
STA-FF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: May 7, 2008

SUBJECT: **SP-07-0020 – Revised Staff Comments**

TITLE: **The Vistas – Quince Orchard Park**

REQUEST: **FINAL PLAN APPROVAL** for 83 total units
(13SF, 38TH and 32 2/2 condominiums)

ADDRESS: **Orchard Ridge Drive and Winter Walk Drive**

ZONE: **MXD (Mixed Use Development)**

Applicant: Churchill Development - Bill Wogatske

Engineer: Macris, Hendricks and Glascock - Vic Bryant

Architect: Cubellis - Rohit Anand

STAFF LIAISON: **Caroline Seiden, Planner**

Enclosures:

Staff Comments

Exhibits (attached exhibits in **bold**; all others have been previously distributed):

- Exhibit 1: Application
- Exhibit 2: Location Map
- Exhibit 3: SDP-04-001 Resolution R-83-07
- Exhibit 4: Road Code Waiver Resolution
- Exhibit 5: Utility Approval Letters
- Exhibit 6: Letter to Bill Wogatske from Miguel Moreno, Polysonics Corp.
- Exhibit 7: Reciprocal Easement Agreement
- Exhibit 8: Mailing Labels
- Exhibit 9: Elevation Details – Single Family
- Exhibit 10: Elevation Detail – Townhouses
- Exhibit 11: Staff Comments/E-mails between Bill Wogatske, Lauren Pruss and Caroline Seiden regarding elevations

- Exhibit 12 Site Development Plan
- Exhibit 13: Landscape and Lighting Plan
- Exhibit 14 Single-Family Elevations and Photographs
- Exhibit 15: Front-Loaded Townhouse Elevations
- Exhibit 16: Rear-Loaded Townhouse Elevations
- Exhibit 17: Front- and Rear-Loaded Color Renderings
- Exhibit 18: Architectural Elevation Location Plan
- Exhibit 19: Revised Mailing Labels**
- Exhibit 20: Revised Site Development Plan, Sheet C.1.3**

STAFF COMMENTS

I. BACKGROUND:

The applicant is requesting final site plan approval for a residential subdivision to be known as the Vistas. The subject property contains 11.68 acres of land and is bounded by Winter Walk Drive, Orchard Ridge Drive, Twin Lakes Drive and Quince Orchard Road in the Quince Orchard Park development. The property is located within the Mixed Use Development (MXD) Zone.

The proposed plan includes a total of 83 dwelling units. The units will be broken up between 13 single family detached houses, 38 townhouses, and 32 multi-family (two over two) condominium units. Also included within the plan are active and passive recreation areas and rights-of-way for the future Corridor Cities Transitway.

II. SCOPE OF REVIEW:

Site plan approval is required by § 24-168 of the Zoning Ordinance, which states:

No building or structure shall be hereafter erected, moved, added to or structurally altered under circumstances which require the issuance of a building permit under this chapter, nor shall any use be established, altered or enlarged under circumstances which require the issuance of a use and occupancy permit under this chapter, upon any land, until a site development plan for the land upon which such building, structure or use is to be erected, moved, added to, altered, established or enlarged has been approved by the city planning commission.

The purpose of this review is to address those aspects of the plan not defined during schematic development approval such as final architectural elevations and landscaping.

III. SITE PLAN ANALYSIS AND FINDINGS:

In accordance with §24-171 and 24-160D.9(c), the Planning Commission has the authority to review and make determinations regarding the proposed plan for the purpose of protecting the public health, safety and welfare. Accordingly, staff provides the following comments and findings for Planning Commission consideration:

Site Characteristics

General and Environmental Characteristics.

The Property is irregular in shape and is bounded on the east by Winter Walk Drive and the existing Quince Orchard Park community, to the south by Orchard Ridge Drive and the undeveloped Meadows section of Quince Orchard Park, to the west by Twin Lakes Drive and office development, and to the north by Quince Orchard

Road. Currently, the subject property is undeveloped and contains a combination of open land and forested area. Approximately 4.73 acres of the subject property is considered to be forest, with many invasive species identified in the Wildlife Management Plan. No rare or threatened species of plant or trees were identified on the site. There are no structures located on the site.

Zoning History

The subject Tax Parcel, 02304605, was annexed into the City in 1982 as part of the 212 acre Quince Orchard Park annexation known as X-129. The property was initially classified in the I-3 zone. On December 20, 1993, Zoning Map Amendment Z-275 was approved by the Mayor and Council which rezoned the entire Quince Orchard Park property to the MXD Zone. For the purposes of the sketch plan, the property was divided into six (6) sections, each with different potential land uses and density ranges. The Z-275 Sketch Plan for the Vistas section of Quince Orchard Park consists of approximately 13.1 acres and was designated for either office use or residential use. On December 17, 2001, the Mayor and City Council approved Zoning Map Amendment Z-275(C), which provided for a residential density range of 75 to 125 units or 150,000 to 250,000 square feet of office for the Vistas property. The Mayor and City Council approved SDP-04-001 for the Vistas on July 23, 2007. The schematic development plan was approved for 83 residential units and is the basis for this final site plan.

Surrounding Land Use and Zoning

As noted above, The Vistas is one of the six sections that make up Quince Orchard Park (QOP) and it is surrounded on several sides by other sections of QOP, also zoned MXD. To the east is a residentially developed portion of Quince Orchard Park. To the south and across Orchard Ridge Drive is the Meadows section of QOP, currently vacant and designated in the Gaithersburg Land Use Master Plan for residential-office and institutional land uses. The Meadows is proposed as the future location for the Corridor Cities Transitway (CCT) right-of-way and possible CCT station. West of the Vistas, across Twin Lakes Boulevard is a 3-story office building in the I-3 zone. To the north and across Quince Orchard Boulevard is the Crescents section of Quince Orchard Park, which is developed with predominantly office uses. A small portion of the subject property is adjacent to the National Institute of Standards and Technology (NIST) which is not located within the City of Gaithersburg.

Annexation Agreement and the Adequate Public Facilities Ordinance

In its review and approval of SDP-04-001, the City Council found that under Paragraph III of the first amendment to the annexation agreement for Quince Orchard Park, dated August 1991, of which the Vistas is a part, the applicant is exempt from the City's affordable housing requirements, the adequate public facilities requirements and from the requirement to complete design guidelines as part of their plan. As a result, zoning and subdivision laws in effect at the time the

site was rezoned to MXD, in January 1994, remain in effect. Any zoning or subdivision laws enacted after 1994 would not be applicable to this property, in accordance with the terms of the annexation agreement.

Transportation, Traffic and Parking

Streets surrounding the Vistas, including Quince Orchard Road, Twin Lakes Drive and Orchard Ridge Drive, are all built to their master plan widths. Circulation through the development will be provided by one two-lane public street (proposed Autumn View Drive), with full access off an existing traffic circle on Winter Walk Drive and right-in, right-out access from Orchard Ridge Drive. The remainder of the interior streets are private alleys to be maintained by the homeowners association.

On September 17, 2007, the Mayor and City Council granted a Road Code Waiver, RC-36, reducing the required right-of-way width for Autumn View Drive to 45 feet and satisfying Condition #10 of SDP-04-001.

Parking

There are 185 parking spaces required for the community. The applicant has provided a total of 308 parking spaces, 230 of which are provided off-street. The remaining 78 parking spaces are provided as street parking along proposed Autumn View Drive, Orchard Ridge Drive and along the interior alleys. Parking requirements for all unit types are met on site for each lot.

Corridor Cities Transit Way

A portion of the 50-foot wide Corridor Cities Transitway right of way, totaling 1.36 acres, runs along the western and northern edges of the Vistas property. In addition to the transit right of way, a 50 foot buffer between the transit way and the developable area of the Vistas is included in the plan to provide a visual and noise buffer between the residential use and the transit way.

According to the annexation agreement, the next 150,000 square feet of development in Quince Orchard Park (of which the Vistas is a part) is tied to two transitway-related events. The first event is the dedication or conveyance to the City of all transit rights of way through Quince Orchard Park to the City. The second event is the dedication or conveyance to the City of property for the transit station and related facilities. To date, all of the required properties have been conveyed to the City with the exception of the transit right of way within the Vistas. Staff has proposed a condition to require the conveyance of the transit right of way through the Vistas to the City prior to the issuance of any permits (Condition #1).

Bus Service

Quince Orchard Park is currently served by two Ride-On bus routes, including Route 56 on Quince Orchard Road and Route 74 on Great Seneca Highway.

Site Plan Analysis

The site layout for The Vistas remains virtually unchanged from the SDP-approved plan. Thirteen single-family detached units face Winter Walk Drive. Thirty-two two-over two condominiums will face Orchard Ridge Drive, and the remainder of the plan includes 7 front-loaded and 31 rear-loaded townhouses, many of which face one of two interior green spaces.

Site Amenities and Pedestrian Paths

One of the central features of The Vistas plan is the siting of a majority of the units around one of two "greens" that provide open space for the community (Exhibit #12 and #13). The green south of Autumn View Drive serves as a "backyard" for the townhouses, condominiums and single-family homes surrounding it. It is accessible from the alleys of these homes and includes two tot-lots for two different age groups, benches and a series of informal pedestrian paths that connect the green to other parts of the site. The more formal of the two greens is to the north of Autumn View Drive and serves as the front door to the surrounding 12 townhouses. This green has a more formal path system and provides a pedestrian connection to the active recreation area on the northern end of the development. A bronze sculpture, already chosen for the site by the applicant to comply with the Art in Public Places requirement, is to be located on one end of the green. The sculpture will be surrounded by a brick plaza and benches. A mid-block brick crosswalk connects this green with the other portion of the community.

In addition to the two greens, the plan includes an active recreation area to include a tennis court, volleyball court, multi-purpose court, horseshoes pit and a ½ acre open area, designed for informal recreation. A third playground, a gazebo, a picnic shelter and public art are also scattered throughout the site, providing a range of community gathering spaces.

While The Vistas community does not include a pool, the applicant and the Quince Orchard Park Community Association have entered into a reciprocal easement agreement (Exhibit #7) whereby the two communities are permitted to share their respective on-site recreational amenities. This agreement provides Vistas residents access to the QOP pool and satisfies condition #13 of SDP-04-001.

Building Elevations

The applicant has provided building elevations for the single-family houses (Exhibit #14) and the front and rear loaded townhouses (Exhibit #15 and #16). Architecture for the two over two condominiums will be brought back to the Planning Commission for approval at a later date (see Condition #8).

As noted earlier, under the original 1991 Quince Orchard Park Annexation agreement in which the Vistas was annexed into the City, the applicant is exempt from both the City's affordable housing requirements and from the requirement to

complete design guidelines. However, as a condition of SDP-04-001, the applicant was required to provide an "enhanced architectural design plan indicating color palette, identifying units treated with four-sided architecture, identifying and detailing end units and highly visible units, and indicating the minimum number of units with specific design details, such as porches, bay windows, dormers, and other architectural details in order to show compatibility with Quince Orchard Park. The plan must ensure that no identical elevations shall be sited within a four-lot envelope."

The applicant has complied with the condition and has provided a plan that assigns a specific elevation to each unit throughout the development (Exhibit #18). Staff has worked closely with the applicant on the architectural details. Optional features have been minimized to the rear decks of the townhomes. All other architectural features, including bay windows, dormers, and porches are standard elements of the elevations where they are indicated. In addition, a selection of trim materials and colors has been developed for each elevation to ensure an even greater degree of variability among the units (Exhibit #9 and #10). Sample color palettes and materials boards will be available for the Commission's review at the April 16th meeting.

Staff consistently discourages the use of vinyl siding in all new neighborhoods and has suggested that the applicant consider the use of a cementitious siding rather than vinyl. While staff would agree that the rears of many units in the Vistas will not be readily visible from many vantage points, staff would note that the use of a cementitious siding rather than vinyl is more than a purely aesthetic issue. A series of staff comments and e-mails with the applicant detailing the ongoing discussion regarding this issue is provided as Exhibit #11.

Single-Family Detached

Four elevations are provided for the single-family detached units, ensuring variety among the 13 units. Highly visible units, as indicated on the address plan, will be built with masonry (either brick or stone) on the sides visible from public roads. As noted earlier, staff recommends against the use of vinyl siding.

Front-Loaded Townhomes

There is one stick of seven (7) front-loaded townhomes with the rears of the units facing the stormwater management pond, Twin Lakes Boulevard and the future Corridor Cities Transitway. Four different elevations are presented within the stick, each of which provides a different architectural element, such as reverse gable roof, dormers, bay windows or French doors. Three of the front elevations are treated with brick and one is a combination of stone and vinyl siding. End units are entered from the side and are treated in brick with front porches. All rears are treated in vinyl siding with optional decks. The applicant, at the request of staff, has incorporated the same architectural features, such as window heads, dormers and

reverse gables to the rears of the units to provide more interest and variety in the back of the units. All rears are treated in vinyl siding with optional decks.

Rear-Loaded Townhomes

Five (5) sticks of rear loaded townhomes are proposed within the Vistas. Each stick has five elevations, four of which are treated with all brick fronts and one with a combination of stone and vinyl siding. Highly visible end units, as identified in Exhibit #19 are treated with brick sides and side entrances. All rears are treated in vinyl siding with optional decks. The applicant has incorporated the same architectural features, such as window heads, dormers and reverse gables to the rears of the units to provide more interest and variety in the back of the units.

Although the Vistas will not be incorporated into the Quince Orchard Park Community Association, staff recommends that the Vistas adopt the QOP architectural controls, which control fencing, landscaping, etc., so that the community continues to maintain some cohesiveness even if they are under separate associations.

IV. SUMMARY OF FINDINGS:

This final residential portion of the Quince Orchard Park community provides a mix of uses and design that is both compatible and well integrated with the existing Quince Orchard Park community. The Vistas plan will provide a substantial amount of usable green area and amenities to the existing Quince Orchard Park community, including a ½ acre open area for informal play that the community has long expressed interest in securing.

V. CONCLUSION.

Staff recommends granting **SP-07-0020, THE VISTAS – QUINCE ORCHARD PARK, FINAL SITE PLAN APPROVAL, FINDING IT IN COMPLIANCE WITH §§ 24-170 and 24-171, WITH THE FOLLOWING CONDITIONS:**

1. Prior to the issuance of any permits, the fifty-foot (50') transit right of way, as shown on the final site plan, shall be recorded on a subdivision plat and then conveyed to the City by Quadrangle Development Corp and/or Churchill Development Corp. in accordance with the Fourth Amendment to Annexation Agreement X-129;
2. Fifty percent of the total community amenities must be installed prior to the occupancy of the 42nd dwelling unit with the remainder of the amenities being installed prior to the occupancy of the 65th unit;
3. The applicant is to have the final utility and stormwater management plans and retaining wall details reviewed and approved by the Department of Public Works, Park Maintenance and Engineering (DPWPM&E) prior to the

issuance of any site development permits;

4. The applicant is to receive final approval of the Signing and Marking Plan, retaining wall details and Lighting Plan by DPWPM&E prior to issuance of any site development permits;
5. Applicant is to submit architectural elevations for the two-over-two condominiums as an amendment to final plan for Planning Commission approval;
6. The applicant is to complete the Art in Public Places (AIPP) commitment prior to the release of site development bonds; and
7. Applicant is to adopt Architectural Guidelines similar to those of Quince Orchard Park as part of the HOA Documents prior to the occupancy of the first unit.

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CARLOS ROJAS-FERNANDEZ
KELLEE ANN HOWARD
108 WINTER WALK DR
GAITHERSBURG MD 20878

HEMANT & P V BAKSHI
110 WINTER WALK DR
GAITHERSBURG MD 20878

KING H LEE
SHAN S YIN
112 WINTERWALK DR
GAITHERSBURG MD 20878

LAWRENCE H & JULIE WEBER
116 WINTER WALK DR
GAITHERSBURG MD 20878

ESWARA C & BIBI GOLLAPUDI
118 WINTER WALK DR
GAITHERSBURG MD 20878

BARBARA LTRUSTAVERS
120 WINTER WALK DR
GAITHERSBURG MD 20878

PETER L WANG
122 WINTER WALK DR
GAITHERSBURG MD 20878

MARY C NINOS
202 WINTER WALK DR
GAITHERSBURG MD 20878

SUZANNE & S S SCHARF
206 WINTERWALK DR
GAITHERSBURG MD 20878

LEE L & S J YU
208 WINTER WALK DR
GAITHERSBURG MD 20878

CHRISTOPHER & LISA C MATHEWS
210 WINTER WALK DR
GAITHERSBURG MD 20878

CLAUDIATRUST BENACK
212 WINTER WALK DR
GAITHERSBURG MD 20878

PHANETH KEO
214 WINTER WALK DR
GAITHERSBURG MD 20878

WILLIAM R & S N BURKE
216 WINTER WALK DR
GAITHERSBURG MD 20878

JOHN KTRUST EYBERS
219 WINTER WALK DR
GAITHERSBURG MD 20878

BAOCHONG GAO
CHUNSHENG NIE
223 WINTER WALK DR
GAITHERSBURG MD 20878

SUDARSHAN RANGANATHAN
PRABHA SUDARSHAN
227 WINTER WALK DR
GAITHERSBURG MD 20878

GONGWEI JIANG
231 WINTER WALK DR
GAITHERSBURG MD 20878

FRANCES T GIPSON
235 WINTER WALK DR
GAITHERSBURG MD 20878

EUI CHEOL SHIN
SUE HAKSOO KIM
239 WINTER WALK DR
GAITHERSBURG MD 20878

SHAWNTRUST ZIGLARI
14315 CERVANTES AVE
DARNESTOWN MD 20874

GREG P BERTENSHAW
303 WINTER WALK DR
GAITHERSBURG MD 20878

ASHER S SWING
PO BOX 7054
COLUMBIA MD 21045

DIAMOND FARMS HOMES CORP
P O BOX 3298
GAITHERSBURG MD 20878

QOCC ASSOCIATES
% QUADRANGLE DEV CORP
2030 M ST NW
WASHINGTON DC 20036

GENERAL ELECTRIC REAL ESTATE
CREDIT CORP
% QOCC
1001 G ST NW
WASHINGTON DC 20001

TROY KENNEDY
QUINCE ORCHARD PK COMM ASSN
449 WINTER WALK DR
GAITHERSBURG MD 20878

MEDIMMUNE INC
1 MEDIMMUNE WAY
GAITHERSBURG MD 20878

BILL WOGATSKA
CHURCHILL DEVELOPMENT CORP
5 CHOKE CHERRY RD STE 368
ROCKVILLE MD 20850

UNITED STATES OF AMERICA
% NIST BLDG 101 A825-A/P
601 QUINCE ORCHARD RD
GAITHERSBURG MD 20878

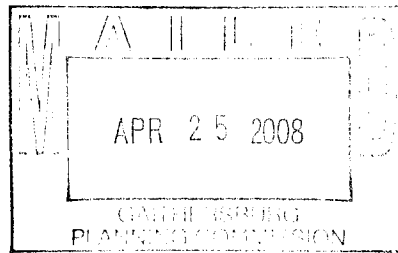
SANDRA I MUDRICK
899 QUINCE ORCHARD RD
GAITHERSBURG MD 20878

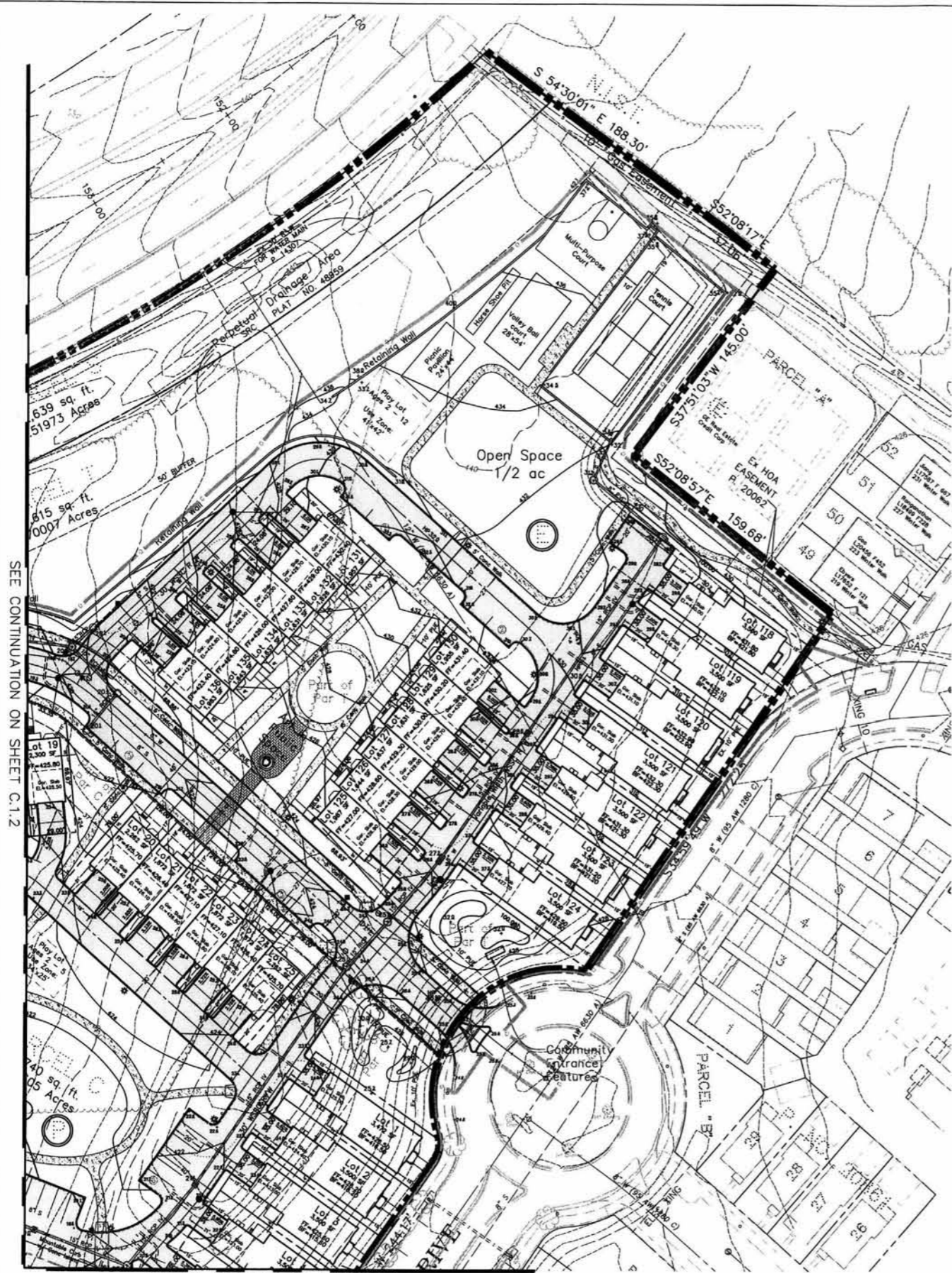
VIC BRYANT
MACRIS HENDRICKS & GLASCOCK
9220 WIGHTMAN RD # 120
MONTGOMERY VILLAGE MD 20886

RUCHITA PATEL
QUINCE ORCHARD PK COM ASSN
% THE MANAGEMENT GRP
20440 CENTURY BLVD # 100
GERMANTOWN MD 20874

RICHARD SKOBEL
QOP I/II CONDO ASSOCIATION
C/O MAIN STREET PROPERTY
MANAGEMENTQ
9 PARK AVENUE
GAITHERSBURG MD 20877

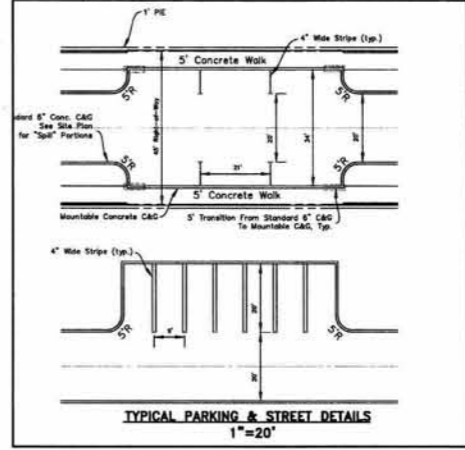
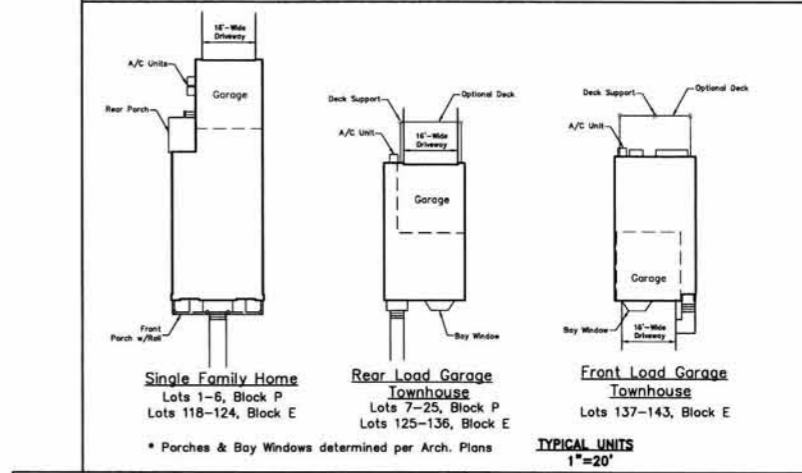
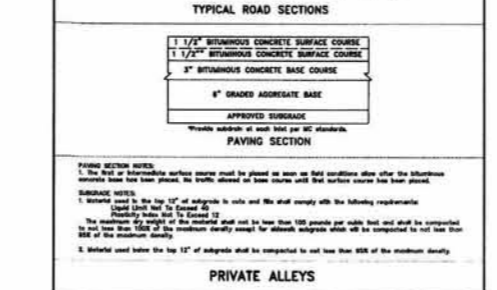
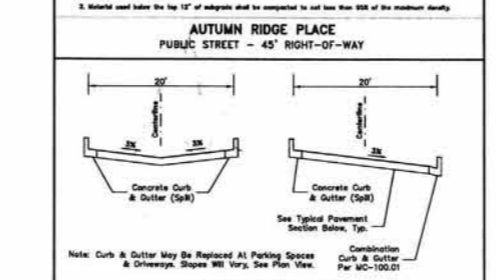
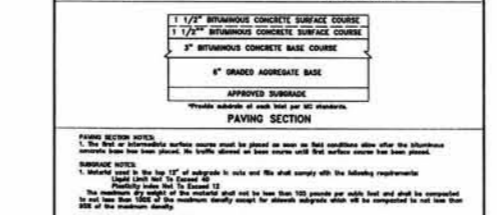
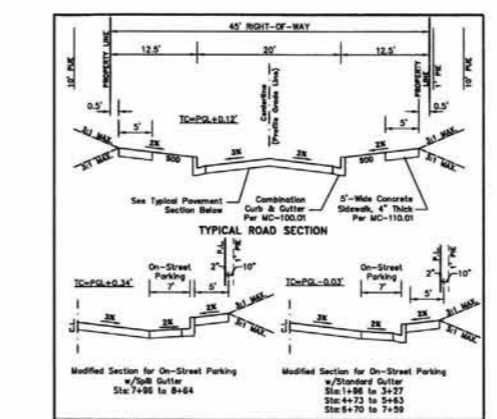
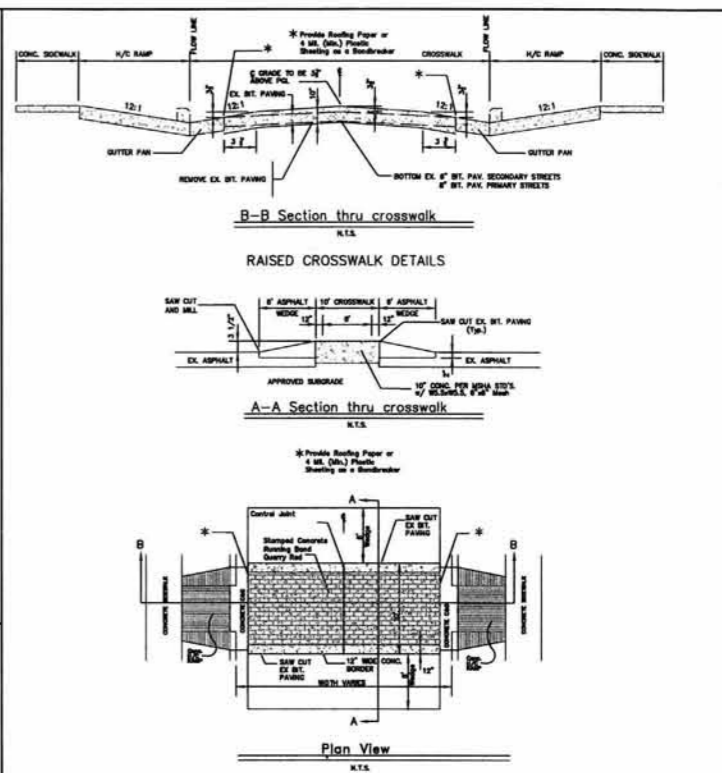
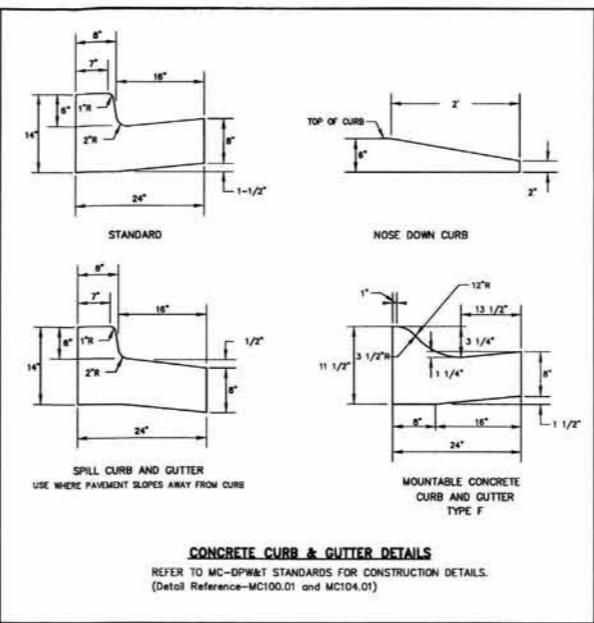
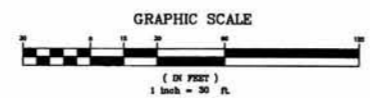
VIJH SUJATA
QOP II CONDO ASSOCIATION
912 ORCHARD RIDGE DRIVE
GAITHERSBURG MD 20878





SEE CONTINUATION ON SHEET C.1.2

SEE CONTINUATION ON SHEET C.1.2



CITY OF GAITHERSBURG PLANNING COMMISSION
31 SOUTH BURNETT AVENUE, GAITHERSBURG, MARYLAND 20877

SITE PLAN APPROVAL
AT THE REGULARLY SCHEDULED MEETING OF THE PLANNING COMMISSION HELD ON APPLICATION NO. SP- WAS GRANTED
FINAL SITE PLAN APPROVAL
WITH () CONDITIONS. SEE S.D.A. LETTER.
DATE BY

NOTE: ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE PLANNING COMMISSION

TAX MAP FS 123 WSSC 222 HW 11

**SITE DEVELOPMENT PLAN
THE VISTAS
QUINCE ORCHARD PARK**
Parcels A, B, C - Lots 1-25 - Block P
Parcels P, Q, R, S, T, U - Lots 118-143 - Block E
City of Gaithersburg-9th Election District-Montgomery County-MARYLAND

MHG Macris, Hendricks & Glascock, P.A.
Engineers • Planners
Landscape Architects • Surveyors

9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20896-1279

Phone 301.870.0840
Fax 301.848.0893
www.mhga.com

Proj. No. 477
Date 8/15
Project 89-15

#20
SP-07-0020

8/15/2007 10:00 AM C:\Users\mhw\Documents\2007\SP-07-0020\SP-07-0020.dwg