



Planning Commission
Council Chambers
www.gaithersburgmd.gov/meetings
16 South Summit Avenue
Gaithersburg, MD 20877

MINUTES
Regular Session
Wednesday, December 4, 2024, 7:30 PM

1. CALL TO ORDER

The Regular Session of the Planning Commission was called to order at 7:30 PM with Chair John Bauer presiding.

| Attendee Name | Title | Status | Arrived |
|-------------------|------------------------|---------|---------|
| John Bauer | Chair | Present | |
| Matthew Hopkins | Commissioner | Present | |
| Lloyd Kaufman | Commissioner | Present | |
| Philip Wessell | Commissioner | Present | |
| Danielle Winborne | Commissioner | Present | |
| Carol Rieg | Alternate Commissioner | Present | |

Deputy City Attorney Johnson, Long Rang Planning Manager Robinson, Planner Eby, Planner Forbes and Planner Copelan

2. APPROVAL OF MINUTES

A. Regular Session held November 20, 2024

Motion was made to approve the above minutes.

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| RESULT: | APPROVED [5 TO 0] |
| MOVER: | Lloyd Kaufman, Commissioner |
| SECONDER: | Danielle Winborne, Commissioner |
| FOR: | Bauer, Hopkins, Kaufman, Wessell, Winborne |
| NO VOTE: | Carol Rieg |

3. SIGN PERMITS

A. SIGN-34394-2024 and SIGN-34395-2024: BP located at 100 North Frederick Avenue in the CD (Corridor Development) Zone. MAJOR SIGN WAIVERS

Planner Copelan introduced the application and provided the Commission with background information of the application.

The Applicant, Gary Brent with MG Permits presented the application, exhibits and renderings for the requests of a major sign waiver from the Planning Commission for two (2) changeable copy signs.

Commissioner Hopkins inquired of the monument structure setback requirements for the

signs.

Commissioner Wessell inquired if the brick structure would be painted and refreshed and if the sign waiver is only being presented before the Commission based on previous sign waiver history.

Staff provided comments to the Commission regarding the difference to the Major Waiver request to add an additional sign to the site.

No public comments were provided.

Staff recommends that the Planning Commission, based on the exhibits submitted, Applicant’s testimony and the Staff Report, findings and recommendation, grant a Major Waiver for SIGN-34394-2024 and SIGN-34395-2024 finding them in compliance with § 24-8.7(B) of the City’s Zoning Ordinance, with two (2) conditions:

1. Prior to permit issuance, the Applicant will revise the plan drawings to include an electronic disconnect switch, to add a note that the green background of the internally illuminated light box that makes up the changeable copy sign will be opaque in accordance with § 24-8.8(B)(4)(b), and to correctly identify the location for the changeable copy sign along East Diamond Avenue, subject to Staff review and approval.
2. Applicant to work with Staff to redesign or relocate the monument sign on North Frederick Avenue to improve vehicle and pedestrian site distance.

Commissioner Winborne requested more clarification on the differences between the Minor Waiver versus Major Waiver.

Staff provided the Commission with comments.

Motion was made that the Planning Commission, based on the exhibits submitted, Applicant’s testimony and the Staff Report, findings and recommendation, grant a Major Waiver for SIGN-34394-2024 and SIGN-34395-2024 finding them in compliance with § 24-8.7(B) of the City’s Zoning Ordinance, with two (2) conditions read into the record.

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| RESULT: | PASSED [5 TO 0] |
| MOVER: | Philip Wessell, Commissioner |
| SECONDER: | Lloyd Kaufman, Commissioner |
| FOR: | Bauer, Hopkins, Kaufman, Wessell, Winborne |
| NO VOTE: | Carol Rieg |

4. RECOMMENDATIONS TO MAYOR AND CITY COUNCIL

A. Sketch Plan Amendment ASK-9892-2024: Planning Commission recommendation to the Mayor and City Council. This is a sketch plan amendment for Block R of the Spectrum at Watkins Mill development, located at 301 Paramount Park Drive, within the MXD (Mixed Use Development) Zone. The amendment proposes to remove the age restriction, increase the number of units from 158 to 244, and increase the building height from 6 stories to 7 stories. No changes are proposed to the remainder of the Spectrum development.

Planner Eby presented the application and provided the Commission with background

information on the application.

Chair Bauer requested clarification on the current bedroom unit mix percentage and if there would be a proposed increase with transient units versus your historic 2-3 bedroom units.

Commissioner Winborne inquired of the adequate public facilities and if they were in place.

Commissioner Kaufman praised staff for their time and research put into the report.

Commissioner Wessell provided comment to the Commission regarding what is policy versus planning decisions and whether the previously adopted Master Plan gave any reason for the Commission to recommend removing the age restriction to the Mayor and City Council. He also requested changes to the language in condition two (2).

Chair Bauer inquired if the age restriction requirement was market driven and not a planning level analysis and if the near future this could be changed and what is the likely impact on the original proposal of unit sizes.

Staff provided responses to the Commission.

Staff recommends that the Planning Commission, based upon the findings presented herein, Applicant's testimony and evidence in the record, grant approval of the Sketch Plan Amendment ASK-9892-2024 with the following conditions.

- 1). Block R must include an age restriction that requires eighty percent (80%) or more of the units to be leased to households with at least one person who is age 55 or older, consistent with the Housing for Older Persons Act (HOPA).
- 2). For any subsequent schematic development plan and final site plan approvals, the overall bedroom unit mix should strive to meet the following targets for the mix of bedrooms: a maximum of ten percent (10%) studio units; a minimum of thirty percent (30%) two-bedroom units; and a minimum of ten percent (10%) three-bedroom units. Any deviation from the targeted bedroom mix must be explained and justified in the subsequent applications. For purposes of satisfying this condition, any units that include a den will not be allowed to count the den as a bedroom.

Motion was made that the Planning Commission, based upon the findings presented herein, Applicant's testimony and evidence in the record, recommend approval of the Sketch Plan Amendment ASK-9892-2024 with the two (2) conditions including the modified second condition as discussed.

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| RESULT: | PASSED [5 TO 0] |
| MOVER: | Philip Wessell, Commissioner |
| SECONDER: | Danielle Winborne, Commissioner |
| FOR: | Bauer, Hopkins, Kaufman, Wessell, Winborne |
| NO VOTE: | Carol Rieg |

Staff recommends that the Planning Commission, based on the exhibits, submitted, the Applicant's testimony, the Staff Report, findings and recommendation, grant AFP-9972-2024, Rio -Washingtonian Sign Package Amendment Approval, finding it in compliance with §§ 24-12.6(E) and 24-12.6(G), of the City's Zoning Ordinance.

Motion was made that the Planning Commission, based on the exhibits, submitted, the Applicant's testimony, the Staff Report, findings and recommendation, grant AFP-9972-2024, Rio -Washingtonian Sign Package Amendment Approval, finding it in compliance with §§ 24-12.6(E) and 24-12.6(G), of the City's Zoning Ordinance.

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| RESULT: | PASSED [5 TO 0] |
| MOVER: | Philip Wessell, Commissioner |
| SECONDER: | Lloyd Kaufman, Commissioner |
| FOR: | Bauer, Hopkins, Kaufman, Wessell, Winborne |
| NO VOTE: | Carol Rieg |

7. FROM COMMISSION

Commissioner Winborne commented that he had a wonderful celebration for his mother's 100th birthday.

Chair Bauer announced this was the last meeting for 2024 and wished the Commission and Staff a Happy New Year.

8. FROM STAFF

Long Range Planning Manager Robinson Announced the next regular meeting of the Planning Commission scheduled for Wednesday January 8, 2025, with exciting new items scheduled ahead. He also wished everyone a safe and Happy New Year and wished well for Intern Monasi on her last day of her internship.

9. ADJOURNMENT

There being no further business, the session was adjourned at 9:00 PM

Respectfully submitted,

Susana Memari, Administrative Technician III