

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

March 17, 2008

CALL TO PODIUM:

Greg Ossont

RESPONSIBLE STAFF:

**Ollie Mumpower,
Engineering Services Director**

**Greg Ossont, Director,
Planning and Code**

**Jacqueline Marsh,
Planner**

AGENDA ITEM:

(please check one)

<input type="checkbox"/>	Presentation
<input type="checkbox"/>	Proclamation/Certificate
<input type="checkbox"/>	Appointment
<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Historic District
<input type="checkbox"/>	Consent Item
<input type="checkbox"/>	Ordinance
<input checked="" type="checkbox"/>	Resolution: Road Code Waiver
<input type="checkbox"/>	Policy Discussion
<input type="checkbox"/>	Work Session Discussion Item
<input type="checkbox"/>	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

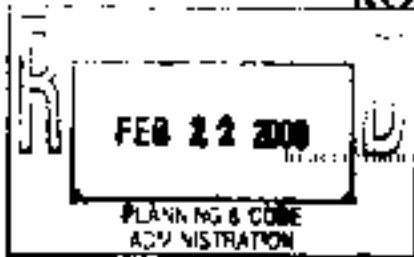
Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE: RC-42
RC-42: Resolution of the Mayor and City Council Granting Approval of Road Code Waivers for Teacher's Way and a private road in relation to the Archstone at Olde Towne final site plan, SP-08-0001

SUPPORTING BACKGROUND:
<p>On behalf of Archstone-Smith, GLW has submitted an application for a road code waiver for the Archstone at Olde Towne redevelopment project, located on East Diamond Avenue. The concept site plan for this project was approved by the Planning Commission on October 17, 2007.</p> <p>Section 19-15 of the City Code allows the City Council to issue a waiver of paving materials and road design criteria by resolution to meet requirements for Chapter 24, "Zoning". The road code waivers will apply to Teacher's Way and the private road on the east side of the development. The applicants are proposing to:</p> <ol style="list-style-type: none"> 1. Modify the standard roadway section to incorporate on-street parallel parking with planting islands/bulb-outs, 2. Reduce the minimum right-of-way and paving width for Teacher's Way; 3. Reduce and remove the grass strip between the curb and sidewalk of Teacher's Way; 4. Reduce the separation between the right-of-way line and sidewalk to six inches on Teacher's Way; 5. Reduce the minimum paving width for the private road; and 6. Modify the cross-slope of the private road to allow for a slope greater than 3 percent. <p>Staff recommends that the road code waivers be approved with the condition that the Department of Public Works, Parks Maintenance and Engineering and the City Fire Marshal approve the final design. Staff has enclosed a draft resolution of approval.</p> <p style="text-align: right;"><i>Exhibits Attached</i></p>

DESIRED OUTCOME:
Approve Resolution

ROAD CODE WAIVER APPLICATION



Application No: **RC-42**
 Fee: **N/A**
 Date Filed: **2-22-08**
 P&C Review Date:
 DEPWA Review Date:
 PC Review Date:
 PC Action:
 SAC Review Date:
 SAC Decision:
 District ID#:

SUBJECT PROPERTY

Site Address: **DUG TOWNE CATONSVILLE** Road: **TEACHER'S WAY**
 Applicable Site Plan: **SP-08-001** Date of Approval by Planning Commission:
 Applicable Preliminary Subdivision Plan: EX-01-01

APPLICANT

Site: **ARROWSTONE - AMMUNITION ROAD ESCAPE** District Name: **703 920-8500**
 Street Address: **2345 CRYSTAL DRIVE TRUST** Unit Number: **1100**
 City: **ARLINGTON** State: **VA** Zip Code: **22202**

WAIVER REQUEST

Site Location and/or Road: **DUG TOWNE CATONSVILLE, PARCEL A, TEACHER'S WAY**
 Classification: **PRIMARY RESIDENTIAL**
 Required paving and ROW width: **PAVING WIDTH = 36 FT, R/W WIDTH = 60 FT**
 Other required specifications: **PAVING WIDTH FOR ALLEY 20 FT, CROSS SLOPE FOR ALL**
 Section code or street type to be waived: **19-14(b), 19-15(f), 19-17**
 Describe waiver request: **SEE ATTACHED JUSTIFICATION**

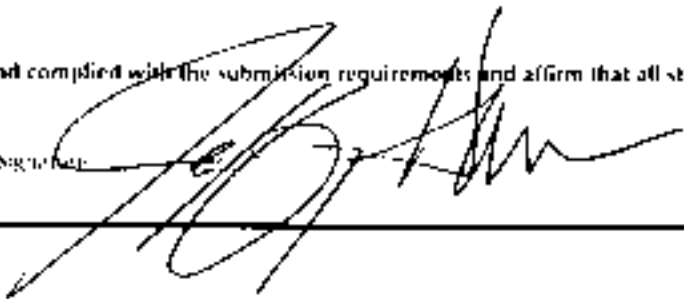
Describe reason for requested waiver: **SEE ATTACHED JUSTIFICATION**

Development to be served by road in question: **MULTIPLE PROPERTIES, SCHOOLS**

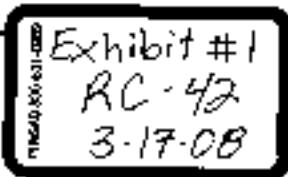
SUBMISSION REQUIREMENTS

1. Site Plan and Paving Plans
2. Waiver justification provided for applicant by a registered engineer
3. Fee for the waiver

I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.

Applicant's Signature: 

Date: **2-20-08**



Road Code Waiver
Archstone Olde Towne Gaithersburg
SP-08-000
March 13 2008

The Applicant respectfully requests a waiver from Chapter 19, Article II, Sec 19-14 (Road Classification and Minimum Requirements) of the Gaithersburg City Code for the construction of Teacher's Way from North Summit Avenue to station 12100.

A waiver is also requested for the private road (sometimes known as Victory Farm Way) on the east side of the project that will be open to public through traffic. This road connects East Diamond Avenue to Teacher's Way. The construction of this road is in connection with the development known as "Archstone Olde Towne Gaithersburg" located between Teachers Way and East Diamond Avenue.

Specifically, one Road Code Waiver is sought for both roadways, three Waivers for Teacher's Way only, and two Waivers are requested for the private road only. The Waivers sought are:

1. Modification of a standard roadway section to incorporate on-street parallel parking with planting islands (both roadways)
2. Reduce the minimum right-of-way and paving width for a Primary Residential Road. (Teacher's Way)
3. Reduction and removal of the grass strip between the curb and the sidewalk. Location varies. (Teacher's Way)
4. Reduce the separation between the right-of-way line and the sidewalk to 6-inches. (Teacher's Way)
5. Reduce the minimum paving width for the Private Road
6. Modification of the cross-slope of a roadway to allow for greater than 3% slope. (Private Road only).

The required minimum width of a right-of-way for a Primary Residential Road is 60 feet and the minimum paving width is 36 feet. The proposed width of the travel lanes of Teacher's Way will be 36 feet from station 0+50 to station 2+10, and 24 feet along the remainder of the roadway. The proposed width of the private road will be 21 feet. Both roads will have parallel parking on one side. The actual width of the right-of-way of Teacher's Way is variable with a minimum width of 40'-2". There will be no right-of-way dedication plot for the private road at this time. A public ingress and egress easement will be executed prior to the issuance of site development permits.

Exhibit #2
RC-42
3-17-08

The reduced width on Teacher's Way is necessary to incorporate a greater separation between the road and Gaithersburg Elementary School and maintain separation between the proposed Archstone Olde Towne Project and Teacher's Way.

Due to the proximity to the elementary and middle schools, a reduced width will contribute to public safety by providing traffic calming due to the narrower drive lanes and the abutting parking.

An additional factor of both roads is a need to satisfy local public on-street parking for the immediate retail in the revitalization of Olde Towne. On-street parking can be used to accommodate short-term visitors to the school as well. This parking will require that 7-feet of the road be dedicated to parallel parking. Street trees will be provided by incorporating planting islands between the on-street parking.

A portion of the paving on Teacher's Way will provide required school bus staging for the elementary school. This will replace a portion of the current limits of bus staging being replaced by the road.

The cross slope of the private road will vary between 3 percent and 5 percent. This will allow the Applicant to construct a 5-foot wide sidewalk and on-street parking adjacent to the proposed building within the limits of the property.

TEACHER'S WAY:

PRIMARY RESIDENTIAL	PROPOSED (MIN)
Min. Right Of Way Width	40'-2" ft.
Min. Pavement Width	24 ft.
Min. Side	0.67 ft (at back of curb) (south side)
Min. Separation Between Sidewalk and R/W on North Side	0.5 ft.
Min Centerline Radius	300 ft.
Curb and Gutter	Yes
Sidewalk	8 ft on north side in R/W 5 ft. on south side in P.I.E.
Planting Islands and Parking on street	yes
Cross slope	Normal 3 percent crown in travel way 2 percent slope away from curb in parallel parking

P.I.E. Public Improvement Easement

PRIVATE ROAD (FUTURE PUBLIC ALLEY):

TWO WAY PUBLIC ALLEY	PROPOSED (MIN.)
Min Right of Way Width	N/A
Min. Pavement Width	21 ft.
Min. Side	N/A
Cross slope	3 to 5 percent
Curb and Gutter	Yes
Min. Centerline Radius	N/A
Sidewalk	yes
Planting Islands and Parking on street	yes

RESOLUTION NO.

RESOLUTION OF THE MAYOR AND CITY COUNCIL GRANTING
APPROVAL OF ROAD CODE WAIVERS FOR TEACHER S WAY AND A PRIVATE
ROAD IN RELATION TO THE ARCHSTONE AT OLDE TOWNE
FINAL SITE PLAN, SP-08-0001

RC-42

WHEREAS, G.L.W. on behalf of Archstone-Smith, has submitted an application for road code waivers to the City of Gaithersburg requesting a waiver of road code as follows:

Teacher's Way - This road section is being proposed for use as a primary residential road. Please find below a list of the requirements that are being proposed for this section of roadway.

PRIMARY RESIDENTIAL	PROPOSED (MIN)
Min. R.O.W. Width	40'-2" ft.
Min. Pavement Width	24 ft.
Min. Side Width	0.67 ft (at back of curb) (south side)
Min. Separation between sidewalk and R/W on north side	0.5 ft.
Min. Centerline Radius	300 ft.
Curb and Gutter	YES
Sidewalk	8 ft. on north side in R/W 5 ft. on south side in PIF.
Planting islands/bulb-outs and parking on street	YES
Cross slope	Normal 3% crown in travel way; 2% slope away from curb in parallel parking

Private Road This road will be used as a public alley in the future. Please find below a list of the requirements that are being proposed for this section of roadway.

TWO WAY PUBLIC ALLEY	PROPOSED (MIN)
Min. R.O.W. Width	N/A
Min. Pavement Width	21 ft.
Min. Side Width	N/A
Cross Slope	3-5%
Curb and Gutter	YES
Min. Centerline Radius	N/A
Sidewalk	YES
Planting islands/bulb-outs and parking on street	YES

WHEREAS, the Planning Commission reviewed the Archstone at Olde Towne Concept Site Plan, CSP-07-005, on October 17, 2007, at which time they approved the concept plan with four (4) conditions:

WHEREAS, Section 19-15 of the City Code states unless otherwise specified, all paving materials and road design criteria shall conform to the most recent Montgomery County Road Code, as amended.

WHEREAS, Section 19-15, further authorizes the City Council to waive the road design criteria by Resolution, in accordance with that section; and

WHEREAS, the Mayor and City council find the road code waiver is necessary in order to meet the requirements or intent of Chapter 24, "Zoning;"

WHEREAS, the Department of Public Works, Parks Maintenance and Engineering and the City Fire Marshal have reviewed and are amenable to the waiver requests finding that the road code waivers are similar and consistent to those granted in previous development plans;

AND WHEREAS, the applicant's engineer has submitted sufficient justification for the waiver request.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Gaithersburg, that the Road Code Waiver RC-42 is hereby approved subject to the following condition:

1. The Department of Public Works, Park Maintenance, and Engineering (DPWPM&E) and the City Fire Marshal shall review the final design of the road code waiver requests and upon finding that the streets will operate safely with potential additional safety measures, will approve the final design of the road code waiver.

ADOPTED by the Mayor and City Council this 17th day of March, 2008.

HENRY F. MARRAITA,
Council Vice President

THIS IS TO CERTIFY that the foregoing
Resolution was adopted by the City Council
in public meeting assembled on the 17th day
of March, 2008.

James D. Arnoult, Acting City Manager