

Brett Cossard, business owner at Girard Business Center; Prentiss Searles, 10 Walker Avenue; Edie and Dan Searles, 18 Walker Avenue, voiced their full support of the project and asked for approval of the plan so that the project can move forward.

David Shayt, 15 DeSellum Avenue, commented on the towers proposed, favoring the use of one style for all four, rather than various styles as shown on the model presented this evening. He shared Mr. Arkin's concern with the garage panels and suggested using hanging pots.

Planner Marsh voiced staff's recommendation for approval of the plan, noting it meets the approval criteria of the City Code, subject to the applicant's compliance with conditions that she listed.

Commissioner Hopkins shared the concerns over the garage panels and suggested treating them in some manner, e.g., by adding pattern/color, hanging planting pots, etc. Mr. Harris asked that the applicant be allowed to work with staff to address this matter. Chair Bauer agreed and further suggested the applicant consider simplifying the middle feature to offset the cost of adding to the panels. Vice-Chair Levy additionally noted that the middle feature of the garage façade is perhaps excessively massive and the proposed towers too high, favoring less styles for the latter. Commissioner Hopkins, pointed out, however, that roof uniformity should be avoided, adding that the proposed roofing is well articulated. Commissioner Hopkins shared a comment made earlier that directional signage for parking is needed.

Chair Bauer and Commissioners Hopkins and Kaufman congratulated the applicant on the architectural package and project in general as a magnet for economic development. Chair Bauer commented favorably on the techniques and principles used for the project, and regarding Exhibit 9 relating to the parking waiver request, indicated he had no objections to it.

Commissioner Kaufman moved, seconded by Commissioner Winborne, to grant SP-08-0001 - Archstone at Olde Towne Gaithersburg, PRELIMINARY/FINAL PLAN APPROVAL, finding it in compliance with City Code §§ 20-11 and 24-170, with the following conditions:

1. Applicant must submit a final storm water management plan to be reviewed and approved by the Department of Public Works, Park Maintenance, and Engineering (DPWPM&E) prior to the issuance of Public Works permits;
2. Final design for the bulb-outs along Teachers Way, East Diamond Avenue and the private alley along the east side of the project is to be reviewed and approved by the DPWPM&E and Planning Staff prior to the issuance of Public Works permits;
3. Applicant shall receive final approval letters from appropriate utility agencies, including, but not limited to, Washington Gas, PEPCO, Verizon, and WSSC prior to the issuance of Public Works permits;
4. Final utility plan shall be revised and approved by DPWPM&E prior to the issuance of Public Works permits;
5. Final signing, lane marking, lighting plans, paving and storm drain plans, grade establishment plans, and details to be

reviewed and approved by the DPWPM&E prior to the issuance of Public Works permits;

6. Applicant shall undertake and complete the construction of the Traffic Impact Study (TIS) improvements as detailed in the March 11, 2008, supplemental report submitted by Wells and Associates for the Md. Rte. 355/Summit Avenue intersection. These improvements must be completed prior to the issuance of occupancy permits for the development, excluding the garage. The improvements design must be submitted to the State Highway Administration (SHA) within 30 days of final site plan approval, and SHA's concurrence of the feasibility of the project must be obtained within 90 days of final site plan approval. If for any reason the State does not allow these improvements to be constructed, the applicant shall be required to resubmit a revised TIS to the DPWPM&E for review and approval;
7. A Memorandum of Understanding with the City of Gaithersburg and Montgomery County Public Schools regarding the construction of Teacher's Way shall be executed prior to the issuance of Public Works permits;
8. Applicant shall work with staff to finalize a right-of-way maintenance agreement for public rights-of-way related to the project, which shall be approved by staff prior to the issuance of Public Works permits;
9. Final Forest Conservation Plan shall be approved by Environmental Services prior to the issuance of any site development permits;
10. Final landscape plan shall be approved by Environmental Services and Planning Staff prior to the issuance of any site development permits;
11. Applicant shall work with staff on the final design of the private alley on parcel P954;
12. The proposed design guidelines shall be revised and approved by Planning Staff prior to the issuance of building permits;
13. Applicant shall revise final hardscape details, including stoop details, to be approved by staff;
14. The Planning Commission shall grant a 79-space parking waiver;
15. The Planning Commission shall grant a waiver to allow for 8.5-foot wide parking stalls for the 81 retail parking spaces on the first floor of the parking garage; and

16. Applicant shall complete the Art in Public Places (AIPP) commitment prior to the release of site development bonds

Vote: 5-0

Vice-Chair Levy moved, seconded by Commissioner Winborne, to GRANT SP-08-0001 - Archstone at Olde Towne Gaithersburg, the following parking waivers:

1. A waiver of 79 spaces; and
2. A waiver for 8.5-foot wide stalls for the 81 retail spaces on the first floor of the parking garage.

Vote: 5-0

V. FROM THE COMMISSION

Vice-Chair Levy

Noted that since new development in Olde Towne is not required to include moderately priced dwelling units (MPDU) due to the abundance of affordable housing already there, as further development occurs in Olde Towne, attention must be paid so that existing affordable housing is not reduced to an inadequate amount in that area. Planning and Code Administration Director Ossont pointed out that the Central Business District is exempt from providing MPDU's and indicated that the issue would be a policy matter for consideration by the City Council as other redevelopment projects progress.

Commissioner Kaufman

Reported that too many parking spaces are being utilized by trucks in the Market Square parking lot and on the street near the Michael's store. He indicated that as a result, the Market Square parking lot looks like a truck depot rather than public parking. Mr. Kaufman requested that staff enforce the appropriate parking laws and/or request that the owners remove their trucks as soon as possible.

VI. FROM STAFF

Community Planning Director Schwarz

Listed the Commission's regular meeting schedule for April and noted that joint public hearings have been scheduled for April 7 and 21, 2008.

VII. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 9:30 p.m.

Respectfully submitted,

M. Gonzalez
Recording Secretary