
MEMORANDUM TO: Planning Commission

FROM: Lauren Pruss, Planning Director

DATE: September 5, 2012

SUBJECT: Preliminary Background Report
ASDP-0641-2012: Watkins Mill Town Center

APPLICANT/OWNER:

BP Realty Investments, LLC
10000 Falls Road
Suite 100
Potomac, Maryland 20854

TAX MAP REFERENCE:

Tax Sheet FT 13 and FT 22

REQUEST:

Application **ADSP-0641-2012** has been filed requesting approval of an amendment to schematic development plan SDP-05-002, known as Watkins Mill Town Center in Gaithersburg, Maryland. The application requests approval to eliminate the commercial component of the twenty approved live/work units (also known as the mid-town urban lofts) and develop the parcels exclusively with residential townhomes. The 10,000 square feet of commercial floor area would be reallocated to a hotel to be built in phase two of development. Watkins Mill Town Center is zoned MXD Mixed Use Development and is located between I-270 and the CSX railroad tracks at Watkins Mill Road. The subject area of amendment is located at 400, 401, 500, 501 Uptown Street.

LOCATION:

Watkins Mill Town Center is located north of the CSX Railroad tracks and Metropolitan Grove Road and south of Interstate 270, and is bounded on the west by the McGown tract (located in Montgomery County) and to the east by City parkland and several privately owned properties zoned MXD.

Planning Commission
ADSP-0641-2012
30



PROJECT BACKGROUND AND ZONING HISTORY:

The subject property contains approximately 198 acres of land and has been within the boundaries of the City of Gaithersburg for many decades. By the early 1950's, the properties were held by members of the Casey family, who provided land in 1955 for the construction of what is now Interstate 270. The subject property was part of annexation application X-095.

Application Z-297 proposed three (3) development options of differing scenarios that included single-family attached and detached residential units, 3-over-2 residential condominium units, multi-family residential units, office buildings with first floor retail, and a hotel/cinema complex. Following the joint public hearing on the application a fourth option (with similar uses) was presented at joint work session and subsequently approved by the Mayor and City Council who adopted Ordinance O-1-05 granting approval for the Amendment to Sketch Plan Z-297 (Option 4) on April 18, 2005 with 42 conditions.

The schematic development plan SDP-05-002, which was in substantial conformance with Option 4, was approved by the Mayor and City Council on August 1, 2005 via resolution R-75-05 with twenty-three (23) conditions (Exhibit 32). The majority of these conditions for approval have been satisfied. The final site plan for Watkins Mill Town Center, SP-05-0013 was approved by the Planning Commission on May 3, 2006 with thirty-six (36) conditions (Exhibit 31). This approval provided for the full buildout of the residential portion of the development (outside of the "urban core") and also included the roadways for the urban core.

REQUIRED ACTIONS

Approval of ASDP-0641-2012, by the City Council is dependent upon the findings required under § 24-160D.10 of the City Code as follows:

(b) The city council shall approve a schematic development plan only upon the finding that:

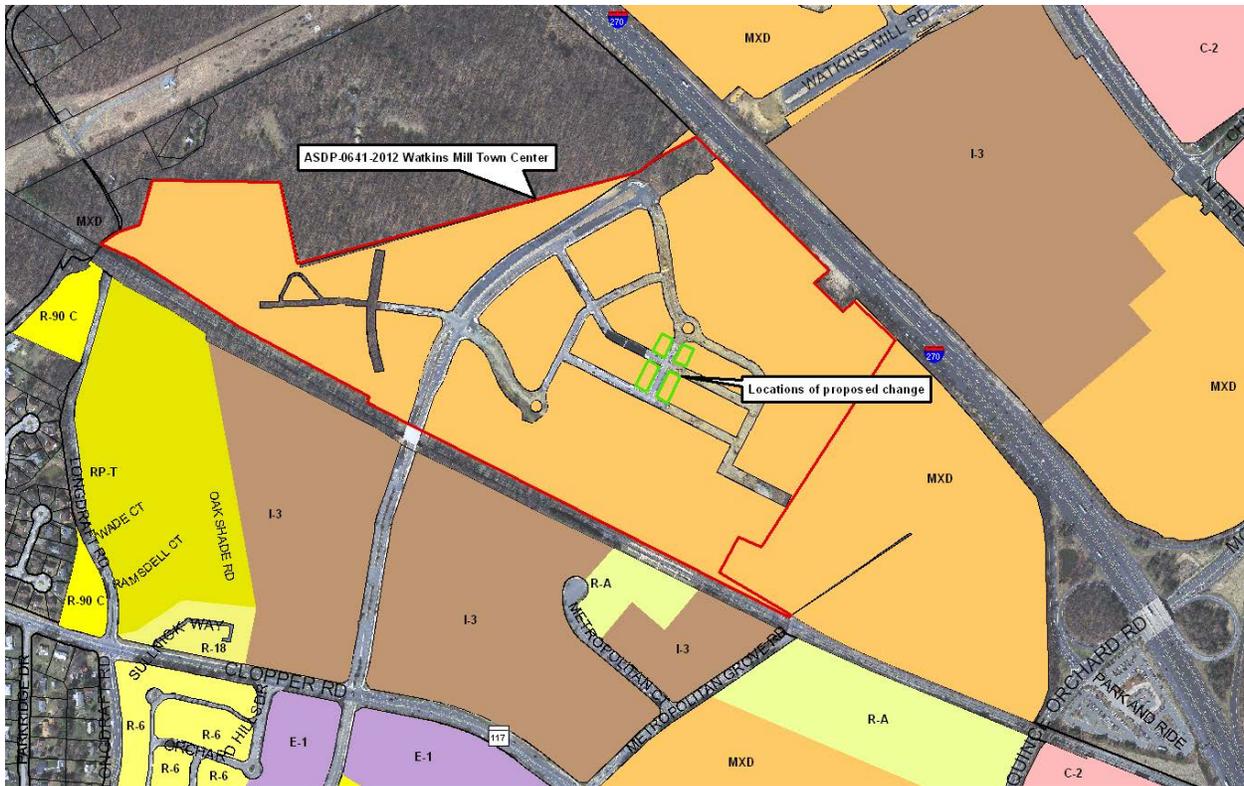
- (1) The plan is substantially in accord with the approved sketch plan; and*
- (2) The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone, and other requirements of the City Code; and*
- (3) The plan is in accord with the area master plan and any accompanying special condition or requirements contained in said master plan for the area under consideration; and*
- (4) The plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned area and adjacent areas; and*
- (5) That existing or planned public facilities are adequate to service the proposed development contained in the plan; and*
- (6) That the development staging or phasing program is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and*
- (7) That the plan, if approved, would be in the public interest.*

Therefore, the applicant has the burden of showing that this application for amendment continues to comply with the purpose and intent of the MXD Zone as it did in the first application and also complies with the master plan.

SURROUNDING LAND USE AND ZONING:

The Property is irregular in shape and is bounded to the north and east by I-270, to the south by the CSX railroad tracks, and to the west by the undeveloped McGown property in Montgomery County. The Parklands at Watkins Mill Town Center, the residential portion of the development is currently under development. The area surrounding 400, 401, 500 and 501 Uptown Street is zoned Mixed Use Development (MXD) and is developing with a mix of residential units, both fee simple and condominium units.

The Property is surrounded by a number of different land uses that include; office, research and development, multi-family units, single-family attached units, and industrial (vehicle storage) uses. There are many surrounding properties that are publicly owned by the City of Gaithersburg, Maryland State Highway Administration, and Montgomery County.



MASTER PLAN AND ZONING:

The Property is located within the Casey-Metropolitan Grove Road Special Study Area 7 of the 2003 Land Use Element Master Plan. Three development options were approved for the property: Office with a Commercial Component, Private Arts, Entertainment and Education Center, and Mixed Use Office-Residential with a Commercial Component. The Master Plan designated the Site as “mixed use residential-office-commercial” with the zoning classification to remain MXD.

AMENDMENT TO SCHEMATIC DEVELOPMENT PLAN:

The proposed amendment requests approval to eliminate the commercial component of the twenty approved live/work units and develop the parcels exclusively with fee simple residential townhomes. The 10,000 square feet of previously approved commercial floor area would be reallocated to the Watkins Mill Road hotel to be built in phase two of development, reducing the total phase one mixed commercial floor area to 96,639, and increasing the phase two commercial floor area to a total of 465,000 square feet.

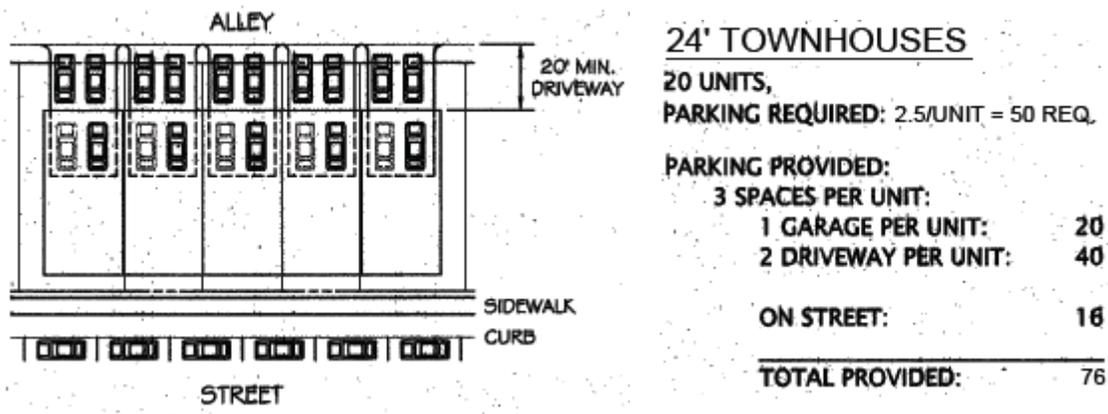
The applicant is requesting the amendment for several reasons (Exhibit 3). First, the applicant believes that the location of the live/work units will detract from the viability of the commercial core by diluting and diminishing the concentration of retail within the urban center. Additionally, the applicant has concerns about the impact of live/work units on the surrounding residential properties. Their experience is that over time, there will be demands for expansion of

office and service floor area into upper floors, increasing the demand for parking and increasing the impact of the commercial uses on the nearby residential neighborhood.

In many of the Kentlands live/work units, staff has found that first floor commercial uses have expanded into upper floors, and even have experienced illegal conversions of residential units to commercial space in units not designed or built to code for commercial uses. Additionally, further review of the parking allocation for the live/work units in Watkins Mill Town Center finds that the proximity and timing of garage parking for these units will present a challenge, with any shortages resulting in potential negative consequences for the surrounding residential area. This issue was identified at schematic development plan approval, and was subject to a final site plan condition that stated “Final architecture and parking calculations for the mid-town urban lofts shall be approved as a future Amendment to Final Plan (Exhibit 32).”

Parking Analysis

The live/work units are considered part of the mixed use urban core and were originally parked with a combination of on-site residential parking (two spaces per unit), on street parking, and garage parking in the commercial core with a total parking allocation of 85 spaces (4.25 per unit). The proposed amendment provides two garage parking spaces (counting as one parking space) and two driveway parking spaces, for a total of three on-site parking spaces. Additionally, sixteen on-street parking spaces are provided, bringing the total parking allocated for these units to seventy-six (76), or a total of 3.8 parking spaces per unit, well above the 2.5 parking spaces required for townhouses (Exhibit 9 and 10).



Phasing

Watkins Mill Town Center is approved to be built in three general phases that are each contingent upon specific large scale traffic improvements as noted below:

- Phase 1: Watkins Mill Road extended
- 473 attached and detached residential units
- 252 condominium units
- 96,639 s.f. mixed use *proposed* (retail/restaurant/cinema) (106,639 approved)
- 493,459 s.f. office
- 210 room hotel & related 38,000 s.f. meeting room & dining facilities; 65 penthouse condos

This traffic pattern will continue to occur until one of two things occur, either the construction of Town Center Boulevard (the main entrance for the commercial core), or until the construction of the Watkins Mill Interchange. Staff believes that it is necessary to relieve this condition as quickly as possible, and will recommend a condition for approval providing for the expedited construction of Town Center Boulevard.

Architecture

The architecture of the proposed townhomes will be substantially similar to that of the approved elevations for the “Vanderbilt” urban townhouse units. These units feature a roof top deck option providing a flat roof and more urban design than that of traditional townhomes. The applicant has agreed to commit to build a minimum of fifty (50) percent of the units with the roof top deck to ensure that this feature is constructed. These units are identified as Key Lots on the Key Lot Plan, and are required to have full four-sided masonry exteriors (Exhibit 33).



6 UNIT BUILDING
FRONT ELEVATIONS - BASE



6 UNIT BUILDING
REAR ELEV. BRICK/SIDING

Exhibit 12

Stormwater Management

The development has received final stormwater management approval for the full build out of the site. The applicant has submitted a statement indicating that the proposed amendment will not increase the approved building footprints. As such, the Department of Public Works has determined that the applicant does not need to revise the sediment control plan or stormwater management plan (Exhibit 14).

PUBLIC FACILITIES:

Water and Sewer Services and Public Utilities

The subject property is served by water and sewer service and as such, the site has W-1 and S-1 categories (areas served by community systems which are either existing or under construction) as verified by the Washington Suburban Sanitary Commission. Service does exist and, therefore, the application complies with the requirements of the City’s Adequate Public Facility Ordinance (APFO) for water and sewer (§ 24-247).

Fire and Emergency Services

The subject property is located within a ten-minute response time of the following five fire stations:

- Gaithersburg/Washington Grove Fire Station 8 (Montgomery Village Avenue)
- Germantown West Station 22
- Germantown Station 29
- Rockville Volunteer Fire Department, Station 31
- Germantown East Station 34

Therefore, the site complies with the requirements for the Adequate Public Facilities requirements for Emergency Services.

Adequacy of School Capacity

The proposed development is located within the Watkins Mill cluster of the Montgomery County Public School (MCPS) system. Within this cluster, the schools that currently serve the proposed development are Quince Orchard High School, Lakelands Park Middle School, and Brown Station Elementary School. Although the property has received final plan approval, the proposed amendment will alter the student generation ratios. The live/work units are calculated at a lower generation rate than standard townhomes, and as such, the proposed amendment does slightly increase the student generation for the proposed project. That being said, none of the schools that serve the proposed development currently exceed 110% of capacity five years in the future. As such, the proposed development complies with the school test of the Adequate Public Facilities Ordinance.

Traffic Impacts

Watkins Mill Town Center received final plan approval in 2006, prior to adoption of the City's Adequate Public Facilities Ordinance. In 2005, the applicant submitted a traffic study in conjunction with SDP-05-002. As required by the current Adequate Public Facilities Ordinance, the applicant has submitted a traffic statement dated August 6, 2012 which indicates that no additional retail space or new residential units are proposed with the amended schematic development plan. Engineering Services Director Ollie Mumpower has reviewed this information and agrees with its findings. Based on this information, no additional traffic studies are required for the proposed amendment (Exhibit 17).

STAFF RECOMMENDATION:

Because this is the initial public hearing and staff continues to complete their analysis of the proposed project, no recommendation is provided at this time. A formal recommendation will be provided by staff prior to the Planning Commission recommendation and Mayor and City Council policy discussion. For the purpose of concluding the public hearing, staff recommends that the Planning Commission make a motion to close the public hearing and hold the record open until 5:00 PM on Wednesday, September 26, 2012.

SITE DEVELOPMENT APPROVAL

Applicant:

RODGERS CONSULTING INC
19847 CENTURY BLVD #200
GERMANTOWN MD
20874 20874

Project:

Site Plan: SP-05-0013
Proj Name: Watkins Mill Town Center
Lot/Block:
Address:
Action: **Planning Commission Approval**

Description: Approval for only residential units located outside the urban core and only the streets inside the urban core.

The residential unit breakdown is as follows:

- Single family detached: 94
- Townhouses with an integral garage: 180
- Stacked townhouses (2-over-2 units): 142
- Loft condominiums: 20

Dear Applicant:

The Planning Commission of the City of Gaithersburg, at their meeting held on **May 3, 2006**, has reviewed and approved your application.

All permits required by the Ordinance of the City of Gaithersburg may now be applied for at the Planning and Code Administration at City Hall, 31 South Summit Avenue. See procedure described on the reverse side of this form.

This approval is issued subject to all contingencies enumerated on the reverse side of this form. Additional requirements of this approval are listed below:

- 1: This site plan includes the residential section and only streets in the Urban Core of Watkins Mill Town Center. The applicant shall submit separate site plans for the Urban Core, the hotel located on Watkins Mill Road, the storm water management pond water feature, and the gas station/bank parcel;
- 2: Final roundabout designs to be reviewed and approved by DPWPM&E prior to the issuance of Public Works permits;
- 3: All driveway widths, lengths, and location changes are to be reviewed and approved by DPWPM&E prior to the issuance of Public Works permits;
- 4: The 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 for each phase;
- 5: The final utility plan shall be revised and approved by DPWPM&E prior to the issuance of Public Works permits for each phase;
- 6: Final retaining wall locations, design, peer review, and plan to be approved by DPWPM&E prior the issuance Public Works permits;
- 7: Final signing, lane marking, turning radii plans, lighting plans, paving and storm drain plans, grade establishment plans, and details to be reviewed and approved by DPMPM&E prior to the issuance of Public Works permits;
- 8: The applicant shall dedicate to the appropriate governmental agencies, portions of the property indicated on the schematic development plan required for the construction and completion of: 1) the Watkins Mill Road Interchange with I-270 right-of-way, including associated ramps; 2) Watkins Mill Road extended right-of-way; and 3) Corridor Cities Transitway right-of-way when required by the appropriate local or state agency including the City of Gaithersburg, Montgomery County, the Maryland Transit Administration and State Highway Administration. Associated Declaration of Covenants and Homeowners Association Documents shall be reviewed and approved by the City Attorney prior to the issuance of Public Works permits for each phase;

- 9: Applicant must submit a final storm water management plan, including final details for bio-retention ponds, and storm water outfall plans to be reviewed and approved by the Department of Public Works, Park Maintenance, and Engineering (DPWPM&E) prior to issuance of final grading permits;
- 10: Applicant to provide final stream stabilization plans and stormwater management outfall plans to be approved by DPWPM&E, the U.S. Army Corps of Engineers, and Maryland Department of the Environment prior to the issuance of final grading permits; however, staff may issue a conditional final grading permit prior to MDE approval, if deemed appropriate;
- 11: Applicant to fulfill the twelve (12) forest conservation plan conditions and receive approval from Environmental Affairs prior to issuance of final grading permits;
- 12: The applicant shall obtain final landscape plan approval from staff prior to the issuance of final grading permits;
- 13: The applicant shall provide dimensions, total square footage, and bearings and distances for each block on the final site plan prior to the issuance of final grading permits;
- 14: Prior to clearing Phase II (i.e., stream valley buffer), the applicant shall receive all necessary approvals and permits from the City, the U.S. Army Corps of Engineers, Washington Suburban Sanitary Commission (WSSC), and Maryland Department of the Environment;
- 15: Prior to clearing Phase III (i.e., area northwest of the Corridor Cities Transitway (CCT)), the City Manager must determine that the applicant has met all legal obligations to the City;
- 16: The Declaration of Covenants and Homeowners Association Documents may provide a shared maintenance agreement between the Urban Core and the HOA to ensure the owners of the Urban Core will have perpetual ownership and maintenance responsibilities as shown on the Plat/Ownership Exhibit (Exhibit #78).
- 17: Applicant to modify Cover Sheet (Exhibit #14) note #9 to state: "All pedestrian walks, conversation easements and buffers to be maintained by the Urban Core, unless otherwise approved by the City."
- 18: The applicant shall place all environmentally sensitive areas, as identified on the forest conservation plan under a permanent conservation easement to be recorded and identified on a plat to be recorded and submitted to Montgomery County Land Records prior to issuance of building permits. The owner of the Urban Core shall own and be responsible for maintaining all areas within the conservation easement;
- 19: The applicant shall dedicate the approximately 14 acres of undisturbed parkland depicted on the western portion of the Casey Property West plan to the City of Gaithersburg to be recorded and submitted to Montgomery County Land Records prior to the issuance of building permits;
- 20: The applicant shall continue to work with staff to develop technically effective, feasible, aesthetic, and reasonable interior and exterior noise abatement measures to prevent unacceptable noise exposures to the future residents of the development. Noise abatement measures should achieve the 65 dBA exterior noise guideline and the 45 dBA interior noise guideline. Prior to approval of building permits, there shall be a certification by a professional engineer with competency in acoustical analysis that the building shell will attenuate exterior noise levels to an interior level not to exceed 45 dBA Ldn. A final noise mitigation plan shall be reviewed and approved by staff prior to the issuance of building permits;
- 21: This site plan shall constitute a waiver to be granted by the Planning Commission in accordance with Section 24-169(f) of the City Ordinance, allowing for a later submittal of the final record plats;
- 22: The applicant shall receive approval of the final record plat from the City Planning Commission and record them in the Land Records of Montgomery County prior to the issuance of building permits;
- 23: The applicant shall provide a list of street names for the community for City and Maryland National Capital Park and Planning Commission review and approval prior to the submission of record plats;
- 24: Applicant to provide an Art in Public Places (AIPP) phasing and implementation plan to be approved by City staff in consultation with the AIPP committee prior to the issuance of building permits;
- 25: Applicant to vary vertical plane of the front walls of the townhouses in accordance with the design guidelines prior to the issuance of building permits;
- 26: Applicant to work with staff to improve side elevation features for key lots that function either as gateways or entrances to major streets prior to the issuance of building permits;
- 27: Applicant shall continue to work with Staff on interpretive sign program for path system to be reviewed and approved
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prior to the issuance of building permits;

28: Final architecture and parking calculations for the mid-town urban lofts shall be approved by the Planning Commission as a future Amendment to Final Plan;

29: Applicant to revise end unit side elevations of the Vanderbilt units for Planning Commission approval as an Amendment to final Plan prior to the issuance of building permits;

30: Applicant to submit architecture for the custom house lots for Planning Commission approval as an Amendment to Final Plan prior to the issuance of building permits;

31: The applicant shall submit a sign package to include, but not be limited to, entry feature signage and future Urban Core signage to be approved by the Planning Commission as a future Amendment to Final Plan;

32: Developer shall be required to provide Community Amenities early on in the development of the project, namely the Midtown's park amenities of the Tot-Lot, pool, clubhouse, tennis court, and the adjoining Park along with the path thru the sensitive areas shall be constructed at the time of the issuance of the building permit for the 150th unit. The additional parks and tot-lots and path through the northern park will be built as the surrounding housing is constructed, with all residential amenities completed by the time of issuance of the building permits for the last 50 units;

33: The applicant shall complete the construction of all sidewalks/pathways between the following units prior to the issuance of final occupancy permits:

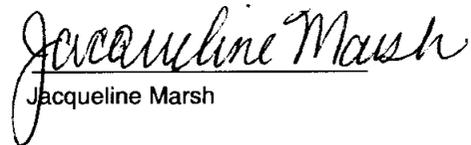
Lots 8 and 9, Block I
Lots 42 and 43, Block I
Lots 29 and 30, Block I
Lots 21 and 22, Block I
Lots 3 and 4, Block E
Lots 6 and 7, Block O
Lots 11 and 12, Block O
Lots 16 and 17, Block M

34: The developer of the residential units shall place fences along the rear property lines for the large single family lots facing the McGowan property, the future City park property, and the Devlin property. Final fence details and locations to be approved by staff. The developer shall provide disclosures mandating the fence not be removed to the future homeowners of said subject lots relating to the maintenance and placement of the fences. These documents shall be reviewed and approved by City staff;

35: The applicant shall place all gas meters in the rear of the single family detached, attached, and two-over-two condominium units; however, meters may be placed in side yards of front-loaded single family units in accordance with the Design Guidelines; and

36: Applicant to work with City staff and Montgomery County Ride-On regarding the review and approval of all bus shelter locations and routes.

Date: May 18, 2006 Planner:


Jacqueline Marsh

RESOLUTION NO R-75-05

RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF GAITHERSBURG GRANTING APPROVAL OF
SCHEMATIC DEVELOPMENT PLAN SDP-05-002,
KNOWN AS, CASEY PROPERTY WEST FOR
APPROXIMATELY 125.5 ACRES OF PROPERTY
ZONED MIXED USE DEVELOPMENT (MXD)

SDP-05-002

OPINION

Application SDP-05-002 has come before the Mayor and City Council for approval of a schematic development plan (SDP) for land zoned Mixed Use Development (MXD). The City Council's authority in this matter is pursuant to §24-160D 9(b)(3) of the City of Gaithersburg Zoning Ordinance (Chapter 24 of the City Code), which authorizes the Council and Commission to conduct public hearings on a schematic development plan application following appropriate notification procedures and to take action on the application within ninety (90) days of the close of the hearing record, following receipt of a recommendation by the City Planning Commission.

The subject case involves approximately 125 acres of land and concerns the development of the Betty B Casey property known as Parcels P33, P211, P888 and P910. The subject property borders existing City owned parkland and a County owned abandoned vehicle impoundment lot. Directly across from the CSX Railroad tracks is the Bennington residential community consisting of 295 Townhouses on RPT Zoned land, a number of commercial, research and development facilities on land Zoned I-3 and the State Motor Vehicle Administration facility. The schematic development plan application was submitted to the City Planning and Code Administration, on April 22, 2005. This application was designated as SDP-05-002.

OPERATIVE FACTS

A. Background

The subject property ("Site"), was annexed into the City of Gaithersburg on May 31, 1968 as part of the approval of Annexation Application X-095 (Resolution R-8-68) to annex approximately 198 acres of land and to classify the land in its entirety in the I-3 Zone by Resolution R-9-68. There was no annexation agreement associated with the approval of Annexation Application X-095.

On April 1, 1996, the Site was rezoned with the owner's consent to the Mixed Use Development (MXD) zone as part of the Comprehensive Zoning Map Amendment application Z-278 approved by the Mayor and Council by Ordinance O-5-96. The Site is located north of the CSX Railroad tracks and Metropolitan Grove Road and south of Interstate 270, and is bounded on the west by County land (known as the McGown tract) and to the east by City parkland and several privately owned properties zoned MXD.

The Site is located within the Casey-Metropolitan Grove Road Special Study Area 7 of the 2003 Land Use Element of the City of Gaithersburg Master Plan. Three alternative development scenarios were recommended for development for the Site: Office with a Commercial Component; Private Arts, Entertainment and Education Center; Mixed Use Office-Residential with a Commercial Component. The adopted Master Plan designated the Site as "mixed use residential-office-commercial" with the zoning classification to remain MXD.

On August 4, 2004, the applicant, Peter Henry, on behalf of B P Realty Investments, submitted an Amendment to Sketch Plan Application, for approximately 125 acres of property known as the Betty B Casey property. This Site is located between the CSX Railroad tracks and I-270, north of Metropolitan Grove Road. The file number and name for the amendment to sketch plan application are Z-297 and Casey Metropolitan West, respectively.

Of the three development alternatives allowed for the Site per the Casey-Metropolitan Grove Road Special Study Area 7 of the 2003 Land Use Element to the Master Plan, the applicant chose the "Mixed Use Office-Residential with a Commercial Component" alternative. The Master Plan designates as one of the land use recommendations for the Site "mixed use residential-office-commercial" with the zoning classification to remain MXD.

On April 18, 2005, the amendment to sketch plan application Z-297 was adopted by the Mayor and City Council by Ordinance O-1-05.

The current use of the Site is forest and active agriculture. The Site is surrounded by a number of different land uses that include office, research and development, multi-family units, single-family attached units, and industrial (vehicle storage) uses. Many of the surrounding properties are publicly owned by: the City of Gaithersburg, Maryland State Highway Administration, and Montgomery County.

B Current Application

On April 22, 2005, Gary Unterberg, of Rodgers Consulting, representing the applicant Peter Henry, of B P Realty Investments, submitted a Schematic Development Plan Application, for approximately 125.5 acres of property known as the Betty B Casey property (the "Site"). This Site is located between the CSX Railroad tracks and I-270, north of Metropolitan Road. The file number and name for the Schematic Development Plan application are SDP-05-002 and Casey Property West Metropolitan Grove (Casey West), respectively.

The SDP-05-002 application has been filed for approval by the City Council for an area zoned MXD and is reflected within and consistent with the approved amendment to sketch plan for Z-297, pursuant to Sec. 24-160D 9 (b) of the City Code

Of the three development alternatives allowed for development of the Site per the Casey-Metropolitan Grove Road Special Study Area 7 of the 2003 Land Use Element to the Master Plan, the applicant applied for SDP approval of the "Mixed Use Office-Residential with a Commercial Component" alternative. This alternative is consistent with the Master Plan designation for the property and the recently approved sketch plan for the site.

The Mayor and City Council and Planning Commission conducted a joint public hearing on June 6, 2005 at which time evidence was received on the subject application. The schematic development plan (SDP) application included 1,075 dwelling units including single-family detached, single-family attached, two-over-two condominium, and high-rise condominium, 259,939 square feet of mixed use commercial space and 936,650 square feet of office space on 125.21 acres of land.

During the public hearing, the applicant and applicant's representatives presented, discussed, and described the mixed-use transit oriented development of the schematic development plan SDP-05-002 including, site location, design and site layout, Watkins Mill Road extended and interchange, shared parking, uses and dwelling unit types, design guidelines, building heights and architecture, and MARC and Corridor Cities Transitway (CCT) stations. Furthermore, the applicant's representatives presented testimony and evidence as to the 42 conditions of the amendment to sketch plan Z-297 approval including, transportation, circulation, parking distribution, phasing, stormwater management, environment, and that the proposed plan layout of the SDP-05-002 application is the same as the approved Z-297 sketch plan. At the conclusion of the joint public hearing, the Planning Commission agreed to hold their record open until July 14, 2005 and the Mayor and City Council agreed to hold their record open until July 27, 2005.

Since the public hearing, staff has been meeting regularly with the applicant to address many of the City and community concerns regarding the SDP. As a result, the proposed schematic development plan was revised, per Section 24-198(c)(1), and was presented at the Mayor and City Council and Planning Commission joint public work session held on July 11, 2005.

The main issues discussed by the Mayor and City Council and Planning Commission were the design guidelines, proximity of buildings to Watkins Mill Road extended, parking distribution, availability of parking during construction, LEED requirements, noise attenuation, environmental impacts and mitigation, building layout/location, primary access to the site, and unit count.

The Planning Commission record closed on the Schematic Development Plan SDP-05-002 as of July 14, 2005. The Planning Commission reviewed the SDP-05-002 modified proposal of 1,066 dwelling units including single-family detached, single-family attached, two-over-two condominium, and high-rise condominium, 259,939 square feet of mixed use commercial space and 936,650 square feet of office space on 125.21 acres of land at their July 20, 2005 meeting. Based on their review of the evidence, the Planning Commission

found that the SDP-05-002 application is in conformance with the MXD Zone standards. The Planning Commission further recommended approval of SDP-05-002 finding it consistent with the concept of a transit oriented development and meets the general intent and provisions of the 2003 Land Use Element of the Master Plan and the City's Housing Policy. Consequently, the Planning Commission recommended approval of the SDP-05-002 application with the following conditions required of the applicant:

- 1 Applicant to provide an Art in Public Places (AIPP) plan and commit funding to be approved by City staff and AIPP committee during final site plan stage
- 2 Applicant shall continue to work with staff to eliminate and/or minimize the use of the several retaining walls proposed throughout the site during the final site plan process
- 3 Applicant to work with City staff and Montgomery County Ride-On regarding the review and approval of all bus shelter locations and routes during final site plan stage
- 4 Applicant shall continue to refine the roadway and alleyway designs and include appropriate traffic calming measures to be reviewed and approved during final site plan stage
- 5 Applicant shall continue to work with staff on location of paths, sidewalks, nature trails, bike facilities (racks, lockers, etc), etc extending to and from the site and through the site during final site plan stage. Proposed internal trails should provide multi-use paths. The pathway should connect McGown Tract (westside of site) to Metropolitan Grove Road (eastside of site)
- 6 Applicant shall continue to work with Staff on sign program for path system to be reviewed and approved during final site plan stage
- 7 Applicant shall continue to work with Staff to provide safe pedestrian crossings to/from the parking structure over Commerce Street (Street B3) and to/from the proposed CCT station and existing MARC station. Staff is concerned with the ability of people (families/children) crossing four lanes of a highly used roadway and the CSX Railroad tracks. All crossings must be handicap accessible
- 8 Applicant must obtain approval of a preliminary stormwater management plan prior to submission of final site plans for development.
- 9 The developer, working with the City, the town architect, and a developer retained LEED certified professional shall incorporate architecturally acceptable and commercially reasonable LEED elements, such as healthy buildings, into the design of the office and condominium towers within the urban core to encourage sustainable design
- 10 Applicant must obtain approval of the preliminary Forest Conservation Plan prior to the submission of final site plans for development.
- 11 Applicant shall continue to work with staff on the design guidelines for the development. The design guidelines should be approved with the SDP and are subject to interpretation and elaboration by staff and Planning Commission during the final site process. The Commission stated further attention should be made to the following
 - a) The Design Guidelines should have stricter language,
 - b) The Design Guidelines should include diagrams to accompany the narrative,

- c) The Design Guidelines should make reference to a wide variety of house elevations and types. Broader language should also be added when describing residential housing elevations, and
- d) The Design Guidelines should give more flexibility for the development of the Urban Core. The guidelines should allow for the development to be created over an unlimited amount of time and should not be limited in terms of design approach.

- 12 Applicant is to provide additional landscaping and decorative walls along Watkins Mill Road extended, where appropriate, to be reviewed and approved during the final site plan stage.
- 13 Applicant must obtain environmental waivers, as recommended by City staff, from the Mayor and City Council during the final site plan stage.
- 14 Applicant must obtain road code waivers, as recommended by City staff, from the Mayor and City Council during the final site plan stage.
- 15 Applicant to submit a noise study as part of the final site plan application.

C Evaluation and Findings

The City Council agrees with the findings, conclusions and recommendations of approval of Schematic Development Plan SDP-05-002 by the City Planning Commission and City staff. The City Council finds those recommendations to be well reasoned and adopts and incorporates their findings as part of this action. The City Council further agrees with the Planning Commission in that the procedures governing the application for the MXD Zone and approvals necessary to seek building permits are subject to a multi-step process and that this is only one of several steps of the process, that subsequently includes Final Site Plan reviews and approvals.

In reviewing the subject application for the approval of Schematic Development Plan SDP-05-002, the City Council finds the application and development proposal meets or accomplishes the purposes, objectives, and minimum standards and requirements of the MXD Zone that are set forth in Chapter 24 Article III Division 19 of the City Zoning Ordinance.

The City Council finds that the application meets the submission requirements and the standards and requirements for approval of the subject schematic development plan in that:

- 1) the applicant filed, together with the prescribed application fee, an application for approval of a schematic development plan which is consistent with the approved sketch plan in terms of nature, density, location of use, access, circulation, and preservation features,
- 2) the schematic development plan is scaled at one inch equals fifty (50) feet and contains, at a minimum: a) boundary survey; b) the uses of all buildings and structures within the schematic development plan area, as well as existing uses of adjacent property external to the MXD zoned area and proposed uses within adjoining MXD zoned areas; c) the location, height, approximate dimensions and conceptual elevations of all buildings and structures, and the setbacks and densities and/or square footage thereof; d) the location of points of access to the site and all public and private roads, pedestrian and bike paths; e) the location and setbacks of parking areas; f) existing topography, including contour intervals of not more than two (2) feet; an approved forest stand delineation and forest conservation plan, one-

- hundred-year floodplains, other natural features, utility easements, if any; g) all landscaped areas, proposed conceptual screen planting, open spaces, plazas, malls, courts, community identification signage, recreation and amenity areas, h) proposed phasing or staging plan of development and information relating to such plan's consistency with the provision of public facilities, i) demonstration of general compliance with any Master Plan recommendations for the property, including any special conditions or requirements related to the property set forth in the Master Plan, and j) a proposed covenant or other form of agreement indicating how the area will be included in any homeowners association or other organization, and how any open space, community space or amenities located within the area subject to review will be perpetually maintained,
- 3) the schematic development plan is in substantial compliance with the approved sketch plan,
 - 4) the schematic development plan contains in excess of the minimum of two hundred (200) dwelling units and/or one hundred thousand (100,000) square feet of proposed retail/office development, or a comparable equivalent mix;
 - 5) the City Council and City Planning Commission have conducted a joint public hearing(s) on the application subject to the notification procedures in section 24-196 of this Code
 - 6) the Planning Commission has delivered its recommendation to the City Council within thirty (30) days of the close of the commission's hearing record
 - 7) the Council is taking action on the application within ninety (90) days after the close of the Council's hearing record on July 27, 2005, and
 - 8) the approval of this schematic development plan with its degree of detail shall substitute for preliminary site plan approval
 - 9) the schematic development plan demonstrates compliance with Master Plan recommendations for the property, including any special conditions or requirements related to the property set forth in the master plan for among other reasons, the nature, and density, and mix of uses posed, future accessibility to public transportation improvements, retention of forested areas, and interrelationship and compatibility of uses

The City Council finds from the evidence of record that the application for schematic development plan approval as currently amended fulfills the purposes and objectives of the MXD Zoning of this property and will in this regard implement the City Master Plan recommendations for a multi-use development on this site, properly staged to mitigate impacts on public facilities in an orderly fashion. The variety of housing types and uses proposed encourage the opportunity for flexibility and coordination of different types of residential uses with varying architectural style. Commercial retail components are integrated into both high density residential and office components, in close proximity to lower density residential areas demonstrating an internal compatibility and the opportunity for shopping and employment in close proximity to residential use. The density of the project is consistent with density envisioned in close proximity to the Corridor Cities Transitway (CCT) to more effectively support the planned future use of mass transit. The schematic development plan provides recreational amenities such as a cinema and other recreational areas including open space and park areas. The schematic development plan will provide a superior natural environment by the preservation of substantial treed areas and other natural features. The schematic development plan provides compatibility of proposed land uses and design guidelines for the site that will be ensured through

subsequent site plan approval which must conform to the subject schematic development plan. External compatibility is presented in terms of nature and intensity of use consistent with the adjacent publicly owned land and office, research and development and residential uses and transportation facilities. The ability of the City Council to approve a plan for a large area such as the subject property provides greater control over site planning and site design and control of public facilities impacts than if the property were separated into numerous smaller sites and subject to development approvals under conventional zoning categories without the opportunity to coordinate access, public facilities impacts or integrate various uses. The subject plan encourages the efficient use of land by integrating various types of land use in close proximity to one another with opportunity for improved pedestrian circulation between various types of land uses, community amenities, and near a proposed transit stop to reduce reliance on the automobile. Also the plan reflects convenient pedestrian access and will preserve forested areas, open space and provide recreation facilities. Finally the development is phased to allow for a more gradual impact on public facilities and the ability to bring on-line added road and school facilities during the life span of this plan.

The City Council finds the subject application development proposal to be in accordance with one of the alternative land use recommendations of the 2003 Master Plan Land Use Element. Further, the schematic development plan is consistent with relevant special conditions and requirements contained in said Master Plan, the principles established for development in the City's Smart Growth Policy, and approved sketch plan Z-297. The mix of residential uses will provide a range of housing types and designs along with employment, retail and recreational opportunities integrated into the project, all in close proximity to each land use and in direct proximity to an extensive road network and planned transit facilities which epitomizes the Master Plan's vision of the MXD Zoning development of the property.

The Schematic Development Plan meets the ten (10) acre minimum area requirement of the MXD Zone by containing 125 acres and the zoning ordinance locational requirements being adjacent to Metropolitan Grove Road, I-270 and the future extension of Watkins Mill Road. The access is adequate based upon accepted sketch plan traffic studies more fully explained below. Traffic circulation will be adequately accommodated without directing traffic through any established, adjacent residential communities to cause any adverse impact on surrounding areas. Interior site traffic circulation will provide adequate vehicular access to all parts of the proposed development without creating points of congestion. An extensive pedestrian circulation system will connect various components of this development. Public water and sewer service presently serves adjacent development and is available to this site. No inadequacy or other concerns with respect to the provision of these facilities has been identified in the record.

The City Council finds that the Schematic Development Plan will be internally and externally compatible and harmonious with these existing land uses and planned land uses in the MXD zoned areas and adjacent areas. The Site is surrounded by a number of different land uses that include office, research and development, multi-family units, single-family attached units, and industrial (vehicle storage) uses all of which are permissible uses in the MXD zone. There are also many surrounding properties that are publicly owned by the City of Gaithersburg, Maryland State Highway Administration, and Montgomery County.

The City Council further finds that the level of development reflected by the Schematic Development Plan can be accommodated adequately by existing and planned public facilities with the proper phasing and staging of the development. When the Mayor and City Council approved Sketch Plan Z-297 on April 18, 2005, the following phasing schedule was approved

Phase 1 commences at approval of SDP and shall permit the following

Year One - 97 Residential Units and 10,000 sf of commercial space in the loft town houses and one hotel within the urban core

Year Two - 97 Residential Units outside the urban core and one condominium building in the urban core

Year Three - 97 Residential Units outside the urban core, two office buildings and 50,000 sf of cinema or retail in the urban core

Year Four - 97 Residential Units outside the urban core

Year Five - Balance of approved residential units (except for Phase 3 condominium tower) and one office building within the urban core

Completion of construction in any one year may overlap into a subsequent year

Phase 2 commences at beginning of construction of the Watkins Mill Road Interchange and shall permit the following

Hotel located along Watkins Mill Road

Three commercial pad sites between Watkins Mill Road and the urban core

Three office buildings within the urban core

One retail anchor within the urban core

Phase 3 commences upon the beginning of construction of the Corridor Cities Transitway and shall permit the following

The remaining office building

The second condominium building

There is no evidence to indicate that public water, sewer, and transportation facilities could not adequately handle the needs of this development. To the contrary, it appears that the capacities of the public facilities are or in the reasonable foreseeable future will be adequate to handle the impact of this development in a safe and efficient manner

The City Council concurs with the summary of findings and recommendations of the applicant's traffic study submitted during the sketch plan phase and prepared by The Traffic Group, Inc in that the proposed development of the Casey Property West project would not have an adverse effect on the nearby road system with the implementation of the improvements outlined in the report. The traffic study analyzed two phases, the initial phase (year 2010, before the Watkins Mill Road Interchange) and the final phase (year 2011, after the Watkins Mill Road Interchange) SHA currently has a MD 117 Corridor Congestion Relief Study which has scheduled road improvements in three phases along MD 117 in the study area The analyses in the Applicant's traffic study takes into

consideration the road improvements by SHA, however, the study appropriately does not include any traffic relief that would be associated with the existing MARC station and the proposed Corridor Cities Transitway station. To consider such improvements at this stage would not provide a realistic analysis of present and near term traffic conditions.

Intersection Capacity Analyses were conducted to determine the existing and projected Levels of Service (LOS) for each of the following study area intersections: MD 117 and Longdraft Road, MD 117 and Watkins Mill Road/Pheasant Run Drive, MD 117 and Tech Park/Bowl America, MD 117 and Metropolitan Grove Road/Twelve Oaks Drive, MD 117 and Firstfield Road, and MD 117 and MD 124. In addition, capacity analyses were also conducted for the Watkins Mill Road and the two access points into the site. Capacity analysis was also conducted for the three major intersections internal to the site.

The results, recommendations and conclusions of the traffic study analysis indicate, that all phases of this development are projected to operate at satisfactory Levels of Service during the peak periods - with one exception. The exception is the intersection of MD 117 and Watkins Mill Road/Pheasant Run Drive during the evening peak period. At this location the developer will be required to construct a second southbound Watkins Mill Road left turn lane. With this improvement the intersection of MD 117 and Watkins Mill Road/Pheasant Run Drive is projected to operate at a satisfactory level of service. The City Council finds this study to be thorough and acceptable and no contrary evidence exists in the record to contradict its conclusions.

The City Council finds that the applicant will be dedicating land for transportation and transit enhancements that will provide significant regional benefits. Additionally, the Council finds that the applicant will be constructing significant transportation enhancements including a bridge over the CSX railroad tracks and the construction of four lanes of Watkins Mill Road from I-270 to Maryland 117 in addition to the intersection improvement outlined above.

The City Council concurs with the finding of Montgomery County Public Schools (MCPS) staff that the current Montgomery County Annual Growth Policy schools test finds school capacity adequate in the Quince Orchard cluster (where Casey West is located). This means that subdivision approvals in the county portion of this cluster area may go forward for the current fiscal year. While the Mayor and City Council does not believe the current Montgomery County Annual Growth Policy is as restrictive on school capacity as it should be, they recognize that Montgomery County is the level of government responsible for providing schools for our citizens. The schools that currently serve the proposed development are Brown Station Elementary School, Kingsview Middle School and Quince Orchard High School. Beginning in August 2005, the middle school assignment for the proposed development will change to Quince Orchard Middle School #2 providing relief at the middle school level.

Information obtained from Montgomery County Public Schools (MCPS) indicates that enrollment projections show that upon build out of Phase 1, the development will generate 67 to 140 elementary school students, 19 to 57 middle school students, and 29 to 72 high school students. Student generation from the Phase 3 condominiums were not analyzed given that these units will not be developed until the Corridor Cities Transitway is under construction. Actual space will be available at Brown Station Elementary School and

Quince Orchard Middle School #2 throughout the six-year forecast period. At the high school level, enrollment projections show Quince Orchard High School over capacity throughout the forecast period. A new high school is planned in the central portion of the County. MCPS is currently working with the Maryland-National Capital Park and Planning Commission on possible locations for an additional high school site as part of their work on the Shady Grove Sector Plan and the Gaithersburg Vicinity Master Plan. The Mayor and City Council will continue working with the Board of Education and Montgomery County to identify a suitable site for this high school. In the interim MCPS has available to it various measures to accommodate high school enrollments if necessary.

In conclusion, the City Council finds SDP-05-002, as amended containing 1,066 dwelling units including single-family detached, single-family attached, two-over-two condominium, and high-rise condominium, 259,939 square feet of mixed use commercial space and 936,650 square feet of office space on 125.21 acres of land to be in accordance with Section 24-160D 9(b) & Section 24-160D 10(b) and as hereafter conditioned, is in the public interest and should be approved due to the presence of substantial evidence in the record to indicate that the subject Schematic Development Plan has accomplished the purposes of the MXD Zone, reflects an internally and externally compatible form of development, and is consistent with the purpose of the 2003 Master Plan Land Use Element and the Smart Growth Policy, as well as generally accepted City planning and land use policies, subject to the applicant complying with the conditions stated in this Ordinance.

SCHEMATIC DEVELOPMENT PLAN SDP-05-002

RESOLUTION

NOW, THEREFORE BE IT ORDAINED by the City Council of Gaithersburg, that SDP-05-002, being an application filed by BP Realty Investment, Inc., requesting approval of Schematic Development Plan is hereby approved subject to the following conditions required of the applicant:

- 1 The project shall be phased as follows

Phase 1 commences at approval of SDP and shall permit the following

Year One - 97 Residential Units and 10,000 sf of commercial space outside the urban core and one hotel within the urban core

Year Two - 97 Residential Units outside the urban core and one condominium building in the urban core

Year Three - 97 Residential Units outside the urban core, two office buildings and 50,000 sf of cinema or retail in the urban core

Year Four - 97 Residential Units outside the urban core

Year Five - Balance of approved residential units (except for Phase 3 condominium tower) and one office building within the urban core

Completion of construction in any one year may overlap into a subsequent year

Phase 2 commences at beginning of construction of the Watkins Mill Road Interchange and shall permit the following

Hotel located along Watkins Mill Road

Three commercial pad sites between Watkins Mill Road and the urban core

Three office buildings within the urban core

One retail anchor within the urban core

Phase 3 commences upon the beginning of construction of the Corridor Cities Transitway and shall permit the following

The remaining office building

The second condominium building

- 2 Applicant to provide an Art in Public Places (AIPP) plan and commit funding to be approved by City staff and AIPP committee during final site plan stage
- 3 Applicant shall continue to work with staff to eliminate and/or minimize the use of the several retaining walls proposed throughout the site during the final site plan process
- 4 Applicant to work with City staff and Montgomery County Ride-On regarding the review and approval of all bus shelter locations and routes during final site plan stage
- 5 Applicant shall continue to refine the roadway and alleyway designs and include appropriate traffic calming measures to be reviewed and approved during final site plan stage
- 6 Applicant shall continue to work with Staff on location of paths, sidewalks, nature trails, bike facilities (racks, lockers, etc), etc extending to and from the site and through the site during final site plan stage Proposed internal trails should provide multi-use paths The pathway should connect McGown Tract (westside of site) to Metropolitan Grove Road (eastside of site)
- 7 Applicant shall continue to work with Staff on sign program for path system to be reviewed and approved during final site plan stage
- 8 Applicant shall continue to work with Staff to provide safe pedestrian crossings to/from the parking structure over Commerce Street (Street B3) and to/from the proposed CCT station and existing MARC station Staff is concerned with the ability of people (families/children) crossing four lanes of a highly used roadway and the CSX Railroad tracks All crossings must be handicap accessible
- 9 Applicant must obtain approval of a preliminary stormwater management plan prior to submission of final site plans for development.

- 10 The developer, working with the City, the town architect, and a developer retained LEED certified professional shall incorporate architecturally acceptable and commercially reasonable LEED elements, such as healthy buildings, into the design of the office and condo towers within the urban core to encourage sustainable design
- 11 Applicant must obtain approval of the preliminary Forest Conservation Plan prior to the submission of final site plans for development.
- 12 Applicant shall continue to work with staff to incorporate Planning Commission guidance on the design guidelines for the community Final design guidelines to be approved by Planning Commission prior to the approval of the final site plan(s)
- 13 Applicant is to provide additional landscaping and decorative walls along Watkins Mill Road extended, where appropriate, to be reviewed and approved during the final site plan stage
- 14 Applicant must obtain environmental waivers, as recommended by City staff, from the Mayor and City Council during the final site plan stage
- 15 Applicant must obtain road code waivers, as recommended by City staff, from the Mayor and City Council during the final site plan stage
- 16 Applicant to provide stream stabilization to be reviewed and approved by staff prior to the approval of final site plan
- 17 Prior to submission of the final site plan, submit a noise analysis for future traffic, CCT, and railway noise impacts on the site and recommended mitigation measures.
- 18 Applicant to submit a noise study as part of the final site plan application
- 19 Prior to approval of the final site plan, work with staff, to develop technically effective, feasible, aesthetic, and reasonable interior and exterior noise abatement measures to prevent unacceptable noise exposures to the future residents of the development Noise abatement measures should seek to achieve the 65 dBA exterior noise guideline and the 45 dBA interior noise guideline
- 20 The applicant shall dedicate the approximately 14 acres of undisturbed parkland depicted on the western portion of the Casey Property West plan to the City of Gaithersburg prior to the issuance of first building permit.
- 21 The applicant shall dedicate to the appropriate governmental agencies, portions of the property indicated on the schematic development plan required for the construction and completion of: 1) the Watkins Mill Road Interchange with I-270 right-of-way, including associated ramps, 2) Watkins Mill Road extended right-of-way; 3) the bridge over the CSX Railroad tracks right-of-way; and 4) Corridor Cities Transitway right-of-way when required for construction by the appropriate local or state agency including Montgomery County, the Maryland Transit Administration and State Highway Administration

- 22 The applicant shall place all environmentally sensitive areas, as identified on the schematic development plan under a permanent conservation easement to be recorded on a plat. The owner of the Urban Core shall own and be responsible for maintaining all areas within the conservation easement.
- 23 Applicant shall be required to construct a second southbound Watkins Mill Road left turn lane at the intersection of MD 117

ADOPTED by the City Council this 1st day of August, 2005



SIDNEY A. KATZ, MAYOR and
President of the Council

THIS IS TO CERTIFY that the foregoing
Resolution was adopted by the City Council
in public meeting assembled on the 1st
day of August, 2005



David B Humpton, City Manager

- LEGEND**
- PARKS/OPEN SPACE
 - GATEWAY LOTS - 4 SIDED ARCHITECTURE WITH SPECIFIC FRONT AND SIDE ELEVATION SPECIFIED
 - KEY LOTS - 4 SIDED ARCHITECTURE WITH FULL BRICK OR STONE (60% of 331 SFA, SFD, LOFT UNITS & URBAN TOWNHOUSES= 199 MINIMUM) 70 SFA + 72 SFD + 20 LOFT + 37 URBAN TOWNS= 199 TOTAL 4 SIDED BRICK UNITS
 - BRICK FRONT WITH FIRST FLOOR BRICK ON 4 SIDES WITH SIDING ABOVE
 - 4 SIDED SIDING

SWIMMING POOL USERS:

Residential Area Units:

- a) Townhouses: 180
- b) Stacked Townhouse: 142
- c) Cottage: 11
- d) Single Family Rear Garage: 60
- e) Single Family Front Garage: 23

Total Residential Area Units: 416

Total Residential Units: 416

Swimming Pool Users: 416 x 0.86 = 358

REQUIRED SWIMMING POOL/DECK SIZE:

Members x 10
358 x 10
3,580 S.F.

PROPOSED POOL SIZE:

4,110 S.F.
150 S.F. Wading Pool

REQUIRED DECK SIZE:

Deck Size = Pool Size
3,580S.F.

PROPOSED DECK SIZE:

6,700 S.F. ▲

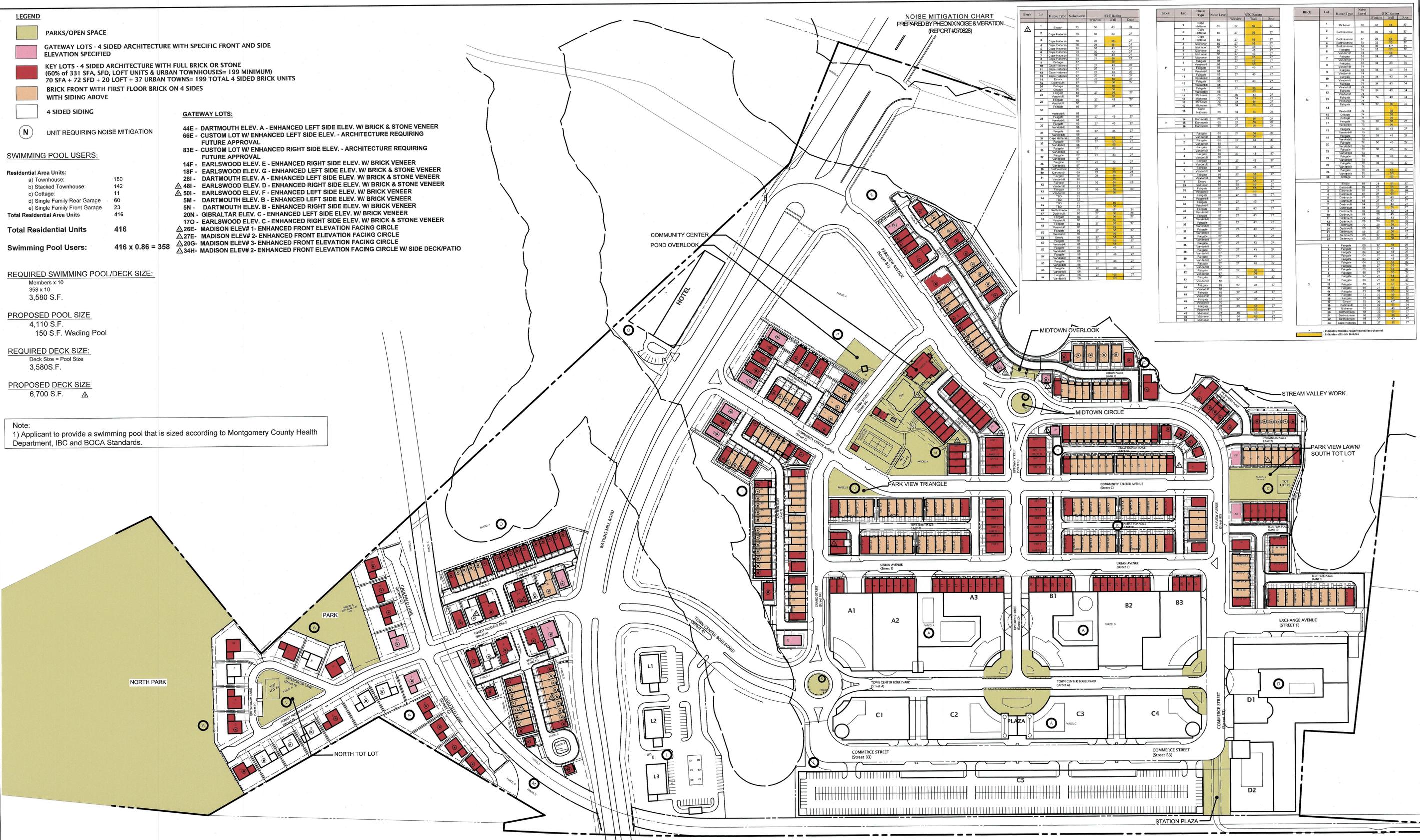
Note:

1) Applicant to provide a swimming pool that is sized according to Montgomery County Health Department, IBC and BOCA Standards.

- GATEWAY LOTS:**
- 44E - DARTMOUTH ELEV. A - ENHANCED LEFT SIDE ELEV. W/ BRICK & STONE VENEER
 - 66E - CUSTOM LOT W/ ENHANCED LEFT SIDE ELEV. - ARCHITECTURE REQUIRING FUTURE APPROVAL
 - 83E - CUSTOM LOT W/ ENHANCED RIGHT SIDE ELEV. - ARCHITECTURE REQUIRING FUTURE APPROVAL
 - 14F - EARLSWOOD ELEV. E - ENHANCED RIGHT SIDE ELEV. W/ BRICK VENEER
 - 18F - EARLSWOOD ELEV. G - ENHANCED LEFT SIDE ELEV. W/ BRICK & STONE VENEER
 - 28I - DARTMOUTH ELEV. A - ENHANCED LEFT SIDE ELEV. W/ BRICK & STONE VENEER
 - ▲ 48I - EARLSWOOD ELEV. D - ENHANCED RIGHT SIDE ELEV. W/ BRICK & STONE VENEER
 - ▲ 50I - EARLSWOOD ELEV. F - ENHANCED LEFT SIDE ELEV. W/ BRICK VENEER
 - 5M - DARTMOUTH ELEV. B - ENHANCED LEFT SIDE ELEV. W/ BRICK VENEER
 - 5N - DARTMOUTH ELEV. B - ENHANCED RIGHT SIDE ELEV. W/ BRICK VENEER
 - 20N - GIBALTAR ELEV. C - ENHANCED LEFT SIDE ELEV. W/ BRICK VENEER
 - 17O - EARLSWOOD ELEV. C - ENHANCED RIGHT SIDE ELEV. W/ BRICK & STONE VENEER
 - ▲ 26E - MADISON ELEV# 1 - ENHANCED FRONT ELEVATION FACING CIRCLE
 - ▲ 27E - MADISON ELEV# 2 - ENHANCED FRONT ELEVATION FACING CIRCLE
 - ▲ 29G - MADISON ELEV# 3 - ENHANCED FRONT ELEVATION FACING CIRCLE
 - ▲ 34H - MADISON ELEV# 2 - ENHANCED FRONT ELEVATION FACING CIRCLE W/ SIDE DECK/PATIO

NOISE MITIGATION CHART
PREPARED BY PHOENIX NOISE & VIBRATION
(REPORT #070828)

| Block | Lot | House Type | Noise Level | STC Rating | W/ston | W/val | Dist |
|-------|-----|------------|-------------|------------|--------|-------|------|
| 1 | 1 | Empty | 73 | 36 | 48 | 36 | 27 |
| 2 | 2 | Empty | 73 | 36 | 48 | 36 | 27 |
| 3 | 3 | Empty | 73 | 36 | 48 | 36 | 27 |
| 4 | 4 | Empty | 73 | 36 | 48 | 36 | 27 |
| 5 | 5 | Empty | 73 | 36 | 48 | 36 | 27 |
| 6 | 6 | Empty | 73 | 36 | 48 | 36 | 27 |
| 7 | 7 | Empty | 73 | 36 | 48 | 36 | 27 |
| 8 | 8 | Empty | 73 | 36 | 48 | 36 | 27 |
| 9 | 9 | Empty | 73 | 36 | 48 | 36 | 27 |
| 10 | 10 | Empty | 73 | 36 | 48 | 36 | 27 |
| 11 | 11 | Empty | 73 | 36 | 48 | 36 | 27 |
| 12 | 12 | Empty | 73 | 36 | 48 | 36 | 27 |
| 13 | 13 | Empty | 73 | 36 | 48 | 36 | 27 |
| 14 | 14 | Empty | 73 | 36 | 48 | 36 | 27 |
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| 16 | 16 | Empty | 73 | 36 | 48 | 36 | 27 |
| 17 | 17 | Empty | 73 | 36 | 48 | 36 | 27 |
| 18 | 18 | Empty | 73 | 36 | 48 | 36 | 27 |
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| 24 | 24 | Empty | 73 | 36 | 48 | 36 | 27 |
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| 26 | 26 | Empty | 73 | 36 | 48 | 36 | 27 |
| 27 | 27 | Empty | 73 | 36 | 48 | 36 | 27 |
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| 52 | 52 | Empty | 73 | 36 | 48 | 36 | 27 |
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| 57 | 57 | Empty | 73 | 36 | 48 | 36 | 27 |
| 58 | 58 | Empty | 73 | 36 | 48 | 36 | 27 |
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| 61 | 61 | Empty | 73 | 36 | 48 | 36 | 27 |
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| 69 | 69 | Empty | 73 | 36 | 48 | 36 | 27 |
| 70 | 70 | Empty | 73 | 36 | 48 | 36 | 27 |
| 71 | 71 | Empty | 73 | 36 | 48 | 36 | 27 |
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| 74 | 74 | Empty | 73 | 36 | 48 | 36 | 27 |
| 75 | 75 | Empty | 73 | 36 | 48 | 36 | 27 |
| 76 | 76 | Empty | 73 | 36 | 48 | 36 | 27 |
| 77 | 77 | Empty | 73 | 36 | 48 | 36 | 27 |
| 78 | 78 | Empty | 73 | 36 | 48 | 36 | 27 |
| 79 | 79 | Empty | 73 | 36 | 48 | 36 | 27 |
| 80 | 80 | Empty | 73 | 36 | 48 | 36 | 27 |
| 81 | 81 | Empty | 73 | 36 | 48 | 36 | 27 |
| 82 | 82 | Empty | 73 | 36 | 48 | 36 | 27 |
| 83 | 83 | Empty | 73 | 36 | 48 | 36 | 27 |
| 84 | 84 | Empty | 73 | 36 | 48 | 36 | 27 |
| 85 | 85 | Empty | 73 | 36 | 48 | 36 | 27 |
| 86 | 86 | Empty | 73 | 36 | 48 | 36 | 27 |
| 87 | 87 | Empty | 73 | 36 | 48 | 36 | 27 |



Note: Location of 4-sided full brick units subject to change depending on builder/purchaser option. The corner lots must be 4 sided brick. The minimum number of 4 sided brick units is 199.

CITY OF GAITHERSBURG PLANNING AND TRANSPORTATION (TRAIN)
31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877

SITE PLAN APPROVAL

AT THE REGULARLY SCHEDULED MEETING OF THE PLANNING COMMISSION HELD ON July 25, 2012

APPLICATION NO. APP-12-017 WAS GRANTED

AMENDMENT TO FINAL PLAN APPROVAL

WITH no (0) CONDITIONS. SEE S.D.A. LETTER.

DATE 7/25/12 BY J. Davis

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

CALL "MISS UTILITY" AT 48 Hours Before Start of Construction

A MARYLAND REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT SEAL AND SIGNATURE ON PLANS WILL BE ACCEPTED AS PRIMA FACIE EVIDENCE THAT PLANS ARE IN COMPLIANCE WITH APPLICABLE CODES AND REGULATIONS.

SP-05-0013

| REVISION | DATE | REVISION | DATE | REVISION | DATE |
|---|---------|----------|------|----------|---------|
| ▲ IDENTIFYING LOTS REQUIRING NOISE MITIGATION | | | | | 9-18-07 |
| ▲ LOT LINE ADJUSTMENT - LOT 25-28 BLK O | | | | | 8-3-07 |
| ▲ LOT LINE ADJUSTMENT - LOT 26-43 BLK M | | | | | 8-3-07 |
| ▲ LOT LINE ADJUSTMENT - LOT 4-6 BLK J | | | | | 8-3-07 |
| ▲ REVISED COTTAGE ELEVATIONS | 6-14-12 | | | | 8-3-07 |
| ▲ REVISED ELEVATIONS LOTS 48 & 50, BLOCK I | 2-21-10 | | | | 8-3-07 |
| ▲ REVISED POOL DECK CALCULATIONS | 7-14-10 | | | | 8-3-07 |
| ▲ LOT LINE ADJUSTMENT - LOT 19-24 BLK G | | | | | 8-3-07 |
| ▲ LOT LINE ADJUSTMENT - LOT 75-82 BLK E | | | | | 8-3-07 |

Owner/Developer:
BP Realty Investments, LLC
c/o Classic Group, LLC

8120 Woodmont Avenue, Suite 300
Bethesda, Maryland 20814
Ph. (301) 913-0404
Contact: Wm. P. Gerald, Jr.

KEY LOT PLAN

RODGERS CONSULTING
Enhancing the value of land assets

Rodgers Consulting, Inc.
19847 Century Blvd., Suite 200
Cermantown, MD 20874
301.948.4700
301.948.6256 (fax)
301.253.6609
www.rodgers.com

| BY | DATE |
|------------------|-------------|
| BASE DATA | |
| DESIGNED | |
| DRAWN | |
| REVIEWED | |
| RODGERS CONTACT: | |
| RELEASE FOR | |
| BY: _____ | DATE: _____ |

WEST END AT WATKINS MILL TOWN CENTER

City of Gaithersburg
9th election district
Montgomery County, Maryland

Planning Commission
ASDP-0641-2012
33

SCALE: 1" = 100'

JOB NO: 1002A

DATE: NOV., 2005

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