

LEGAL NOTICE

Consolidated Public Hearing: Ordinance Changes to Chapter 19 and Chapter 20, November 19, 2018

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The City of Gaithersburg Mayor and City Council will conduct a consolidated public hearing at the time and place noted below.

Meeting: MAYOR AND CITY COUNCIL
Application Type: ORDINANCE AMENDMENT
Day/Date/Time: MONDAY, NOVEMBER 19, 2018, 7:30 P.M.
Place: GAITHERSBURG CITY HALL COUNCIL CHAMBERS
31 SOUTH SUMMIT AVENUE

An ordinance to amend Chapter 19 of the City Code, entitled "Streets and sidewalks," Article II, entitled, "road construction," Article III, entitled, "abandonment of public rights-of-way," so as to define new road design standards by regulation, establish waiver provisions, and correct citations and cross references. This public hearing will be consolidated with a public hearing for Chapter 20. An ordinance to amend Chapter 20, entitled, "Subdivision of land," Articles I through VI, VIII, X and XIII, so as to correct citations and cross references related to Chapter 19 A copy of the draft ordinances for both chapters can be viewed at www.gaithersburgmd.gov/government/projects-in-the-city. This is an opportunity to publicly participate, other than providing written testimony which must be submitted before the public hearing record closes.

Contact the Planning and Code Administration City Planner should you have any questions or to learn more about this process and your ability to offer testimony and input.

Contact Information:

Planning Services
301-258-6330
planning@gaithersburgmd.gov
Office Hours
Monday - Friday, 8 AM - 5 PM

Rob Robinson, Long Range Planning Manager
240-805-1072
planning@gaithersburgmd.gov

From: [Alyssa Roff](#)
To: ["Downie, Brian"](#); ["David Ramsey"](#); ["Garfield, Caren"](#); ["John Tschiderer"](#); ["Peter Henry"](#); ["Steve Lebling"](#); ["Matt Jones"](#); ["Gary Unterberg"](#); ["Amy Zou"](#); ["Michael B. Goodman, P.E."](#); ["lauren Wirth"](#); ["Karen Carpenter"](#); ["Jason Fritz"](#); ["Andrew Glick"](#); ["Nick Over"](#); ["Jeff Parana"](#); ["Idiamond@are.com"](#); ["Matt Brady"](#); ["Steve Eckert"](#); ["Nancy Randall"](#); ["Glenn Cook"](#); ["David O'Bryan"](#)
Cc: [Rob Robinson](#)
Subject: City of Gaithersburg - Public Hearing on Amendments to Chapters 19 and 20 and Introduction of the Road Code Regulations
Date: Tuesday, October 30, 2018 1:02:00 PM

Hello all,

As you may be aware, the City is in the process of revising the Road Code. This is to notify you that the consolidated public hearing for the amendments to Chapter 19 and Chapter 20 of City Code as well as the introduction of the Road Code Regulation are scheduled to go before the Mayor and City Council on November 19, 2018. Materials are available to view on the City's project page at the following link:

<https://www.gaithersburgmd.gov/government/projects-in-the-city/revised-city-road-code>

Should you like to comment, comments on either of the ordinance amendments or the regulations may be mailed to Planning & Code Administration, 31 S. Summit Ave Gaithersburg, MD 20877, or e-mailed to planning@gaithersburgmd.gov up until the closing of their records.

If you have any questions, please feel free to contact me.

Best,

Alyssa Roff
Transportation Planner
City of Gaithersburg, Planning and Code Administration
Alyssa.Roff@gaithersburgmd.gov
240-805-1155

From: peterh@henryinvestments.com
To: Rob Robinson
Cc: brad@klineassoc.com; Lynn Board; Leigh Henry; Gus Bauman; Alyssa Roff; Gregory Mann
Subject: RE: City of Gaithersburg - Enlarging Road sections in a high density environment
Date: Thursday, November 01, 2018 3:07:20 PM

Hi Rob:

Well, that is a disappointing approach given the terms and spirit of the Settlement Agreement. Our goal has been and will remain to build a beautiful and successful project that the City, residents and we can be proud of, and have significant concerns as to the new, significantly enlarged road section requirements impeding that long held mutual goal.

However, while we do not agree with the current interpretation, there is no harm at this point given that the Staff, Planning Commission and/or Mayor and City Council can elect to waive the new restrictions as part of the new approvals to the properties.

We might suggest you include "...or subject to a Legal Settlement" as one of the exceptions to the applicability of the requirement, but understand that the staff might instead elect to rely solely on the waiver or exemption process when the new plans come forward.

The interchange is progressing, so this issue will become ripe in the future. Our hope and expectation is that this proposed change will not become an issue in the development of the project, and look forward to working with the City to assure that these new enlarged road sections do not reduce the buildable areas or quality of spaces between the buildings of this high density, compact urban transit oriented development that we see as the future of quality development in emerging suburban centers.

Sincerely,

Peter

Peter Henry
http://secure-web.cisco.com/1eQU...3yZTSozmtmghKsBy3FnT3YbgaMyRNuflsn-yFImSfGE6112UDBoRul7oNmt9SBzKEHJKYu6BZ3wIC-13zF4P1w-skaqf_L1h89C7PbnChPnsJ5y54Uicml-cW1n5hyfy4b8BmUSDHryal.OGzqgHkmsYyos6K3RLQ-dzSNsof3Wc-xS0w617xHXaQ1bcm2mNcLftArcgFzWuuYqCpTbU3bX6skqgKEpm8f4vzqf5BcyMCI8RkK/http%3A%2F%2Fwww.HenryInvestments.com

----- Original Message -----

Subject: RE: City of Gaithersburg - Public Hearing on Amendments to Chapters 19 and 20 and Introduction of the Road Code Regulations
From: Rob Robinson <Rob.Robinson@gaithersburgmd.gov>
Date: Thu, November 01, 2018, 10:16 am
To: P J H Imap <peterh@henryinvestments.com>
Cc: "brad@klineassoc.com" <brad@klineassoc.com>, Lynn Board <Lynn.Board@gaithersburgmd.gov>, Leigh Henry <lhenry@hipprojects.com>, "Gus Bauman" <gbauman@bdlaw.com>, Alyssa Roff <Alyssa.Roff@gaithersburgmd.gov>, Gregory Mann <Greg.Mann@gaithersburgmd.gov>

Hi Pete,

As we have presented throughout this process, the new the proposed regulation and amended Chapter 19 comprising the new Road Code:

- Will not void existing plan approvals or constructed road designs;
- Will not require the retrofit of existing roads;
- Will establish elements to be pursued to the greatest extent possible when retrofitting roads, but acknowledges that existing rights-of-way may preclude constructing the full typology cross-sections;
- Will apply to new roads proposed as part of future development plans or changes to approved site plans that alter the road network;
- Includes typologies of roads not currently found within the City;
- Provides that roads may exhibit different typologies over their entire length as adjoining contexts change; and
- Will apply to both public and privately owned roads and includes waiver provisions.

In short, if you have approved final site plans or schematic development plans and you build to those plans- the revised Road Code will not apply.

Rob

Rob Robinson III, AICP CEP
FCA Qualified Professional
Long Range Planning Manager
City of Gaithersburg
Rob.robinson@gaithersburgmd.gov
240-805-1072

From: P J H Imap [mailto:peterh@henryinvestments.com]
Sent: Tuesday, October 30, 2018 2:38 PM
To: Alyssa Roff <Alyssa.Roff@gaithersburgmd.gov>
Cc: Rob Robinson <Rob.Robinson@gaithersburgmd.gov>; brad@klineassoc.com; Lynn Board <Lynn.Board@gaithersburgmd.gov>; Leigh Henry <lhenry@hipprojects.com>; Gus Bauman <gbauman@bdlaw.com>
Subject: Re: City of Gaithersburg - Public Hearing on Amendments to Chapters 19 and 20 and Introduction of the Road Code Regulations

Hello Alyssa

Please confirm that the changes will not apply to the Casey West parcels (also known as the Watkins Mill Town Center).

Thanks

Peter Henry

Sent from my iPhone

On Oct 30, 2018, at 1:02 PM, Alyssa Roff <Alyssa.Roff@gaithersburgmd.gov> wrote:

Hello all,

As you may be aware, the City is in the process of revising the Road Code. This is to notify you that the consolidated public hearing for the amendments to Chapter 19 and Chapter 20 of City Code as well as the introduction of the Road Code Regulation are scheduled to go before the Mayor and City Council on November 19, 2018. Materials are available to view on the City's project page at the following link:

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