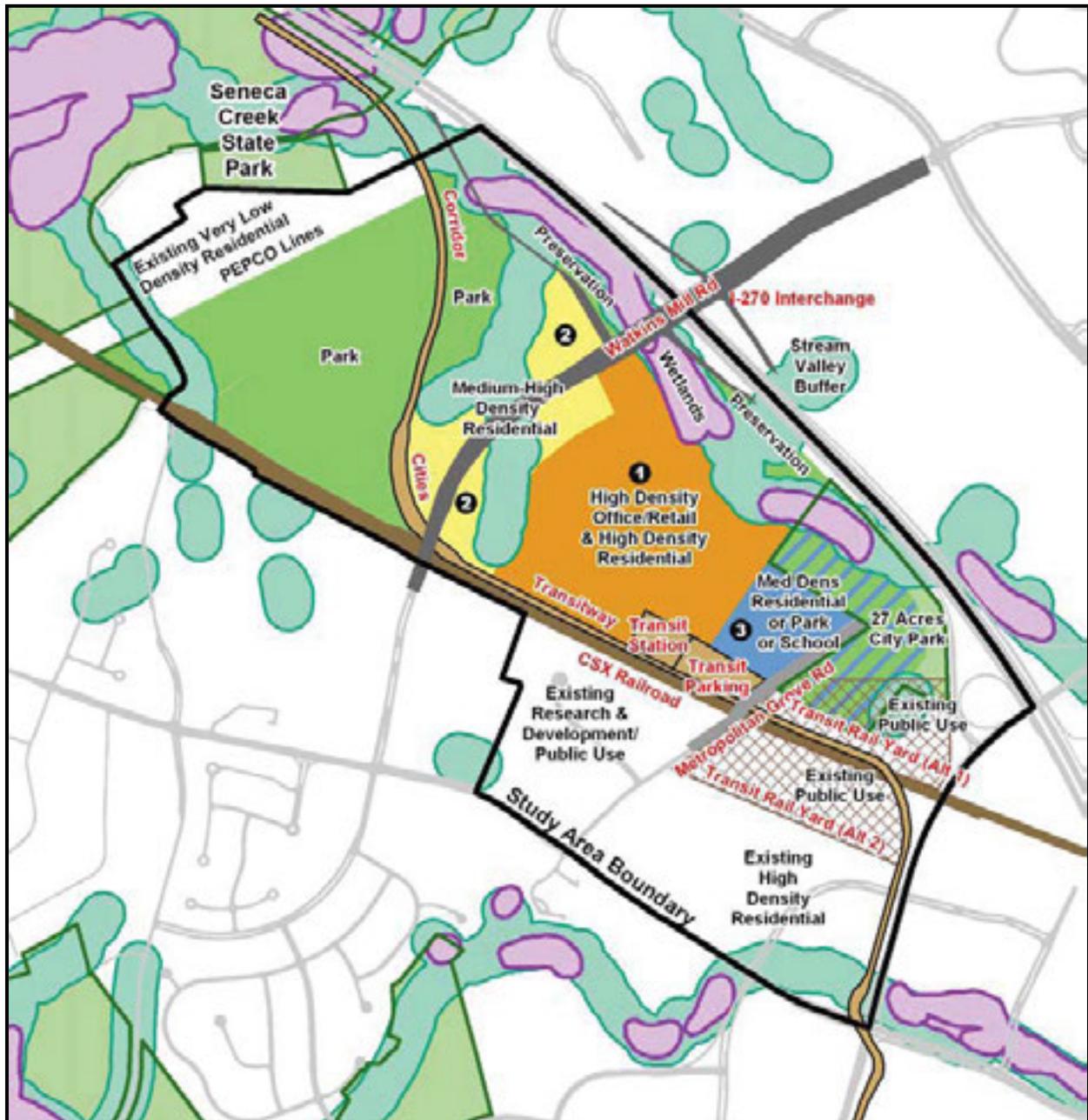
2003 Master Plan⁵

The subject property was included in the 2003 Master Plan under the Special Study Area 7 of the City's Land Use Element of the Master Plan. The property was part of the Northern Properties in the Master Plan. The Special Study area proposed three Land Use Options for the Northern Properties:

1. **Option A: Office with a Commercial Component**
Designate as office-commercial with a zoning classification to MXD.
2. **Option B: Private Arts, Entertainment and Education Center**
Designate as recreational-institutional-commercial with zoning classification of MXD.
3. **Option C: Mixed Use Office-Residential with a Commercial Component**
Retain as mixed use residential-office-commercial with a zoning classification of MXD.

In 2005, the approval and development of SDP-05-002 utilized Option C of the 2003 Master Plan for the Watkins Mill Town Center. In all three options, the subject property is designated as park. However, the proposed development is similar to the approved 2005 Watkins Mill Schematic Development Plan, SDP-05-002. The approval of the aforementioned Schematic Development Plan granted preliminary site plan approval for residential development west of the corridor cities transit way (CCT), in the area recommended as park in the 2003 Master Plan.

⁵ SDP-4560-2014 – Exhibit 49



Option C: Mixed Use Office-Residential with a Commercial Component

The 2003 Master Plan also has the following special conditions that apply to all three development options for the northern properties of Special Study Area7:

1. *The areas designated as “Park” are to be preserved, as much as possible, in their present condition and that any such development that may be permitted to occur shall limit the amount of disturbance and protect the environment.*
2. *The Development Staging and Phasing, Transportation Improvements, Staging Objectives and Project Goals, and Development Assumptions sections as stipulated above on pages 122-126 of the Casey-Metropolitan Grove Road Special Study Area shall be part of the staging and phasing of any development proposed for this study area, regardless of the land use option chosen.*
3. *The staging, phasing and density of development are to be determined by the Mayor and City Council during the Schematic Development Plan process in accordance with the nine adopted Master Plan Themes.*
4. *The implementation of staging elements for this study area will be controlled by the approval process for the Mixed Use Development (MXD) Zone through the schematic development plan (SDP) approval process.*
5. *Phasing of development and the total square footage and number of housing units for each phase will be determined in accordance with the adopted Master Plan Themes and will not be approved until a traffic impact study is submitted and its conclusions acceptable to the City and its traffic engineer. Development which generates 50 or more peak hour trips will not be approved if it is found that unacceptable critical lane volumes of 1,450 exist at nearby critical intersections (taking into account existing and programmed transportation improvements), unless the developer makes transportation improvements and employs any approved traffic mitigation techniques or public improvements are progressed for construction with public funds committed to such construction that would improve the existing Level of Service (LOS). However, simply meeting the critical lane volume standard of 1,450 does not guarantee that additional improvements cannot be required. The traffic impact study should be prepared utilizing: (1) the standard ITE trip generation rates, (2) local trip distribution patterns based on good traffic engineering practices, and (3) the Critical Lane Analysis method to determine acceptable levels of service or any other method readily acceptable. Additional information may be required during the course of review of any proposed plan for the area.*

2009 Master Plan

The subject property was not included as a specific map designation in the 2009 Master Plan. Consequently, the property is regulated by the 2003 Master Plan.

SURROUNDING LAND USE/PHYSICAL CHARACTERISTICS:

The subject property is an obtuse isosceles triangle site, which is bounded on the west by an undeveloped park, owned by the City of Gaithersburg, to the north and east by the Parklands at Watkins Mill Town Center development, and to the south by the CSX Rail Line. The properties to the north, east, and west are zoned Mixed Use Development (MXD). The subject site also contains a remnant of an old road, which crosses the property running east to west and terminating at the low point of the site in the western corner.

The development of the Parklands development west of the dedicated corridor cities transit way (CCT) was approved as part of Final Site Plan SP-05-002. This section of the Parklands development is approved for 23 single family detached dwellings. Currently, the developer is submitted building permits for the aforementioned section of the Parklands development.

As part of this application the applicant has submitted a previously approved Natural Resources Inventory (NRI) and Forest Stand Delineation (FSD) report⁶, which was approved by the City of Gaithersburg on October 18, 2013. Currently the 3.23± acre property is undeveloped forest and consists of predominately upland hardwood species. The submitted NRI specified nine specimen trees on the property with a diameter of 30 inches or greater. The applicant has submitted a tree variance request to remove four of the aforementioned trees. Of the four trees requesting to be removed, three are in poor condition and one is in fair condition.

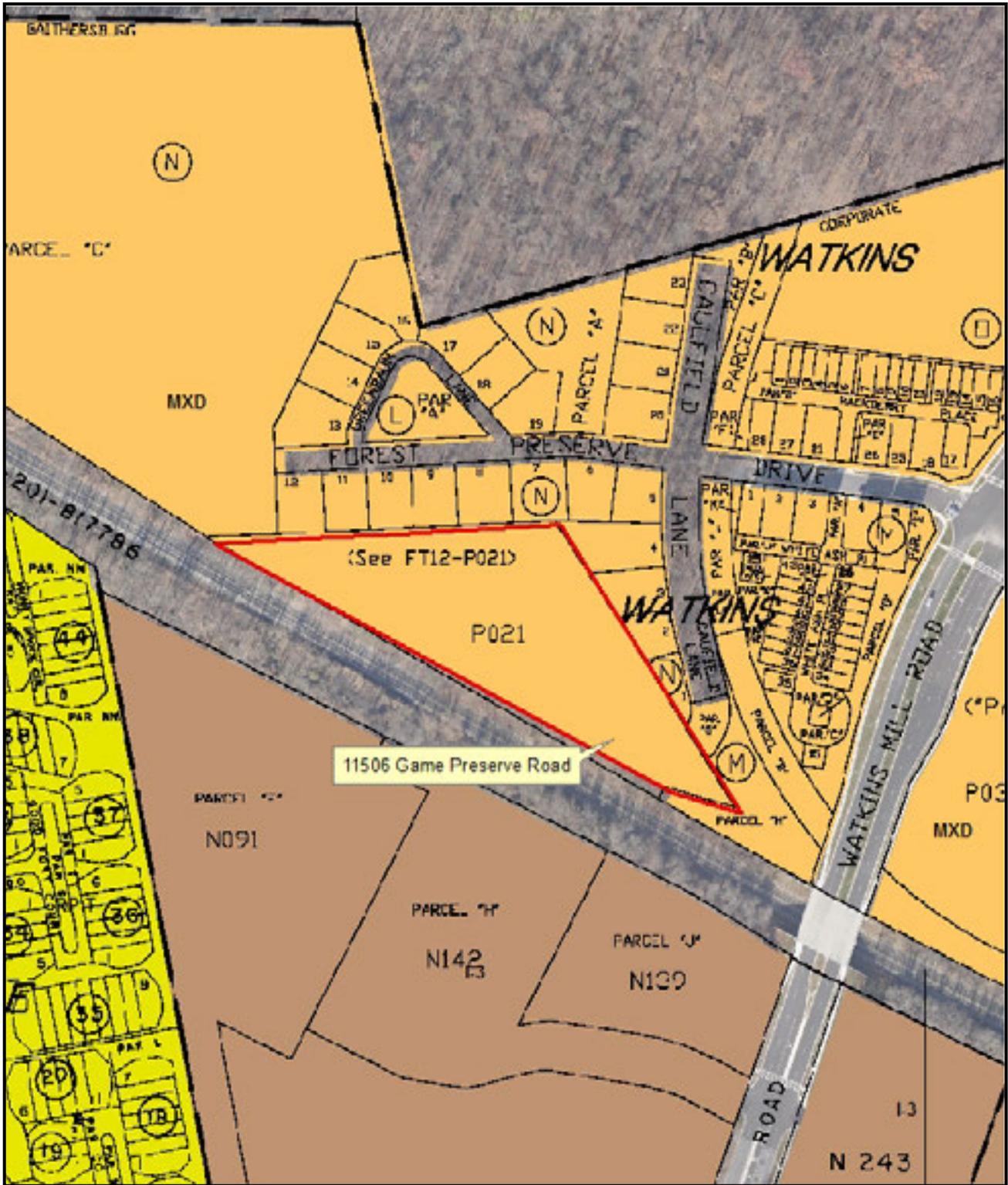
There are no rare, threatened, or endangered species observed, identified or known to occur on the property. Additionally, there is no floodplain, wetlands, cultural or historic features on the subject site.

The Natural Resources Inventory (NRI) and Forest Stand Delineation (FSD) report submitted as part of Z-4520-2014⁷ and SDP-4560-2014⁸ goes into further detail regarding the site.

⁶ Z-4520-2014 – Exhibit 3; SDP-4560-2014 – Exhibit 8

⁷ Z-4520-2014 - Exhibit 3

⁸ SDP-4560-2014 – Exhibit 8



Zoning Map

Z-4520-2014 SKETCH PLAN

The proposed sketch plan, Z-4520-2014, requests approval for 17 to 20 single family attached units on 2.4± acres of land to be completed in one phase. The property is currently zoned Mixed Use Development (MXD). The intended use of the site is single family attached residential, with a proposed maximum building height of 50 feet (4 stories). The total breakdown of the subject property is as follows:

2.4 Acres Residential (Single Family Attached)
.78 Acres Open Spaces Right of Way
Proposed Sketch Plan – Z-4520-2014



Proposed Sketch Plan – Z-4520-2014

SDP-4560-2014 SCHEMATIC DEVELOPMENT PLAN⁹

The proposed schematic development plan, SDP-4560-2014, requests preliminary site plan approval for 19 townhouse units on an approximately 3.12 acre site. The property is located south and west of the Parklands at Watkins Mill Town Center development, and will be contiguous with the Parklands community. The proposal will connect to the existing Parklands at Watkins Mill Town Center development by continuing Caulfield Lane through the proposed residential development and intersecting it into Forest Preserve Lane.

⁹ SDP-4560-2014 – Exhibit 1

A vital component of the development is the connectivity of the subject development with the existing Parklands development. This connection requires approximately .13 acres of City Land, P 880, to be sold as surplus land to the applicant. The aforementioned land was designated as a passive park as part of approval of Final Site Plan, SP-05-0013. The applicant will be required to obtain the required .13± acres of land through the surplus land process prior to Final Site Plan approval.



Proposed Schematic Development Plan – SDP-4560-2014

PUBLIC FACILITIES:

Traffic Impacts

On March 14, 2014, the applicant submitted a Traffic Impact Analysis (TIA)¹⁰, TRF-4631-2014, in conjunction with SDP-4560-2014. The application is proposed to connect to the adjacent Parklands at Watkins Mill Town Center development by continuing Caulfield Lane, from Parklands, through the Devlin Property and intersecting it into Forest Preserve Lane. Based upon the amount of traffic generated by the proposed plan, a finding of adequacy was made for the proposed development. Therefore, the site complies with the requirements for the Adequate Public Facilities requirements for Traffic Impacts (§ 24-245)¹¹.

¹⁰ SDP-4560-2014 - Exhibit 14A and 14B

¹¹ SDP-4560-2014 – Exhibit 50

Adequacy of School Capacity

The proposed development is located within the Quince Orchard cluster of the Montgomery County Public School (MCPS) system. Within this cluster, the schools that currently serve the proposed development are Quince Orchard High School, Lakelands Middle School, and Brown Station Elementary School.

The Adequate Public Facilities Ordinance, § 24-246, states,

“With the exception of age restricted development, schematic development plan or preliminary site plan for residential development shall not be approved if the subject property is within the attendance area of a Montgomery County Public School that is forecasted to have a student population that exceeds one hundred ten (110) percent of Montgomery County Public Schools program capacity five (5) years in the future...”

None of the schools within this cluster that serve the proposed development currently exceed 110% of capacity five years in the future. As referenced in the applicants statement¹², the proposed development complies with the school test of the Adequate Public Facilities Ordinance (§ 24-246).

Water and Sewer Services and Public Utilities

The subject property will be served by water and sewer with the extension of existing utilities found at the Parklands at Watkins Mill Town Center development. As such, the property has W-1 and S-1 category designations. As referenced in the applicants statement¹³, the application complies with the requirements of the City’s Adequate Public Facility Ordinance (APFO) for water and sewer (§ 24-247).

Fire and Emergency Services

The subject property is located within a ten-minute response time of three fire stations: the Gaithersburg/Washington Grove Fire Station 8 (Montgomery Village Avenue), Rockville (Darnestown) Station 31, and the Germantown (Kingsview) Station 22. Therefore, as referenced in the applicants statement¹⁴, the site complies with the requirements for the Adequate Public Facilities requirements for Emergency Services (§ 24-248).

¹² SDP-4560-2014 – Exhibit 10

¹³ SDP-4560-2014 – Exhibit 10

¹⁴ SDP-4560-2014 – Exhibit 10

Road Code Waiver Request¹⁵

As part of this application, the applicant has submitted a road code waiver request¹⁶ to reduce the minimal pavement width for Caulfield Lane. The applicant requests a waiver from the road code in order to match existing conditions found within the previously approved Parklands at Watkins Mill Town Center Development. The requested width for Caulfield Lane is proposed to be consistent with Forest Preserve Road. The road code waiver was reviewed by both the City of Gaithersburg Engineering Services Division Chief and the Fire Marshal¹⁷.

Caulfield Lane without parking

ROAD SECTION DESIGN REQUIREMENTS	PROPOSED	REQUIRED (RESIDENTIAL TERTIARY)
MIN. R.O.W. WIDTH	40'	27.4'
MIN. PAVEMENT WIDTH	23'	26'
MIN. SIDE WIDTH	7'	N/A
MIN. MEDIAN WIDTH	N/A	N/A
MIN. C/L RADIUS	51.5'	100'
CURB AND GUTTER	YES	YES
SIDEWALK	YES (5')	YES
PARKING	No	N/A

Caulfield Lane with parking

ROAD SECTION DESIGN REQUIREMENTS	PROPOSED	REQUIRED (RESIDENTIAL TERTIARY)
MIN. R.O.W. WIDTH	40'	27.4'
MIN. PAVEMENT WIDTH	27.5'	26'
MIN. SIDE WIDTH	7'	N/A
MIN. MEDIAN WIDTH	N/A	N/A
MIN. C/L RADIUS	51.5'	100'
CURB AND GUTTER	YES	YES
SIDEWALK	YES (5')	YES
PARKING	YES	N/A

¹⁵ SDP-4560-2014 - Exhibit 15

¹⁶ SDP-4560-2014 - Exhibit 36 & 44

¹⁷ SDP-4560-2014 - Exhibit 45 & 46

Parking

The applicant is proposing to facilitate parking with on street parking, driveways and integral garages. Each townhouse will contain a two car garage and two driveway spaces. The City of Gaithersburg Parking Ordinance requires 2.5 spaces per townhouse, for a total of 48 spaces required on site. The applicant is proposing a total of 71 parking spaces; 23 spaces over the required 48 spaces. The applicant is counting garage spaces as one-half of a parking spaces, pursuant to § 24-219 of the City of Gaithersburg Parking Ordinance.

Tree Waiver Request

As stated earlier, the applicant has submitted a tree waiver request to remove four specimen trees to facilitate the development of the site. Of the four specimen trees proposed to be removed, three are in poor condition and one is in fair condition. The applicant has submitted a tree waiver request and justification letter¹⁸.

Sound Analysis

As part of this application, the applicant has submitted a noise and vibration study. The study determined the future day-night average noise level and evaluated the effect of a proposed noise wall.

As referenced in the noise study, with a noise barrier 6 of the 19 proposed residences are have a decidable level above 65 compared to 14 without. As recommended by Staff, the applicant has provided a noise wall located at the closest locations to the CSX railway. The applicant will be required to maintain noise levels in residencies lower than 45 decidable.

Green Space

The applicant has submitted a green space plan pursuant to the requirements of § 24-160D.9.(b)¹⁹. Section 24-160D.6.(a) states,

“The amount of green area, including designated parks, public and private open space, active and passive recreational areas, required for the residential portion of a mixed use development shall be not less than forty (40) percent of the total area shown for residential use.”

The applicant is providing 61% green space on the subject property.

¹⁸ SDP-4560-2014 – Exhibit 43

¹⁹ SDP-4560-2014 – Exhibit 37

Utility Plan

As a requirement of this application, the applicant has submitted a preliminary utility plan²⁰. The preliminary utility plan has been submitted and reviewed by the utility companies. Staff has requested that the applicant provide letters of preliminary approval prior to the closing of the Planning Commission record. WSSC provided comments²¹ and the applicant is currently working on a response.

Affordable Housing

The application is proposing less than 20 new units on the subject property. Pursuant to § 24-251, *“the requirements of this chapter shall apply to any new residential development or redevelopment that includes twenty (20) or more dwelling units.”* Since the applicant is proposing 19 units, the development is exempt from affordable housing requirements.

Architecture

In accordance with the requirement for the submission of a Schematic Development Plan, § 24-160D.9.(b), the applicant has submitted preliminary architecture elevations for a standard stick of Townhouses²². The project is proposing to be annexed into the Parklands Homeowners Association and be governed by the same Design Guidelines document approved for the Parklands development as part of SDP-05-0013. The architecture of the townhouses is proposed to be comparable in design to existing townhouses in the Parklands development.



Preliminary Architecture

²⁰ SDP-4560-2014 – Exhibit 42

²¹ SDP-4560-2014 - Exhibit 47

²² SDP-4560-2014 – Exhibit 39

Stormwater Management

In accordance with the requirement for the submission of a Schematic Development Plan, Section 24-160D.9.(b), the applicant has submitted a concept and preliminary stormwater management plan (SWM-4614-2014, SWM-4615-2014, SEC-4618-2014). The City of Gaithersburg, Department of Public Works, has approved both the concept and preliminary stormwater management plans²³.

SUMMARY:

The applicant has submitted for consideration sketch plan application Z-4520-2014 and subsequent schematic development plan application SDP-4560-2014. This is a complete application as defined by § 24-160D.9.(b) Application for Schematic Development Plan Approval of the City Code. A joint public hearing with the Mayor & City Council and the Planning Commission has been scheduled for July 21, 2014.

Because this is the initial public hearing and staff continues to complete their analysis of the proposed project, no formal recommendation is provided at this time. A recommendation will be provided by staff prior to the Planning Commission recommendation discussion. That being said, staff has identified the following points of interest for the Council's consideration which should be considered in more depth:

1. Staff supports the development of approximately .13 acres of city land, P 880, to create a connection to adjoining properties within the Parklands development. This improvement will help to create an integrated development that is contiguous with the Parklands development. The applicant will be coming back to the Mayor and City Council to obtain the required .13± acres through the surplus land process prior to Final Site Plan approval.
2. Preliminary letters of approval from the utility companies should be provided to the City prior to Planning Commission recommendation.
3. A final noise study should be provided to Staff prior to Planning Commission recommendation.

²³ Z-4520-2014 – Exhibit 17; SDP-4560-2014 – Exhibit 48

Devlin Property

At Watkins Mill Town Center

Joint Hearing - MCC & PC
Z-4520-2014
Exhibit 19

Joint Hearing - MCC & PC
SDP-4560-2014
Exhibit 56





PARKLAND'S
Community Center

Park View



COMMUNITY
BUILDING

4' 6"





105

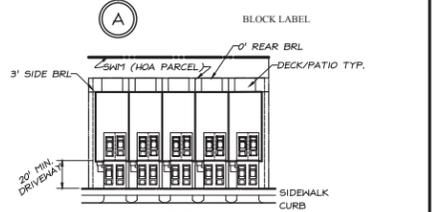
PRELIMINARY NOT FOR CONSTRUCTION



VICINITY MAP - 1" = 2000'



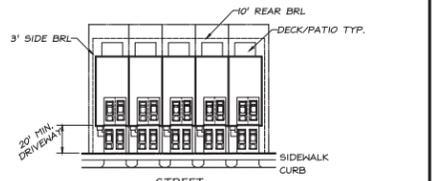
- LEGEND**
- EXISTING TOPOGRAPHY
 - WETLANDS
 - WETLANDS BUFFER
 - 100 YEAR FLOODPLAIN
 - FLOODPLAIN RESERVATION
 - STREAM VALLEY BUFFER
 - PROPOSED SIDEWALK
 - RETAINING WALL
 - LIMITS OF DISTURBANCE
 - EXISTING TREE LINE
 - PROPOSED TREE LINE
 - PROPOSED WATER
 - PROPOSED SEWER
 - PROPOSED STORM DRAIN
 - # OF PARKING SPACES



TYPICAL LOT LAYOUT - LOTS 1-5

NTS

TOWNHOUSES
 19 UNITS
 PARKING REQUIRED: 2.5/UNIT = 48 REQ.
 NET ON LOT PARKING PROVIDED: 3/UNIT
 1 GARAGE PER UNIT: 19
 2 DRIVEWAY PER UNIT: 38
 ON STREET: 14
 TOTAL PROVIDED: 71
 GROSS PARKING PROVIDED: 3.7/UNIT



TYPICAL LOT LAYOUT - LOTS 6-19

NTS

TOWNHOUSES
 19 UNITS
 PARKING REQUIRED: 2.5/UNIT = 48 REQ.
 NET ON LOT PARKING PROVIDED: 3/UNIT
 1 GARAGE PER UNIT: 19
 2 DRIVEWAY PER UNIT: 38
 ON STREET: 14
 TOTAL PROVIDED: 71
 GROSS PARKING PROVIDED: 3.7/UNIT

CITY OF GAITHERSBURG
 DEPARTMENT OF PUBLIC WORKS
FINAL APPROVAL
 APPLICATION NO. _____
 DATE: _____

CITY OF GAITHERSBURG MAYOR & COUNCIL
 31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877
SCHEMATIC DEVELOPMENT PLAN APPROVAL
 AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND CITY COUNCIL HELD ON _____ WAS GRANTED
 APPLICATION NO. _____
 SCHEMATIC DEVELOPMENT PLAN APPROVAL
 BY RESOLUTION _____ WITH _____ CONDITIONS.
 DATE: _____

NOTE: ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE MAYOR & CITY COUNCIL.

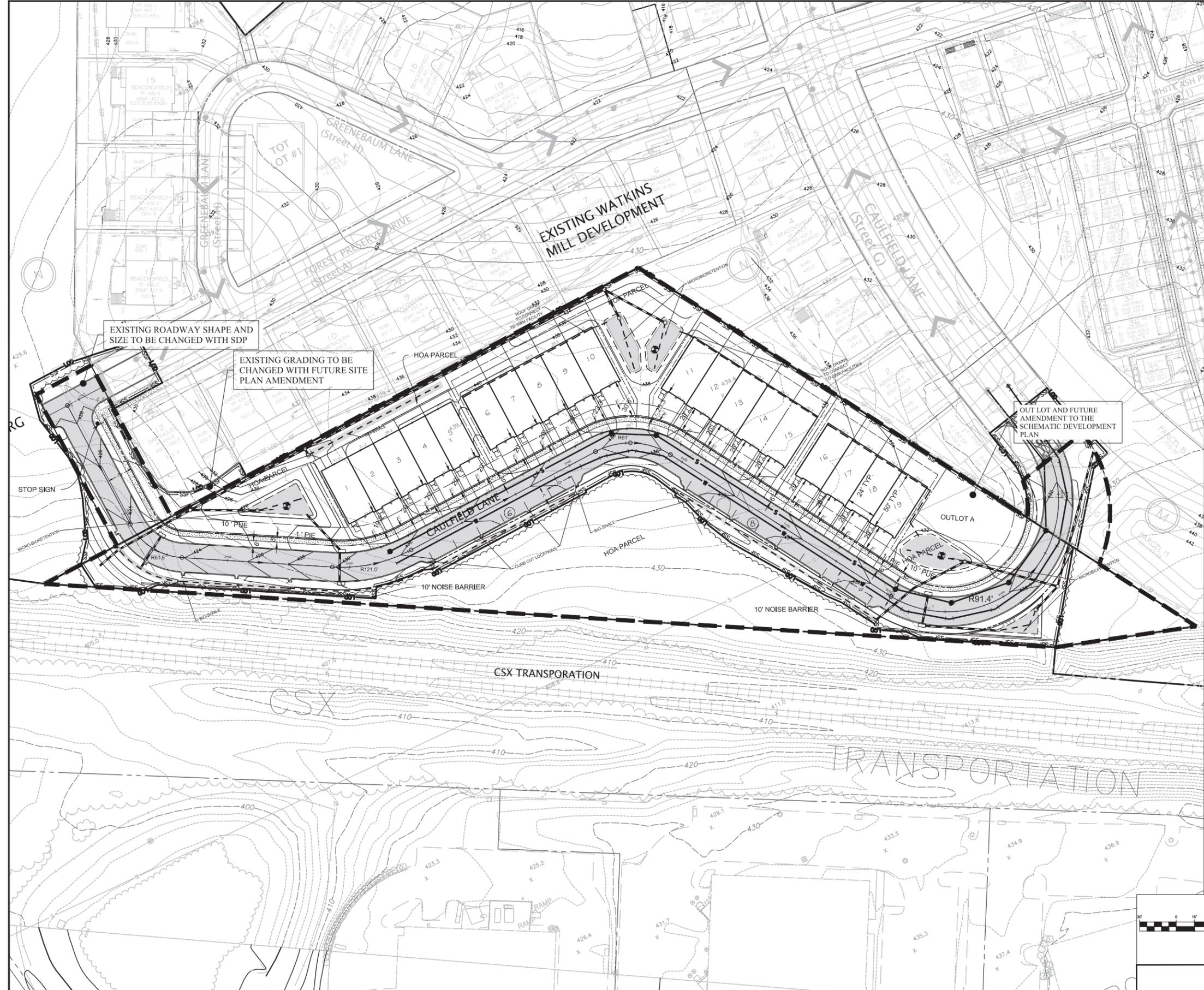


SCHEMATIC DEVELOPMENT PLAN

DEVLIN PROPERTY

City of Gaithersburg
9th election district
Montgomery County, Maryland

SCALE: 1" = 30'
 JOB No. 1137B
 DATE: 1/20/14
 SHEET No. 2 of 11



REVISION	DATE	REVISION	DATE	REVISION	DATE
				REVISED FOR COMMENTS	6/20/14

OWNERS/CONTRACT PURCHASER:
 CLASSIC COMMUNITY CORPORATION
 8120 WOODMONT AVENUE, SUITE 300
 BETHESDA, MD 20814
 PHONE: (301) 913-0404
 FAX: (301) 913-5482
 CONTACT: STEVE ECKERT

SCHEMATIC DEVELOPMENT PLAN

RODGERS CONSULTING
 Enhancing the value of land assets

Rodgers Consulting, Inc.
 19847 Century Blvd., Suite 200
 Germantown, MD 20874
 301.948.4700
 301.948.6256 (fax)
 301.253.6609
 www.rodgers.com

BASE DATA	BY	DATE
DESIGNED		
DRAWN		
REVIEWED		
RODGERS CONTACT:		
RELEASE FOR		
BY _____	DATE _____	





GREENBAUM LANE
(Street H)

GREENBAUM LANE
(Street H)

FOREST PRESERVE DRIVE
(Street A)

GAULFIELD LANE
(Street C)

FOREST PRESERVE DRIVE
(Street A)

WHITE ASH PLACE
(LANE 11)

LANE

- | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|---|---|---|---|---|---|---|---|---|----|

- | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|---|---|---|---|---|---|---|---|---|



City of Gaithersburg

31 South Summit Avenue
Gaithersburg, Maryland 20877

Mayor and City Council Regular Session Minutes City Hall - Council Chambers Monday, July 21, 2014

I. CALL TO ORDER

A Mayor and City Council Regular Session was called to order at 7:30 p.m. with Mayor Katz presiding. Council Members present: Ashman, Drzyzgula, Marraffa, Sesma, and Spiegel. Planning Commission present: Bauer, Coratola, and Lanier. Commission Members absent: Hopkins, Kaufman, and Winborne. Staff present: City Manager Tomasello, Assistant City Manager Enslinger, City Attorney Board, Economic and Business Development Director Lonergan, Planning and Code Administration Director Schlichting, Public Works Director Johnson, Planner I Mann, Recreation and Park Services Division Chief McGuire, Administrative Assistant II Coupé, and Municipal Clerk Stokes.

II. PLEDGE OF ALLEGIANCE

The Pledge was led by Gary Unterberg from Rogers Consulting.

III. INVOCATION

In lieu of a formal invocation, Mayor Katz called for a moment of silence.

IV. APPROVAL OF MINUTES

A. On-Site Work Session held June 30, 2014

Motion was made by Jud Ashman, seconded by Michael Sesma, that minutes from the on-site work session held June 30, 2014, be approved.

Vote: 5-0

B. Regular Session held July 7, 2014

Motion was made by Cathy Drzyzgula, seconded by Henry Marraffa, that minutes from the regular session held July 7, 2014, be approved.

Vote: 5-0

Joint Hearing - MCC & PC
Z-4520-2014
Exhibit 20

Joint Hearing - MCC & PC
SDP-4560-2014
Exhibit 57

V. CONSENT

A. Resolution of the Mayor and City Council Approving Services Provided by Montgomery County Public Schools for the Community Use of Public Facilities and Bus Transportation

This resolution approved the use of services provided by Montgomery County Public Schools for FY15 in the amount of Twenty-Nine Thousand Dollars (\$29,000) for bus transportation and One Hundred Twenty Thousand Seven Hundred Forty-Five Dollars (\$120,745); said funds to be expended from the Operating Budget.

B. Resolution of the Mayor and City Council Authorizing the City Manager to Enter Into a Contract to Purchase City Sports Programs and Activities

This resolution authorized the City Manager to award a contract to purchase apparel for City sports programs and activities to Cum Shaw Inc., 14672 Rothgeb Drive, Rockville, Maryland 20850, in the amount of Sixty-Four Thousand Eight Hundred Eighty-Four Dollars (\$64,884); said funds to be expended from the Operating Budget.

C. Resolution of the Mayor and City Council Authorizing the City Manager to Enter into a Contract for the Upcounty Senior Center Renovation and Addition Project

This resolution authorized the City Manager to award a contract for the Upcounty Senior Center Renovation and Addition Project to HBW Group, Inc., 1055 First Street, Suite 200, Rockville, Maryland 20850, in the amount of Six Hundred Forty-Nine Thousand Twenty Dollars (\$649,020), with an additional contingency of Thirty-Two Thousand Four Hundred Fifty-One Dollars (\$32,451); said funds to be expended from the Capital Improvements Budget.

Motion was made by Michael Sesma, seconded by Ryan Spiegel, that the Consent items (Resolution Nos. R-43-14 through R-45-14), be approved.

Vote: 5-0

VI. APPOINTMENTS

A. Resolution of the City Council Confirming an Appointment and Additional Position by the Mayor to the Olde Towne Park Plaza Design Ad Hoc Committee

This resolution confirmed the appointment of Jef Fuller (resident, business owner or property owner), 201 East Diamond Avenue, 20877, indefinite term.

Motion was made by Cathy Drzyzgula, seconded by Jud Ashman, that a Resolution of the City Council Confirming an Appointment and Additional Position by the Mayor to the Olde Towne Park Plaza Design Ad Hoc Committee (Resolution No. R-46-14), be approved.

Vote: 5-0

B. Resolution of the City Council Confirming Appointments and Reappointments by the Mayor to the Economic and Business Development Committee, Environmental Affairs Committee, Multicultural Affairs Committee, Olde Towne Advisory Committee and Olde Towne Park Plaza Design Ad Hoc Committee

This resolution confirmed the following: Economic and Business Development Committee, Tony Salah (appointment), 656 Quince Orchard Road, Suite 700, 20878 and Scott Friedman (reappointment), 866 Still Creek Lane, 20878, two-year terms; Environmental Affairs Committee, Doug Wolf (reappointment), 44 Beacon Hill Court, 20878, two-year term; Multicultural Affairs Committee, Masooda Shairzad (appointment), 7100 Needwood Road, 20855, two-year term; Olde Towne Park Plaza Design Ad Hoc Committee, Trudy Schwarz (appointment - Department of Planning and Code Administration representative), 31 South Summit Avenue, 20877, indefinite term; and the Olde Towne Advisory Committee, Linda Hanson (reappointment), 12513 Fostoria Way, 20878, two-year term.

Motion was made by Michael Sesma, seconded by Jud Ashman, that a Resolution of the City Council Confirming Appointments and Reappointments by the Mayor to the Economic and Business Development Committee, Environmental Affairs Committee, Multicultural Affairs Committee, Olde Towne Advisory Committee and Olde Towne Park Plaza Design Ad Hoc Committee (Resolution No. R-47-14), be approved.

Vote: 5-0

VII. PRESENTATIONS

A. Introduction of New Employee

Assistant City Manager Enslinger introduced the new Facilities and Capital Projects Division Chief Ronald Kackmarek. Mr. Kackmarek joined the City on July 7, 2014. He has over 20 years of experience in facilities and managing Capital Projects. For the last five (5) years, he served as the Director of Public Works for the Federal Government at Joint Base Myer-Henderson Hall in Arlington, Virginia.

B. APFO Impacts for the 2015-2030 MCPS Capital Budget and Capital Improvements Program

Planning and Code Administration Director Schlichting presented the Adequate Public Facilities Ordinance (APFO) impacts for the 2015-2030 Montgomery County Public Schools Capital Budget and Capital Improvements Program. Stated that the City will conduct a capacity study that will compare the cost of constructing a new elementary school versus constructing classroom additions at several schools. Possible actions include boundary changes, site selection, or other strategies to relieve overutilization within the cluster will follow the study. Relocatable classrooms will be utilized until additional capacity can be added.

Space for students was questioned if portables are removed and staff responded that classroom space would become available with the decrease of students from higher grades. Concerns were expressed with the County looking at cluster capacity rather than school capacity and the numbers in the study reflecting schools under capacity one year and over capacity the next. Several agreed that

coordination between the County and Board of Education is necessary and mentioned that change is needed for capacity reviews and funding for renovations and staffing. Concurred that all involved have to find a balance between fostering growth within the City and protect the quality of life for residents and students. Staff was directed to provide additional feedback and provide an opportunity to receive input from residents. It was noted that the City has had an APFO since 2007 and today, several schools are 40% over capacity.

VIII. PUBLIC COMMENTS

1. *Joe Allen, 641 B Main Street*, stated that the projections for Rachel Carson are off and asked that the school be included in the capacity study due to pending development. Council Member Ashman responded that Rachel Carson had been on the CIP Budget study in the past, but due to the community's reaction concerning boundary issues, the school was taken off the list.
2. *Ken Richter, 241 Parkview Avenue*, expressed safety concerns with railroad crossings and requested any information about slowing the speed of trains. Stated that the community was unaware of an Arts in Public Places Committee meeting where a piece of artwork was approved. Questioned whether there was an appeal process. Requested that there be improved communications between residents and the property management company. Staff was directed to respond to Mr. Richter about the art selection process and community involvement.

IX. CONSOLIDATED JOINT PUBLIC HEARING (A&B)

- A. **Z-4520-2014 - Devlin Property, an Application Requesting Approval of Sketch Plan for 3.23 Acres of Land in the MXD (Mixed Use Development) Zone, in Conjunction with Schematic Development Plan SDP-4560-2014. The Applicant Requests Approval for 17 to 20 Single Family Attached Units on 2.4+ Acres of Land. The Subject Property is Located South and West of the Parklands at Watkins Mill Town Center Development and North of the CSX Rail Line, 11506 Game Preserve Road, Parcel P21, in the City of Gaithersburg, Maryland.**

Planner Mann presented the subject property, along with Steve Eckert from Classic Community Corporation and Gary Unterberg from Rogers Consulting, located south and west of the Parklands at Watkins Mill Town Center development and north of the CSX Rail Line. The property is located at 11506 Game Preserve Road, Parcel P21, in the City of Gaithersburg, Maryland, and is planned to be contiguous with the Parklands at Watkins Mill Town Center development. The subject property is zoned MXD (Mixed Use Development) and is currently undeveloped. Both hearings were duly advertised July 2 and 9, 2014 in the *Gaithersburg Gazette*, and the property properly posted. Mr. Unterberg showed a rendering of Watkins Mill Town Center and focused on the Devlin property site. He stated that there are nineteen (19) front load townhomes proposed with a ten (10) foot noise wall, but no noise wall in the tree save area. Mentioned that future connections were established in the sketch plan and SDP from Caulfield Lane to the Devlin Property through Forest Preserve Road which would require park property. The applicant is requesting a road code waiver consistent with previous approvals and a tree variance request. The project will be annexed into the Parklands Homeowners Association and subjected to the Design Guidelines approved for the Parklands Development.

Planning and Code Administration Director Schlichting added that the noise study will be completed by the end of August. Staff is suggesting that the record be held open two weeks after the completion of the noise study to allow for review and public comment.

Planning Commission Chair Bauer questioned noise mitigation regarding upgraded window treatments and brick siding. Mr. Eckert stated that there are two standards for noise mitigation; sixty-five (65) decibels or less outside and forty-five (45) decibels or less inside. It was noted that the standard is used by the County.

Council Member Drzyzgula suggested having less parking at the pinch point to create a larger buffer for noise. Questioned whether there would be decks on the proposed townhomes and would they be affected by noise. Staff responded that the townhomes would be an additional noise barrier on top of what is already proposed. She inquired about the current Homeowners Association (HOA). Staff responded that the developer has had discussions with the HOA for the Parklands to take over for a designated period of time. After that time period, it will be handed over to the residents.

Council Member Ashman questioned the park property proposed to be used for the project. Staff responded that a surplus land process was originally considered. Upon further review, the decision was made to use a temporary construction easement to allow the land to be built and not have to dedicate the road back to the applicant and no money exchanged. The road will be considered park property but available to homeowners for use. It was noted that the road connection was staff driven to preserve more greenspace and connectivity throughout the neighborhood. It was mentioned that two ways out of the neighborhood would have been preferred.

Council Member Sesma stated that sidewalks should be on both sides of the road and not just one. He also stated that disclosure of the close proximity of the train is very important. All agreed about the disclosure issue.

Speakers from the public:

1. *Brenda Greenberg, 233 Community Center Avenue*, representing Condo Board 1, stated that they were opposed to the proposed nineteen (19) townhomes. Stated that the community is already over capacity and would not be able to handle an addition nineteen (19) families.
2. *Daniel Reeder, 11520 Game Preserve Road*, participated in the master plan process held ten (10) years ago. Stated that he agrees that the land owner should have the right to develop but everything seems crowded. Stated that park lands should be preserved rather than turned into residential areas. Mentioned that single family homes were in the original plan and that is what should be proposed for this property. Expressed that there is too much proposed with too little space.
3. *Ken Richter, 421 Parkview Avenue*, in support of the townhomes as long as the noise levels are within range and do not disrupt the current homeowners. Stated that he was unsure as to whether the current homeowners were aware of this new annexation of the park lands.

There were no other speakers.

4. *Joe Allen, 641 B Main Street*, encouraged the disclosure of noise to future buyers. Asked that the number of townhomes proposed be reconsidered.

Staff recommended that the Planning Commission hold their record open until 5 p.m., September 3, 2014, (44 days) with anticipated recommendation on September 17, 2014. There being no quorum, the record remained open.

Staff recommended that the Mayor and City Council hold their record open until 5 p.m., September 18, 2014, (59 days) with anticipated policy discussion on October 6, 2014. There being no quorum for the Planning Commission, staff recommended the Mayor and City Council record remain open indefinitely.

Motion was made by Henry Marraffa, seconded by, Michael Sesma, that the record on Z-4520-2014 - Devlin Property, an Application Requesting Approval of Sketch Plan for 3.23 Acres of Land in the MXD (Mixed Use Development) Zone, in Conjunction with Schematic Development Plan SDP-4560-2014. The Applicant Requests Approval for 17 to 20 Single Family Attached Units on 2.4+ Acres of Land. The Subject Property is Located South and West of the Parklands at Watkins Mill Town Center Development and North of the CSX Rail Line, 11506 Game Preserve Road, Parcel P21, in the City of Gaithersburg, Maryland, remain open indefinitely.

Vote: 5-0

- B. **SDP-4560-2014 - Devlin Property, an Application Requesting Approval of Schematic Development Plan for 3.23 Acres of Land in the MXD (Mixed Use Development) Zone, in Conjunction With Sketch Plan Z-4520-2014. The Applicant Requests Approval a Residential Community Consisting of 19 Front Load Townhomes. The Subject Property is Located South and West of the Parklands at Watkins Mill Town Center Development and North of the CSX Rail Line, 11506 Game Preserve Road, Parcel P21, in the City of Gaithersburg, Maryland, and is Planned to be Contiguous with the Parklands at Watkins Mill Town Center Development.**

Staff recommended that the Planning Commission hold their record open until 5 p.m., September 3, 2014, (44 days) with anticipated recommendation on September 17, 2014. There being no quorum, the record remained open.

Staff recommended that the Mayor and City Council hold their record open until 5 p.m., September 18, 2014, (59 days) with anticipated policy discussion on October 6, 2014. There being no quorum for the Planning Commission, staff recommended the Mayor and City Council record remain open indefinitely.

Motion was made by Michael Sesma, seconded by, Cathy Drzyzgula, that the record on SDP-4560-2014 - Devlin Property, an Application Requesting Approval of Schematic Development Plan for 3.23 Acres of Land in the MXD (Mixed Use Development) Zone, in Conjunction With Sketch Plan Z-4520-2014. The Applicant Requests Approval a Residential Community Consisting of 19 Front Load Townhomes. The Subject Property is Located South and West of the Parklands at Watkins Mill Town Center Development and North of the CSX Rail Line, 11506

Game Preserve Road, Parcel P21, in the City of Gaithersburg, Maryland, and is Planned to be Contiguous with the Parklands at Watkins Mill Town Center Development, remain open indefinitely.

Vote: 5-0

X. FROM THE MAYOR AND CITY COUNCIL

Henry Marraffa

1. Attended the grand opening of Salon First located in the Muddy Branch Shopping Center.

Ryan Spiegel

1. No report.

Jud Ashman

1. Attended the grand opening of Smashburger located in Crown Farm.
2. Attended a briefing on the opening of the new Holy Cross Germantown Hospital. The hospital is scheduled to open October 1, 2014.

Cathy Drzyzgula

1. Mentioned that the Gaithersburg Aquatic Center is now open.
2. Attended the grand opening of Smashburger.
3. Attended the Metropolitan Council of Governments 4th Semi-Annual Water Quality Summit. It presented an opportunity for local government to present their concerns. The discussion focused on the issue of water quality permit process which continues to drag on in both Maryland and Virginia which leaves local governments at a standstill.

Michael Sesma

1. Attended the grand opening of Smashburger. He mentioned the many openings and encouraged residents to visit new businesses and provide feedback to management.
2. Announced that a closed meeting was held at City Hall by the Mayor and City Council on Monday, July 7, 2014, at approximately 8:47 p.m., pursuant to a motion adopted unanimously. The meeting was proposed to be closed pursuant to the State Government Article of the Annotated Code of Maryland, Section 10-508(a)(1)(i) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction. The topic discussed was the process to appoint and fill vacancies on the Mayor and City Council until the next regular general City election. Present at the meeting were Mayor Katz, Council Members Ashman, Drzyzgula, Marraffa, Sesma and Spiegel, City Manager Tomasello, Assistant City Manager Enslinger, City Attorney Board and Assistant City Attorney Johnson. Upon conclusion of the discussion, the closed meeting was adjourned at approximately 9:45 p.m.

Sidney Katz

1. Announced that the Mayor and City Council will conduct a work session on Monday, July 28, 2014, to receive an overview of the City's Economic Development website.
2. Announced that the next regular session of the Mayor and City Council is scheduled for Monday, August 4, 2014.

XI. FROM THE CITY MANAGER**Tony Tomasello**

1. Stated that a program was coordinated between the City and the stores in Olde Towne that sold single containers of alcohol. Reported that some sellers thought that the agreement had expired. Staff is reaching out to inform owners that the agreement does not expire. Council Member Drzyzgula requested that craft beers be accommodated in the agreement. City Manager Tomasello stated that staff will look into it and provide feedback.
2. Mentioned that a meeting was held with CSX; attended by Chief Sroka, Public Works Operations Division Chief Scafide, Assistant to the City Manager Hines, Emergency Management Coordinator Lanham, and Mayor Katz. Stated that the focus of CSX was on training for emergency responders. Encouraged CSX to provide a public presentation but no date has been set. Stated that a discussion was held on noise reduction and slowing the trains. CSX responded that they will look into noise reduction and reducing the speed of trains.

XII. ECONOMIC DEVELOPMENT UPDATE**Tom Lonergan**

1. Reported that patrons and business owners have made complaints about ticketing in Market Square and staff was asked to look into the issue. Staff proposed an extension for all on-street parking time limits from sixty (60) minutes to ninety (90) minutes; Monday through Saturday from 8 a.m. to 6 p.m. Staff is recommended improving daytime enforcement and stated that Chief Sroka is prepared to implement heightened time enforcement. Council Member Sesma requested more information on metered parking. Council Member Marraffa stated that he was in favor of the time limit increase.

XIII. FROM THE CITY ATTORNEY / OTHER STAFF

No report.

XV. ADJOURNMENT

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

Respectfully submitted,

Doris Stokes, Municipal Clerk
Michelle Coupé, Administrative Assistant II



City of Gaithersburg

31 South Summit Avenue
Gaithersburg, Maryland 20877

Planning Commission Regular Session Agenda City Hall - Council Chambers Wednesday, August 6, 2014, 7:30 PM

I. CALL TO ORDER

A Planning Commission regular session was called to order at 7:30 PM. Commissioners present: Chair John Bauer, Vice-Chair Geri Lanier, Commissioners Lloyd Kaufman, Matthew Hopkins (left at p.m.), Danny Winborne and Joe Coratola (Alternate). Staff present: Assistant City Attorney Frank Johnson, Long-Range Planning Manager Robinson, Planner Greg Mann, Planning Technician Jasmin Forbes, and Administrative Technician III Myriam Gonzalez. Chair Bauer noted that Alternate Joe Coratola would not be participating this evening, since all Commissioners were present.

II. APPROVAL OF MINUTES

A. Planning Commission Regular Session Minutes of May 21, 2014

Lloyd Kaufman moved, seconded by Danny Winborne, that the Minutes of the May 21, 2014, Planning Commission meeting be APPROVED.

Vote: 4-0 (Abstained: John Bauer)

B. Planning Commission Regular Session Minutes of June 18, 2014

Lloyd Kaufman moved, seconded by Geri Lanier, that the Minutes of the June 18, 2014, Planning Commission meeting be APPROVED.

Vote: 4-0 (Abstained: John Bauer and Danny Winborne)

C. Planning Commission Regular Session Minutes of July 2, 2014

Lloyd Kaufman moved, seconded by Danny Winborne, that the Minutes of the July 2, 2014, Planning Commission meeting be APPROVED.

Vote: 5-0 (Abstained: Geri Lanier)

III. CONSENT ITEMS

- A. **AFP-0747-2012: Crown - Capital One Bank**
503 Copley Place
MXD Zone
EXTENSION OF SITE PLAN APPROVAL

Joint Hearing - MCC & PC
Z-4520-2014
Exhibit 21

Joint Hearing - MCC & PC
SDP-4560-2014
Exhibit 59

- B. **AFP-5463-2014: Crown - Pulte Architecture**
 Blocks B & H
 MXD Zone
 Extension of Approved Architecture to Additional Lots
 AMENDMENT TO FINAL SITE PLAN APPROVAL

Commissioner Hopkins recused himself from the review of the Consent items due to a possible conflict of interest.

Lloyd Kaufman moved, seconded by Geri Lanier, that the Consent Agenda be APPROVED.
Vote: 5-0

IV. SIGN PERMITS

- A. **SIGN-6191-2014: Homewood Suites Signage**
 SIGN-6192-2014 805 Russell Avenue
 SIGN-6193-2014 C-2 Zone
 SIGN-6194-2014
 SIGN-6195-2014 ICON SIGN APPROVAL

Planning Technician Forbes stated the signage contains an icon and therefore Commission approval is required. She briefly discussed the building sign details, i.e., materials, location.

She voiced staff's recommendation for approval as the application meets the approval criteria of the City Code.

There was no testimony from the audience.

Matt Hopkins noted the difficulty of the site in terms of sight lines. The Commission moved as follows

Geri Lanier moved, seconded by Danny Winborne, to grant SIGN-6191-2014 through SIGN-6195-2014 Homewood Suites, SING PERMIT APPROVAL, finding it in compliance with Zoning Ordinance § 24-212.
Vote: 5-0

- B **SIGN-6381-2014: Hand & Stone Massage Facial Spa**
 217 Kentlands Boulevard
 MXD Zone
 ICON SIGN APPROVAL

Planning Technician Forbes noted this application also contains an icon on the sign, adding it is similar to others in the area.

There was no testimony from the audience.

Ms. Forbes

Geri Lanier moved, seconded by Danny Winborne, to grant SIGN-6381-2014 – Hand & Stone Massage Facial Spa, SIGN PERMIT APPROVAL, finding it in compliance with Zoning Ordinance § 24-212.
Vote: 5-0

V. PUBLIC HEARING

- A. **Z-4520-2014: -- Devlin Property**
 11506 Game Preserve Road
 MXD Zone
 19 Front Load Townhouse Units
 SKETCH PLAN
(Continued from July 21, 2014, Public Hearing)

- B. **SDP-4520-2014: -- Devlin Property**
 11506 Game Preserve Road
 MXD Zone
 19 Front Load Townhouse Units
 SCHEMATIC DEVELOPMENT PLAN
(Continued from July 21, 2014, Public Hearing)

Planner Mann stated the public hearing on the above-referenced applications was held on July 21, 2014. Since the Commission had no quorum at the hearing, the applications are back this evening so that the Commission can move to hold the record open indefinitely. Mr. Mann reported the City Council has directed the applicant to submit an updated noise study. He noted that once it is submitted, staff will come back to the Commission with a recommended date for the closing of the Commission’s record of both applications.

Commissioners Kaufman, Hopkins and Winborne noted they were absent at the hearing, but had viewed the televised proceedings.

Geri Lanier moved, seconded by Matthew Hopkins, that the Planning Commission public hearing record on Z-4520-2014 – Devlin Property, be held open indefinitely.
Vote: 5-0

Geri Lanier moved, seconded by Lloyd Kaufman, that the Planning Commission public hearing record on SDP-4520-2014 – Devlin Property, be held open indefinitely.
Vote: 5-0

VI. SITE PLANS

- A. **AFP-5037-2014: -- Navarro Property**
 442 East Diamond Avenue
 CBD Zone
 Renovation of existing building and small addition
 AMENDMENT TO FINAL SITE PLAN APPROVAL

Planner Mann stated the Historic District Commission reviewed this application at their July 23, 2014, meeting.

Applicant , presented the site plan and proposed elevations and discussed materials and architectural details, noting the vinyl siding is to be removed and replaced with wood siding. The profile of the existing house is retained and the addition. He discussed the HDC comments. He also discussed site details, noting no additional landscaping is proposed.

There was no testimony from the audience.

Matthew Hopkins inquired about the rear windows.

Lloyd Kaufman moved, seconded by Danny Winborne, to approve with no conditions.

- B. **ASDP-5642-2014/ Crown Neighborhood 2**
AFP-5491-2014 Resubdivision Block L
 MXD Zone
 Consolidation of 6 lots into 4 Lots
 AMENDMENT TO SCHEMATIC DEVELOPMENT PLAN
 AMENDMENT TO FINAL SITE PLAN

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

Long-Range Planning Manager Robinson noted the plan below will reflect the schematic development plan amendment.

Applicant Sheryl Woods, noted this amendment is a result from an MPDU . This change is also for lots and not use or density. She presented the redistribution of the units and a site development analysis.

Long-Range Planning Manager Robinson voiced staff’s recommendation for approval of both plans above.

Danny Winborne moved, seconded by Lloyd Kaufman, to grant

Gerri Lanier moved, seconded by Lloyd Kaufman, to grant AFP-5491

- C. **AFP-5239-2014: Crown Neighborhood 2**
 Salk Circle:
 MXD Zone
 Final Architecture: 40 Single Family Detached Homes
 Architectural Elevations from Wormald Homes for
 Front Load Lots
 AMENDMENT TO FINAL PLAN APPROVAL

Long-Range Planning Manager Robinson presented an aerial of the property.

Ted Smart, project manager *Wormald Homes*, discussed the three models, high visibility conditions, eight color schemes.

Director of architecture, houses have four fronts due to high visibility. Presented all elevations of low visibility units discussion with the Commission focused on roof design and material wrap around the eight-foot separation on low visibility units. The Commission commented favorably on the end product.

There was no testimony from the audience.

Long-Range Planning Manager Robinson voiced staff’s recommendation for approval, subject to conditions as listed in the motion below, noting the application meets the approval criteria of the Zoning Ordinance.

Lloyd Kaufman moved, seconded by Danny Winborne, with 5 conditions

VII. DISCUSSION

**A. CD Zone: Discussion III
Process**

Long-Range Planning Manager Robinson noted at the last discussion, the first section (24-160.G.1), Purpose, was not discussed. Should subsection (b) should be part of a Zoning Ordinance, due to its prescriptiveness.

John Bauer noted that language like compatible, consistent, etc. give the idea of sameness. Part of the problem is a very aesthetic base, want to facilitate traffic ..., way finding, 1:20... what's different about CD Zone. Diverse use with residential, without 1:26.

Create an environment where a small parcel can develop 1:44 a zone broad sense of uses, to encourage redevelopment on small scale. Could be a consolidation of parcel also. Go back to Purpose statement, simplify it Lloyd Kaufman (1:52) 1:55 the incentive is to encourage redevelopment, and at what level, what density....

VIII. FROM THE COMMISSION

Lloyd Kaufman

Report Danny from Ocean City.

IX. FROM STAFF

X. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 9:53 p.m.

Respectfully submitted,



M. Gonzalez
Recording Secretary