

Lauren Pruss

From: Jen-Jen Chen [jenjenchen@yahoo.com]
Sent: Wednesday, September 26, 2012 5:42 PM
To: Lauren Pruss
Subject: Fw: Fwd: [Parkland] did anyone go to this meeting?

Dear Ms. Pruss,

I am the home owner of 522 Rudbeckia Place, Gaithersburg, MD 20878. I prefer the proposed change of eliminating the live/work units located at the Rubeckia Place and Community Central since the planned shopping center will be just about two hundred feet away. My neighbors Mr. Liang who resides at 538 Rudbeckia Place wants me also to let you know that he also prefers the proposed change to eliminating the live/work units at the 4 empty lots at and near the Rubeckia Place.

Besides the elimination of the live/work units, many neighbors found the noises generated by the MARC train is very disturbing and we would like the city to install the sound blocking wall around the Parkland community to prevent the noise damage to our health---hearing loss, sleeping disturbance and mental health. Thank you for your consideration and assistance in resolving these problem.

Sincerely Yours,
Jen-Jen Chen
522 Rudbeckia Place
Gaithersburg, MD 20878

(from Parklands-Gaithersburg Maryland &Watkins Mill Towncenter Facebook page)

Proposed Changes to Live/Work Townhouses:

On September 5, 2012, the City of Gaithersburg held Planning Commission Meeting to discuss proposed changes to the Live/Work units within the Watkins Mill Towncenter. These mix-use units combines commercial and residential within structure, similar to the mixed use buildings located in the Kentlands. The developer wants to eliminate these townhouses because they feel it may be difficult for perspective buyers to obtain mortgages for these units in today's current economic environment. Instead the developer proposed to convert Live/Work unit into larger residential townhouses.

Several residents from the Parklands community expressed concerns at this meeting about the elimination of Live/Work units. Major concerns were the loss of a walkable amenities and sense of community that these Live/Work units brings to the town center. Many residents viewed the proposed change as an attempt to diminished the dream that was promised to residents who purchased their homes in the Parklands. The Planning Commission heard perspectives from both sides of this issue. The Commission closed the Public hearing as of today, but they will accept written correspondences from interested parties until September 27th. Please email your concerns to Lauren Pruss, Planning Director (LPruss@gaithersburgmd.gov) if you have an opinion about the possible elimination of Live/Work units. The Planning Commission will vote on this matter in early October and there is not much time for folks to express their opinions. For background materials regarding this material, please refer to the following link:

http://www.facebook.com/l.php?u=http%3A%2F%2Fwww.gaithersburgmd.gov%2FDocuments%2Fpc_12%2F090512%2FASDP_0641_2012_WatkinsMill.pdf&h=WAQGhF_1E&s=1

Lauren Pruss

From: Amy Lin [amythlin@gmail.com]
Sent: Monday, October 01, 2012 9:26 AM
To: Lauren Pruss
Subject: Parkland residents concerned about proposal of converting work/live units.

Hello Ms. Pruss,

We are residents at Parklands Gaithersburg, writing to you in concern of the proposal that was brought to our attention earlier this month to convert the 10,000 square feet of work/live units to residential units.

We are one of the earliest home owners in this community and were promised a similar life style to Kentland. We invested in this community because of that, and we strongly believe that is what makes this community valuable. In our opinion, less stores and more residents will not make the community more valuable. Giving away 20 commercial units may seriously impact the overall value of this community and the value of existing residential units.

We strongly urge you and the board to re-evaluate this proposal, keeping in mind the interest of the entire community and residents, and not just the interest of potential homeowners.

Sincerely,

Amy Lin, Ryan Huang, Yuguang Wang at Lady Fern Place, Gaithersburg.



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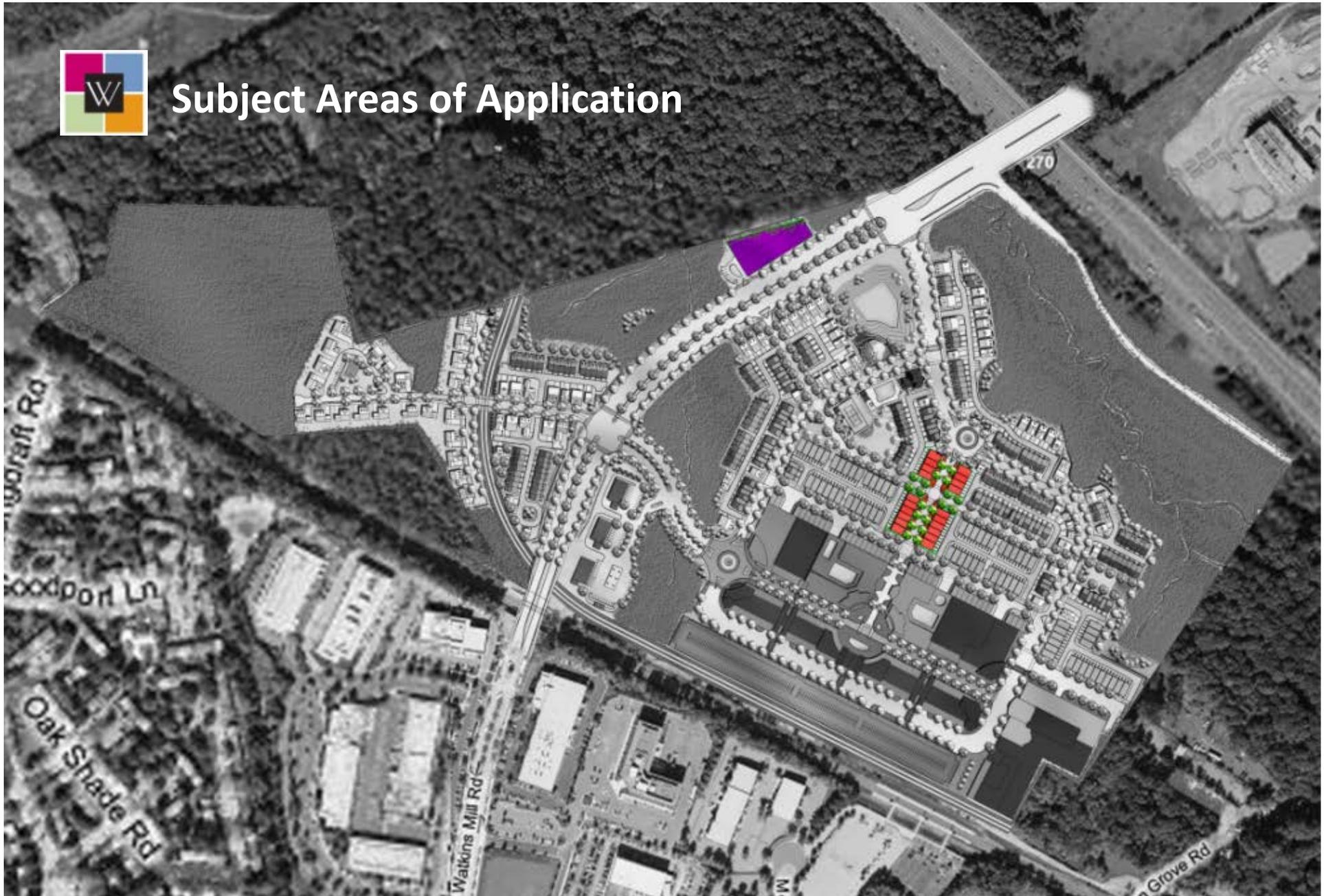
ASDP-0641-2012

October 3, 2012

City of Gaithersburg Planning Commission

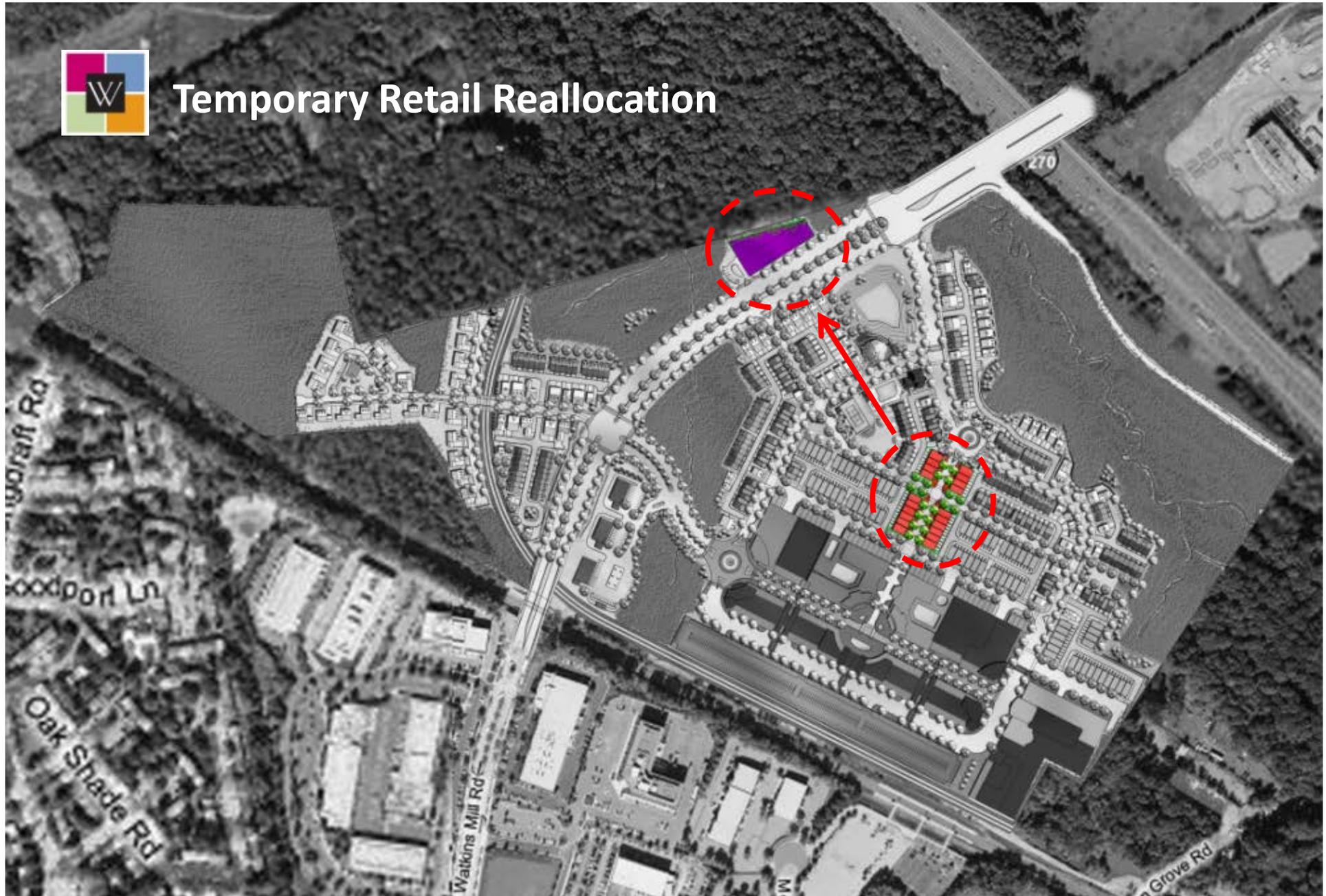


Subject Areas of Application



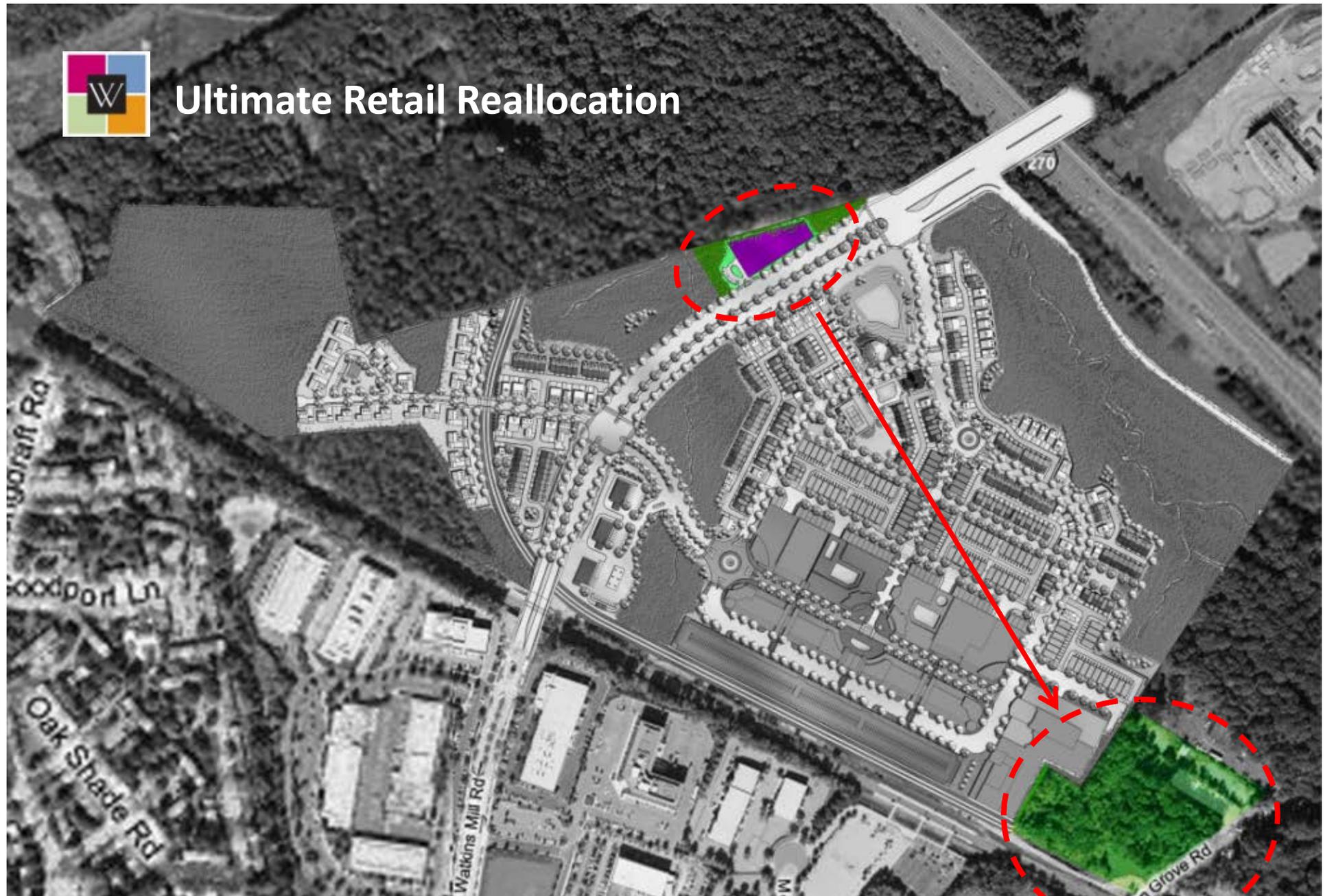


Temporary Retail Reallocation





Ultimate Retail Reallocation





Questions/ Comments

1. What does the term Live-Work mean? How do the Parklands units compare with the Live-Work product at The Kentlands? Is there a market for Live-Work townhouses?
2. Does this application signal an abandonment of retail at the Urban Core? What tools will BP Realty use to create a retail environment at Watkins Mill Town Center?
3. Please explore Live-Work typology in Transit-Oriented Developments.



Live-Work

- What does the term Live-Work mean?
- How do the Parklands units compare with the Live-Work product at The Kentlands?
- Is there a market for Live-Work townhouses?



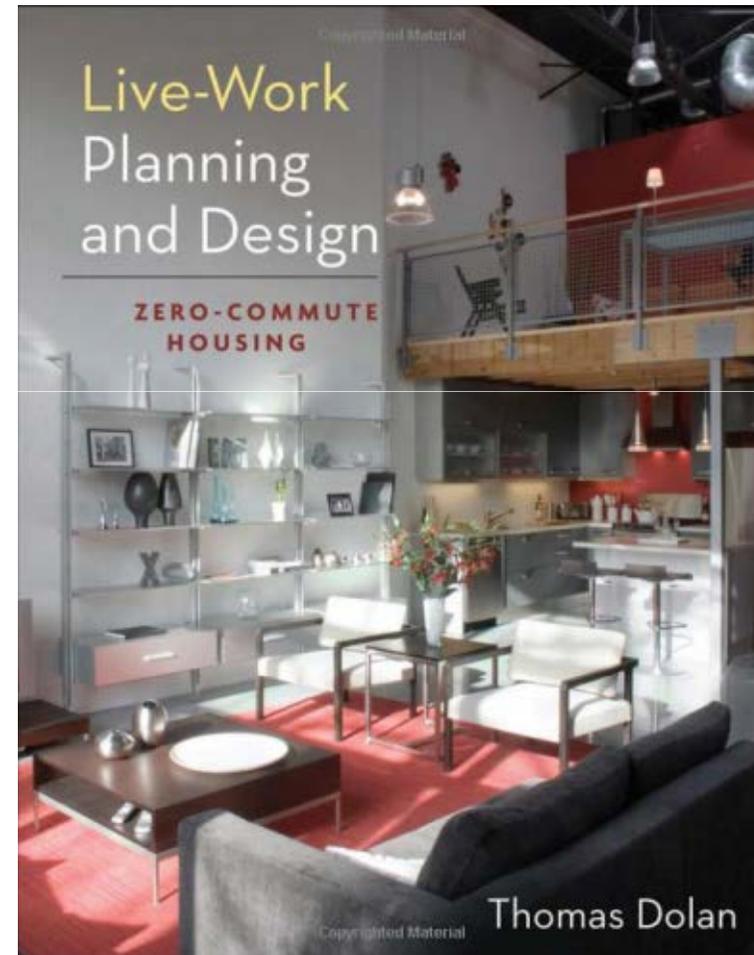
Need for a Shared Vocabulary

Mixed-Use Live-Work Project Types:

1. Home Office
2. Townhouse Live/Work
3. Flexhouse
4. High Density/ Podium

Live-Work: umbrella term

Live/Work: IBC Section 419





Type 1: Home Office

Home Office/ Home Occupation

- **Most common form of live-work.**
- an *activity* rather than a building type.
- Also occurs when Live-Work reverts back to residential townhomes.
- Example: Ruskin Place, Seaside, FL.





Growing Demand for “Zero Commute” Housing

- 34M U.S. workers now telecommute; expected to grow to 63M by 2016.
- 14% of all U.S. households contain a home business.
- Demand driven by 3 groups:
 - start-up businesses,
 - existing businesses with no intention of expanding,
 - baby boomers who are seeking to supplement their income through consulting or similar solo work.





Home Office

At the Paramount East & West, and at The Majestic, we will provide a substantial number of one bedroom units with offices to address the growing demand for dedicated office space within residential units.





Type 2: Live/Work Townhouse



- **Form approved for Parklands.**
- Defined and Controlled by IBC Section 419: “A Live-Work unit is a dwelling unit or sleeping unit in which a significant portion of the includes a **nonresidential use which is operated by the tenant** and shall comply with Section 419.”



IBC Section 419 Requirements

- Requires a “residential operator”
- **No walk-in trade or employees unless space complies with ADA regulations.** If ADA compliant, **maximum of five non-residential workers, employees, or visitors may occupy the non-residential area at any one time.**
- Fire Alarm required.
- If **no employees or walk-in trade**, arguably not required to comply with ADA regulations.



Challenges: Parklands Live/Work Townhouse Units

Parking: The approved 10,000 SF retail demand would capture ALL of the surface parking spaces at the Parklands.

- Math: 10,000 SF approved commercial/ 750 SF footprint = 13 Live/Work townhouses with remainder residential only.
- Each Live/Work unit would be allocated 3.5 parking spaces for a total of 45 spaces = all street parking in the Parklands community.

Not enough approved commercial density to line both sides of street. Issues: allocation and retail continuity.



Challenges: Parklands Live/Work Townhouse Units

Units are only **50 deep with a 750 SF footprint**. Located very close to nearby homes. Elevators + ADA bathroom + retail not feasible in such a small space.

No developer control once units sold.

Without a lease, no easy mechanism for addressing signage violations, hours of operation, noise and smells, storage, parking, illegal conversions, and other issues.



No Market for Parklands Live/Work Townhouses

CBRE: **No retail demand** for product: residential street/ 750 SF footprint/ occupy limit. Many less expensive retail spaces available in market.

- **No Builder demand.** Conflict between expectation of a 2'-3' residential elevation above street level and ADA regulations.
- **No Lender demand** for financing.
- **Impact on completion of Parklands sidewalks** despite strong demand for residential product.



Live/Work Townhouse

The Live/Work townhouse “is a type that we have **never recommended under any circumstances** because it is utterly inflexible.”

*-Todd Zimmerman and Laurie Volk,
nationally recognized experts on live-
work feasibility*



3. Flexhouse: Main Street, The Kentlands

Least common form of live-work. Few examples.

- Popular at The Kentlands. Offers unique restaurants and stores and lots of nail and hair salons. Merchants rely heavily on foot traffic.
- Supported by two grocery anchored shopping centers.
- Kentlands flexhouses are 80' deep, Parklands townhouses are 50' deep.





Flexhouse

Flexible entitlement is the key to successful flexhousing, according to Dolan. At Habersham, SC the developer “secured preapprovals for any combination of uses, such that any buyer or tenant only has to secure a business license.”

While that might work there, we see the potential for a detrimental impact on the Parklands neighborhood.



**Habersham
Beaufort, SC**



Challenges Posed by Flexhousing

Flexhousing is most appropriate in a **commercial district**. Among the challenges:

- Parking
- Trash and Loading
- Signage
- Noise and Odor Generation
- Conversions not permitted by modern codes except in hardship cases
- ADA compliance: Kentland Flexhouses approved before ADA enacted



Parking

Kentland Live-Work units are located in a **commercial area** adjacent to a retail surface lot.

Despite this, parking remains a problem. The Kentlands Main Street Survey (Sept. 24, 2012) found:

- 65% of polled residents walk to Main Street retailers.
- 69% of merchants report parking is problem.





Parking

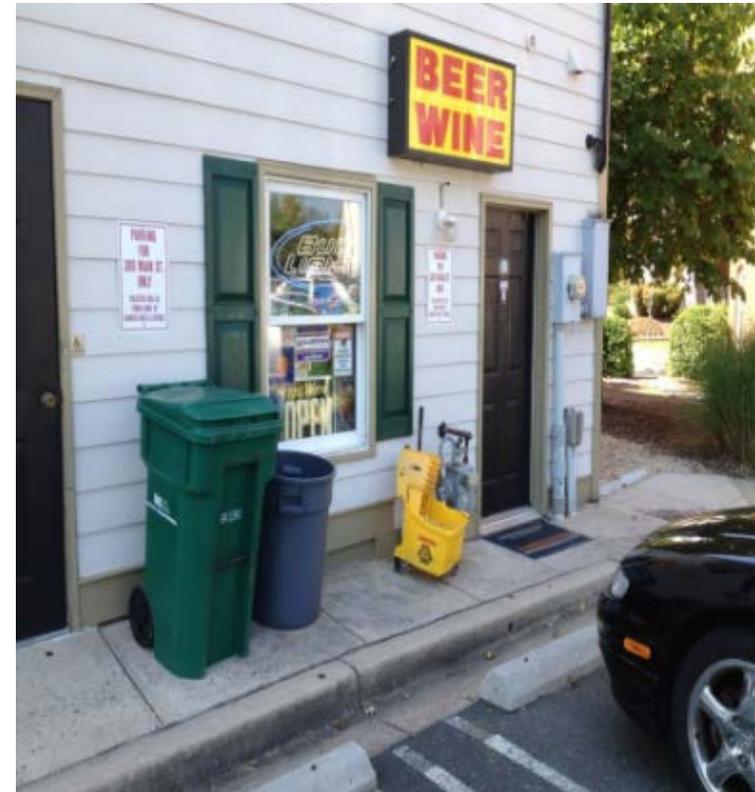
Parklands Live-Work units are **not** located in a commercial area **adjacent to a retail surface lot.**





Trash

- Not a managed retail environment.
- difficult to control trash and storage.
 - less of a problem at The Kentlands because units are adjacent to a shopping center parking lot, not homes.





Signage: monitored by individual owners



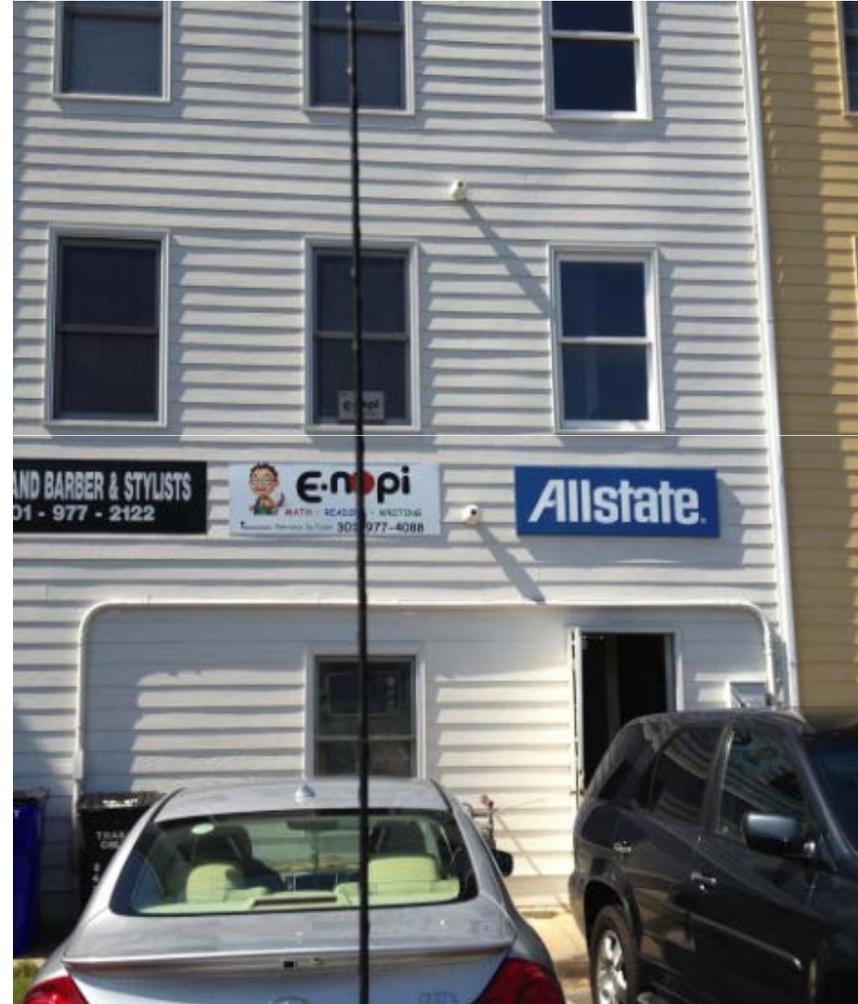


Conversion of Residential to Retail and Office





Conversions create challenges: venting and power





ADA Compliance Challenges





4. High Density/ Podium Residential over retail

- Residential units built on top of structured parking, or so-called podiums with retail liner.
- Accessible storefronts with sign bands; elevator-driven residential.
- The Urban Core and the Spectrum at Watkins Mill will use this form.





Retail at Watkins Mill Town Center

- Does this application signal an abandonment of retail at the Urban Core?
- What tools will BP Realty use to create a retail environment at Watkins Mill Town Center?



Changing Retail Landscape

Fundamental shifts in the retail marketplace driven by:

- Internet Sales.
- Changing Customer Behavior.
- Competition.





Retail Evolution/Gathering Spaces

Retail Evolution:



amazon.com



The General Store

The Department Store

Online Retailers

Gathering Space:

The need for gathering spaces is constant and we think it is critical that retail be concentrated, supported, properly placed and built using appropriate forms.





Creating the Retail Environment with Podium Live-Work

- Podium Live-Work allows developers to “**jump start**” retail.
- Early targeted tenants: **neighborhood services** and **local/unique restaurants**.
- Sets stage for larger-scale regional/national retailers and restaurants.





1. Tool: Locate Retail on Great Retail Streets in highly visual locations.

- At Spectrum at Watkins Mill, the Average Automobile Daily Trips (AADT) is 33,000 on Rt. 355.
- With the opening of the I-270 interchange at Watkins Mill, Town Center Blvd., retail at the Urban Core will reach it's full retail potential.





2. Understand Tenant Perspective: Demographics, Sales Volumes & Ample Parking



* In close proximity to IBM, Lockheed Martin, the new hotel, Kaiser Medical Center, DRS, the U.S. Humane Society.



3. Attention to Retail Elements

- Great Storefronts
- Allow Trade Dress
- High Ceilings (12'-17')
- Outdoor Seating
- Code Compliant
- Commercial Environment
- Few disruptions in retail continuity





4. Managed Retail Environment

- Comprehensive Sign and Storefront Package
- Investment in storefronts, tenant finish and retail design
- Exclusive protection, vibrant Tenant Mix, hours of operation
- Trash rooms and on-site maintenance staff
- Street furnishings, performances, facilities for those with dogs.





5. Landlord Investment In Civic Spaces



Creative Spaces



Splash Pad



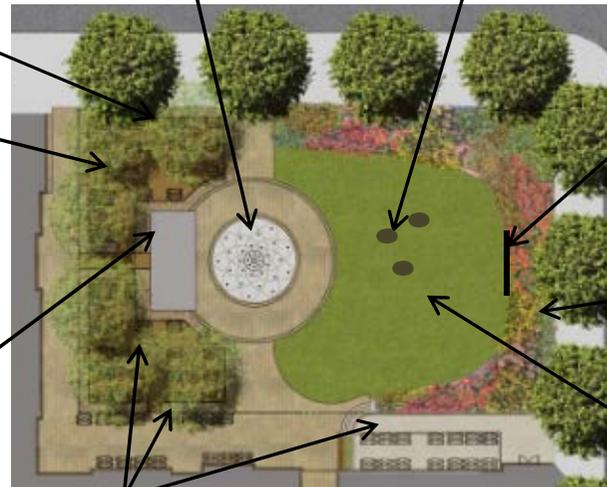
Play Boulders



Temporary Movie Screen



Festive Lighting



Conservation Landscaping



Outdoor Stage



Outdoor Seating



Attractive Lighting



Yoga in the Park



Transit-Oriented Design – Local Precedents

- Bethesda, MD
- Rockville Town Square, Rockville, MD
- Twinbrook Commons, Rockville, MD
- Downtown Silver Spring, MD
- Columbia Heights, Washington, DC
- Navy Yard Metro, Washington, DC
- MetroWest, Vienna, VA
- Rosslyn-Ballston Corridor, Arlington, VA



Clarendon Commons, Arlington, VA



Columbia Heights, Washington, DC



Rockville Town Square, Rockville, MD



Transit-Oriented Design – National Precedents

- Contra Costa Centre Transit Village, CA
- Richmond Transit Station, Richmond, CA
- Fruitvale Village, Oakland, CA
- Ohlone-Chynoweth Commons, CA
- Downtown Arlington Heights, IL
- Portland's Pearl District, Oregon



Pearl District, Portland, Oregon



Fruitvale Village, Oakland, CA



Live-Work typology in Transit-Oriented Development



Pleasant Hill BART Station, Walnut Creek, CA



Twinbrook Metro Station, Rockville, MD



Columbia Heights Metro Station, Washington, DC



U-St Metro Station, Washington, DC



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TOWN CENTER





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CITY OF GAITHERSBURG PLANNING COMMISSION

MEETING HELD ON OCTOBER 3, 2012

7:30 p.m.

REOPENING OF THE RECORD FOR

ASDP-0641-2012 - WATKINS MILL TOWN CENTER

400, 401, 500, 501 UPTOWN STREET, GAITHERSBURG, MARYLAND

TRANSCRIBED BY: MYRIAM GONZALEZ, RECORDING SECRETARY

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COMMISSIONERS PRESENT:

JOHN BAUER, Chairman

LLOYD KAUFMAN, Vice Chair

MATTHEW HOPKINS, Commissioner

DANNY WINBORNE, Commissioner

JOSEPH CORATOLA, Alternate Commissioner

STAFF PRESENT:

JOHN SCHLICHTING, Planning and Code Administration Director

LAUREN PRUSS, Planning Director

TRUDY SCHWARZ, Community Planning Director

MYRIAM GONZALEZ, Recording Secretary

A T T E N D A N C E

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SPEAKERS ON BEHALF OF APPLICANT:

Luis Gonzalez, landscape architect, BP Realty

Lee Henry, BP Realty

SPEAKERS FROM THE PUBLIC:

No public testimony was taken. The majority of the audience was
comprised of residents from the Parklands community.

P R O C E E D I N G S

(7:30 P.M.)

1
2
3 CHAIR BAUER: That takes us to Recommendation to the
4 Mayor and Council for ASDP-0641-2012, Watkins Mill Town Center at 400,
5 401, 500, 501 Uptown Street in the MXD Zone. This is for removal of
6 commercial component from the Urban Loft Units, Amendment to Schematic
7 Development Plan and there's a couple of things to note. We had
8 essentially closed our record on this at our last meeting; however, we
9 asked the applicant to provide a little more information before we
10 move into our discussion on the recommendation to the Council, so for
11 that purpose, staff is recommending that we reopen the record to
12 accept the answer to our questions and attached to these is some
13 market analysis. However, we won't continue any public hearing
14 tonight, but because the record will be reopened and there'll be some
15 information introduced into the record, we've asked for part of the
16 recommendation we've asked for also to keep the record open until
17 October 10 so that if there is any comment on the information we get
18 tonight the public as well come to submit that comment in written
19 form. So with that, let me ask if there is a motion to reopen the
20 record to allow the applicant to directly applicant to address the
21 comments raised at the public hearing.

22 VICE-CHAIR KAUFMAN: Mr. Chairman, I moved that we open
23 the record on ASDP-12-2012 Amendment... I mean um... yeah, Amendment to

1 Schematic Development Plan, that we keep... we hold the record open
2 until October 10, 5 PM to provide the public for the opportunity to
3 comment in writing.

4 COMMISSIONER WINBORNE: Second.

5 CHAIR BAUER: Moved and seconded. All in favor, please say
6 "eye".

7 COMMISSION: (CHORUS) Eye.

8 CHAIR BAUER: Opposed? (silence) Okay, so the record is
9 open for the purpose of addressing the questions at the public
10 hearing. So Lauren, do you want to take it from there?

11 PLANNING DIRECTOR PRUSS: Yes, thank you, Chairman. You
12 took most of my comments for this evening, but just to recap and
13 reorient the audience to the area upon occasion, up on the screen
14 outlined in red is the subject property, the overall property for
15 Watkins Mill Town Center, which is the subject of the approved
16 Schematic Development Plan. The applicant is requesting an amendment
17 regarding the area highlighted in green to eliminate the commercial
18 component of 20 live-work units that were approved for this portion of
19 the property. What's not highlighted in green is this parcel over
20 here, which is where they plan to reallocate the commercial floor area
21 to... that is contained within the official record. Presenting response
22 to the request for information regarding the market analysis is Mr.
23 Luis Gonzalez.

1 CHAIR BAUER: Good evening.

2 LUIS GONZALEZ: Good evening. Actually, the marketing
3 analysis partially will be presented by Ms. Lee Henry.

4 LEE HENRY: Thank you, Commissioners, for the
5 opportunity to respond to some of the questions and comments that were
6 raised at the public hearing. BP Realty is proposing at this time to
7 transfer density from the commercial portion of the townhouse units
8 shown here in orange to the hotel, that's shown in purple. The hotel
9 site is a parking lot that will enable us to preserve retail density
10 until we present the splinter proposal to... for... um... adjusted land use
11 for the Urban Core and some additional property that we've acquired
12 that's commonly referred to as Casey South.

13 We've structured tonight's presentation around the
14 questions and comments received. Specifically, we heard a request for
15 more information about Live-Work product types, plans for retail at
16 Watkins Mill Town Center and more information about Transit-Oriented
17 design in general. Clearly, the citizens were interested in learning
18 more about what is meant by the term Live-Work and, specifically,
19 about the retail component. They also wanted to know how the
20 Parklands units compared with the live-work product at Kentlands, and
21 lastly, there were requests for additional information about the
22 market for live-work townhouses. We also were asked if this
23 application signaled an abandonment of retail at the Urban Core and

1 what tools BP Realty will use to create an urban environment at
2 Watkins Mill Town Center, and we were asked to look into the live-work
3 typology in transit-oriented developments.

4 For this section of the presentation, we'll rely heavily on
5 a live-work expert, Thomas's 2012 book Live-Work Planning and Design.
6 In this book, Dolan makes a compelling case for standardization of
7 lexicon that distinguishes between various types of live-work product.
8 I think the process we currently going though reinforces the value of
9 creating a shared vocabulary. Although he discusses warehouse
10 conversions and loft units, Dolan identifies four live-work types that
11 are found in mixed-used developments: these are Home Offices, Live-
12 Work Townhouses, Flexhouses, and High Density/Podium. Dolan
13 distinguishes Live dash Work as an umbrella term from Live slash Work,
14 which is a product type that's controlled by the international
15 business, I mean, Building Code (IBC) Section 419. The first type,
16 the Home Office or Home Occupation is the most common type of Live-
17 Work. This form describes an activity rather than a building type and
18 it occurs when people convert spaces to offices or builders purpose-
19 build office buildings into design. It also can occur when live-work
20 units do not work as retail and revert back to residential townhomes.
21 Dolan provides a case study in his book about Ruskin Place in Seaside,
22 Florida, where homeowners collectively band together to pass
23 restrictions that made retail infeasible. Dolan faults nimby

1 residents for the failure of this flexhouse development. Dolan also
2 uses the term, Zero Commute Housing, to describe the growing
3 popularity of live-work housing. There's ample evidence of ample
4 evidence of a rapidly growing market for live-work units. This demand
5 is highest in urban areas due to access to transportation and
6 proximity of entertainment and cultural activities. It's also driven
7 by telecommuting. Today more than 34 million US workers commute...
8 telecommute and that number is expected to reach 63 million by the
9 year 2016 as corporations look for ways to reduce their operating
10 costs and carbon footprints. Increasingly people has small businesses
11 in their homes and, according to one author writing for the ULI, this
12 demand is driven by three groups: start up businesses, existing
13 businesses that have no intention of expanding, and baby boomers that
14 have either been laid off or coming out of retirement seeking to
15 supplement their incoming with consulting or similar solo work.

16 At Watkins Mill Town Center we've programmed apartment
17 units to feature home offices to address this growing demand. The
18 second type of live-work is the live-work townhouse. This is the form
19 that is approved for the 20 units at 400, 401, 500 and 501 Upton
20 Street in the Parklands. This form is much closer to home occupancy
21 than traditional retail space. It is defined and controlled by IBC
22 419, which states that a live-work unit is a dwelling unit or sleeping
23 units in which a significant portion of the space includes a

1 nonresidential use which is operated by the tenant. This form assumes
2 that the retailer at the base lives upstairs. It permits no walk-in
3 trade or employees unless the space complies with ADA. If it's ADA-
4 compliant, it allows a maximum of five nonresidential workers,
5 employees, or visitors at any one time on the ground floor. If there
6 are no employees or walk-in trade, the unit arguably is not required
7 to comply with ADA regulations beyond the inclusion of an ADA bathroom
8 of the first floor. We believe this form would create significant
9 conflicts among neighbors relating to parking. The approved 10,000
10 square feet of retail demand would capture all of the surface parking
11 spaces at the Parklands currently. The approved density worked
12 backwards from the amount of street parking provide these units at the
13 Parklands... um... and it is for that reason that 10,000 SF of commercial
14 was approved. Each of these units has a 750 SF footprint so that
15 10,000 SF is enough to allow 13 live-work townhouses with the
16 remainder being residential only. Each live-work unit has been
17 allocated 3.5 parking spaces. There's also not enough commercial
18 density to line both sides of the street. We believe this would
19 create issues of allocation and retail continuity. Additional
20 challenges would be the 50-foot depth and the 750 SF footprint, which
21 would not work for vary many retailers. Additionally, there would be
22 no developer control once the units were sold. There would be no party
23 to manage conflicts that might arise. Without a lease, there would be

1 no easy mechanism for addressing signage violations, hours of
2 operation, noise, smells, storage, parking and other issues.

3 CHAIR BAUER: Can I ask you a question just to clarify,
4 not to interrupt, but on the last slide, I think you said there wasn't
5 density or there wasn't commercial on both sides of the street, is it?

6 LEE HENRY: Well, it's 20 units. The footprint of each
7 um... the first floor footprint is 750 SF. It's approved for 10,000 SF
8 of commercial.

9 CHAIR BAUER: O... Okay, I understand what you're saying...

10 LEE HENRY: So that all the units couldn't have um... a
11 commercial unit on the first floor. Um... we were asked to provide a
12 market analysis. Dolan notes that builders are understandably
13 reluctant to build live-work townhouses. He cites three primary
14 reasons that these units so often fail. One is the failure to locate
15 the project on a great retail street. Two, building un-separated
16 live-work units permitted under IBC 419 and mistakenly believing that
17 the living and working portions of said units can be held or rented by
18 separate parties. And Three, acting on the mistaken belief that live-
19 work can drive in isolated single use situation. This view is
20 reinforced by a market analysis that we received by CB Richard Ellis
21 (CBRE) who reported that there is no retail demand for this product in
22 this configuration and that there were many less expensive retail
23 spaces available in the market. We also determined that there is no

1 builder demand for this product in part because um... of the sort of
2 basic designed tenant that first-floor of residential townhomes are
3 typically set two to three feet above street level so that residents
4 seating in their living room are not eyeball to eyeball with people
5 walking along the sidewalk. There um... we're concerned about um... the
6 impact on the completion of Parkland sidewalks despite strong demand
7 for residential product. Finally, the book cites two um... experts in
8 the live-work marketing arena: Todd Zimmerman and Laurie Volk, who
9 note that this live-work town house is a type that we have never
10 recommended under any circumstances because it is utterly inflexible.

11 The third type is the Flex house. This is a form seen on
12 Main Street in the Kentlands. There it is very popular. It provides
13 an opportunity for small cafes and neighborhood services,
14 particularly, hair and nail salons and beer and wine stores. It
15 relies heavily on foot traffic. It also is supported by two grocery
16 anchor shopping centers, and these flex houses are 80' deep and
17 adjacent to a large commercial parking lot. In the Parklands the town
18 houses are 50' deep and across the alley from homes. According to
19 Dolan, the flex houses are ideally preapproved to change over time
20 from all live-work to housing or live-work over retail or even office
21 over retail. [He] gives an example of Habersham, SC, where the
22 developers offer secured, very flexible entitlements, say that
23 jurisdiction preapproved any combination of business or uses such that

1 an applicant only needed to secure a business license. And while that
2 might work there, we see a real potential for a detrimental impact on
3 the neighborhood in the Parklands. Flex housing works fast in
4 commercial districts... um... there problems or challenges, including
5 parking and trash, loading, signage, noise and odor generation are
6 mitigated. At the Kentlands, the live-work units are located in a
7 commercial area adjacent to a retail surface lot. As you can see
8 here, the townhouses are shown in green and the parking field that
9 they utilize is shown in yellow. Despite this, parking remains a
10 problem. A Kentlands Main Street survey on September 24, 2012, found
11 that 65 percent of polled residents walked to Main Street retailers,
12 yet 69 percent of merchants report that parking is a problem. Here
13 you can see the 50-foot or the relatively narrow lots where the live-
14 work units would be located and their adjacency with the homes rather
15 than a commercial parking field. At the Kentlands, it's not a managed
16 retail environment and, therefore, it's more difficult to control
17 trash storage; but, again, this is less of an issue at the Kentlands
18 because they're in a commercial area. Signage at the Kentlands seems
19 to be monitored primarily by individual owners. At the Kentlands the
20 "live" aspect has largely disappeared and has been replaced with
21 offices... um... and the result is that this has become quite a dense
22 retail office project with a heavy demand for parking, trash and the
23 like. These conversions also create challenges in terms of venting

1 and utilities. Additionally, the Kentlands was approved a year before
2 the ADA regulation passed and ADA compliance challenges exist at the
3 Kentlands.

4 The fourth type of live-work product is the High-Density
5 Podium Residential over Retail, and this product type residential
6 units are built on top of structured parking or so-called Podiums with
7 Retail Liners that have retail storefronts, sign bands. They're ADA-
8 compliant, they're at street level and this is the form that we will
9 use at the Urban Core and are developing now at the Spectrum and
10 Watkins Mill.

11 Some of the other questions we were asked related to
12 questions about how we will develop retail at the Urban Core and,
13 specifically, if this application signal an abandonment of retail. To
14 be successful in the retail market place, retailers and developers
15 must constantly monitor trends. As we all know, the retail landscape
16 has changed markedly since Watkins Mill Town Center was initially
17 conceived in 1999. In recent years, retailers have been hard hit by a
18 lingering recession, but even when the market recovers there will
19 remain a fundamental shift in retail market place driven by internet
20 sales. According to Forrester Research, the US on-line retail sales
21 will grow at a rate of 10 percent compounded annually to reach a
22 levels of \$219 billion in 2015. Currently, young people in their 20's
23 and 30's do about a quarter of their shopping on line.

1 Changing Consumer Behavior. We've seen a rapid growth in
2 the sales of smart phones, tablets and readers. The rise of Kindle
3 coincided with the bankruptcy of Borders bookstore. Young people are
4 living in smaller urban apartments rather than purchasing homes and
5 the result has been a number of large furniture stores have failed,
6 increasingly retailers are downsizing and changing their merchandising
7 plans in an effort to reduce cost and stay competitive. For example,
8 many retailers have concluded that they can no longer afford to stock
9 low-margin bulky items. As a result, Amazon is now a big seller of
10 Pampers diapers. Recently, Walmart announced...

11 CHAIR BAUER: Lauren's nodding knowingly (laughter)

12 LEE HENRY: ... they will no longer stock Amazon's Kindle
13 devices. Even this giant retailer fears Amazon Prime, with its
14 promise of next day and free delivery and, apparently, views the
15 Kindle as a Trojan horse that might dramatically reduce in store
16 sales. And lastly, Competition. Watkins Mill Town Center will not be
17 developed in a vacuum. There is a relatively high level of small shop
18 vacancy in the neighborhood shopping centers in the immediate
19 vicinity. These locations offer opportunities for start-up retail
20 concepts. There are also several large-scale mixed use projects with
21 significant retail components that will greatly increase competition
22 to secure national credit tenants. These include Downtown Crown,
23 where a 260,000-SF retail project will be anchored by Harris Teeter

1 and L.A. Fitness, Pike and Rose, a transit-oriented mixed use
2 development approved for 330,000 SF of retail, the first phase of
3 which will include 150,000 SF of retail. That retail changes and
4 evolves is nothing new. Outdated retailing modes are replaced by
5 modern formats. The general store gave way to the department store.
6 But what is not changed is the human need for great gathering places
7 and ways to connect with others. For this reason, we think it is
8 critical that retail be concentrated, supported, properly placed and
9 built using the correct form. The Podium (inaudible) will be used at
10 The Spectrum and the Urban Core to jump-start retail. Specifically,
11 at the Urban Core, we expect this product will be the first product
12 built there... um... and we anticipate that it will be built before the
13 Interchange and that it will provide neighborhood services and cafes.
14 At The Spectrum and the Urban Core, we will rely on well establish
15 retail tools to assure the success of retail. We'll locate the retail
16 in a great street. We have (MD Rte.) 355 and... um... we believe the Town
17 Center Boulevard will also become a great street served by multimodal
18 transportation options. We're also sensitive to the tenants'
19 perspective. Tenants look at demographics, they look at sales volumes
20 of nearby retailers, parking and the overall environment and sense of
21 place. Retailers also focus on maximizing the impact of retail
22 elements, including transparent storefronts, opportunities for trade
23 dress, high ceilings, opportunities for outdoor seating, code-

1 compliance, the commercial environment and few interruptions in retail
2 continuity. At The Spectrum and at the Urban Core, we will provide
3 and manage the retail environment... um... that will control signage,
4 storefronts... um... we will invest in storefronts, tenant finish and
5 retail design. We will attack... um... we will provide exclusive
6 protection and ensure a vibrant tenant mix. We also will be attentive
7 to details, such as refrigerated trash rooms, staffed to maintain the
8 project, and street furnishings, facilities for those with dogs and
9 the like. At The Spectrum we're using an ancient land form, the Urban
10 Village, and it'll... the project will be developed around the
11 Performers Park... and this slide shows some of the investment that we
12 will be making in the Civic Space. We'll be providing turf so that
13 children can play, but also adults can take Tai Chi or yoga or have
14 movies and... um... performances, and in terms of the merchandising plan
15 at The Spectrum, we'll focus on providing a dining cluster with a
16 mixture of restaurants, cafes and coffee shops as well as neighborhood
17 services such as dry cleaners, salons and pharmacy. At the Urban
18 Core, we will also have opportunities to develop great civic spaces in
19 several locations. And for our last series of questions, I'd like to
20 turn this over to Luis Gonzalez.

21 LUIS GONZALEZ: Good evening. I thank you for the
22 opportunity to respond to your comments. At our last meeting, we were
23 given the direction to look at several successful examples of TOD's

1 (Transit Oriented Development), local and nationally, and that's what
2 we did. We looked at local examples that included redevelopment and
3 filled in urban and suburban conditions. Luckily, we're in an area
4 where we are amongst the leaders in TOD's, the Rosslyn-Ballston
5 Corridor being a starter example of that. We looked at national
6 examples of TOD's and many success stories happening in San Francisco,
7 Oakland Bay area, and area that I personally went to go visit after
8 our hearing. From the research of the local and national TOD's, we
9 were able to highlight and identify many of the driving principles and
10 building typologies that made for a successful project. Luckily for
11 us, our plan already incorporates many of those principles and
12 typologies. However, there's always room for improvement and we are
13 confident that these modifications are in the right track and in the
14 same vein as many as those TOD's that we reviewed.

15 This Podium style live-work product is what we usually see
16 at all the TOD's. It's what seems to be the most successful
17 application for this typology. To address the concern regarding the
18 Urban Core that may the citizens have had, the Urban Core is coming.
19 We're currently redesigning the land use plan for the Urban Core to
20 include Casey South. This new plan will reinforce the principles
21 critical to make a successful TOD and solidify Town Center Boulevard
22 as a great street. This plan will concentrate retail along the
23 central core and provide civic spaces throughout. We will also

1 accommodate uses such as a cinema, grocer, commercial office,
2 restaurants and Podium-style live-work apartments. We are extremely
3 excited to bring this plan before the Commission and look at bringing
4 it before the Commission over the next several months. We are aware
5 that through this application, there are concerns that we are
6 abandoning the idea of providing commercial retail. We are not
7 abandoning that idea. Once the new land use plan is approved, we'll
8 move forward with the design of two podium-style live-work apartments
9 with convenience retail at the base same as you see in successful
10 TOD's nationwide. These services may include cafes, coffee shops and
11 spas. The best part of this podium-style live-work apartment is that
12 we can begin construction on them prior to the Interchange opening,
13 providing (inaudible) retail that the community wants. Thank you.

14 CHAIR BAUER: Okay, so that's the answer? (laughter) Um...
15 Lauren, do you have something more to do to recap? Or...

16 DIRECTOR Pruss: I don't have a recap. I'll just... um... ad
17 that there are two letters that were submitted subsequent to the
18 closing of the record that I did pass out to the Commission this
19 evening that will now be entered into the record for the official
20 package, the recommendation package that we'll provide to you in
21 advance of your official recommendation on October 17.

22 CHAIR BAUER: Okay. In our mind and... um... everyone
23 watching and um... thinking about what they just heard in the

1 presentation, we are not able to reopen the public hearing because we
2 haven't establish the advertising for that and we're really just
3 accepting this as an answer to our original questions in the public
4 hearing, but because the record will reopen for another week or so...

5 DIRECTOR PRUSS: One whole week until October 10 at 5 PM.

6 CHAIR BAUER: Right. We will open accept anything in
7 writing that... if the folks want to respond to our comment on the
8 presentation tonight, but just to be clear, the presentation tonight
9 was not brought forth because the applicant wanted to make a change or
10 was altering the application. It was really meant to answer very
11 specific questions that we posed during the public hearing. And I did
12 have a couple of quick follow ups on that and I encourage the
13 Commission as well to ask questions about the presentation tonight. I
14 guess, first it's a statement. I know that during the presentation,
15 there were some reference to accessibility and specifically, ADA and
16 its impact on these types of units, the proposed units and I think I
17 want to make clear that we would not condone or encourage a change to
18 the plan simply to remove any need to create units that are
19 accessible, we would expect the market viability to dictate it and
20 then expect the applicant and the developer to follow through with
21 successful planning and build out that complied with that. So I just
22 want to make clear that it's not... it's not a um... I don't believe what
23 you're proposing is to take units out of this or to take the

1 commercial component out of this because of there are problems with
2 accessibility, it's really based on the idea that the market
3 conditions are not there. The only thing I can think of I want to
4 mention, and this is really, again, a statement, we'll... once the
5 record closes, we do meet to discuss this and provide a recommendation
6 to the Council. What I would expect to is to also address is the
7 basic idea or the question if this isn't really a viable product, why
8 would we have approved a plan that included it? And of course, we
9 won't do that tonight because we won't be discussing it, but I would
10 expect that to be a central element when we talk about when we form a
11 recommendation to the Council. And you've mentioned timing a couple
12 of times and I... and I just want to be clear um... if you could be a
13 little more specific... um... you mentioned the new... proposal for the
14 commercial area, a new plan or a revised plan to come back... um... that
15 would then be developed ahead of the new Interchange. I think it's
16 sort of a reassurance that we are not waiting for the Interchange for
17 the commercial component to start to be developed. What kind of
18 timing roughly are you talking about? so they plan to come back in
19 the next year or in two months...?

20 LUIS GONZALEZ: We're currently in the redesign of the plan
21 and we're looking at bringing it back before the Commission within the
22 next several months.

23 CHAIR BAUER: Okay, and then once that moves through the

1 process... um... ultimately development within a few years or a year, a
2 few months, what do you think the... and I realize you can't pinned that
3 down.

4 LEE HENRY: A year seems quick!

5 LUIS GONZALEZ: Realistically, taking it through the
6 process, I mean, we know how long that can take... it's just hard to
7 determine, we don't know how long that process is going to take, but
8 we are definitely trying to move forward with the Podium live-work
9 style apartments.

10 CHAIR BAUER: Mr. Henry...

11 PETE HENRY: Pete Henry, BP Realty. We're going to
12 build... I'm sorry. I'll start again. We're in Gaithersburg, this is a
13 great market. We're going to build these things as soon as we
14 possibly can and we have to go through the process. We have a lot of
15 competition out there right now, but it's tailoring down. If you look
16 at the absorption of what you guys have done, which has been
17 incredible in the... in the town... in the Olde Towne area, that's
18 absorbing. We're in with Crown this time through, but we expect there
19 to be a consistent pipeline through, so we're here to build as soon as
20 we can.

21 CHAIR BAUER: okay. Alright. Let me think, and the last
22 point I'll make, and, again, we'll wrap it into our discussion in more
23 detail, but I think it's fair to say that what you're proposing

1 doesn't remove... um... let me back up... a lot of what you talked about
2 addressed um... more regional influences from retail and commercial
3 areas whether it's Crown or um... some of the other vacancies that are
4 nearby... um... but I think what's clear is there's still a commitment to
5 create a walk... this is a "walkable" community, not only a trans-
6 oriented community, but a "walkable" one and the retail and the
7 commercial component would still be within that scale. Is that fair?

8 LEE HENRY: Yes.

9 LUIS GONZALEZ: That's absolutely correct.

10 LEE HENRY: I think it's just... that's what I was trying
11 to communicate is what works now has changed since 1999, and I think
12 there's still a great market for um... for retail, for restaurants, for
13 local restaurants, for entertainment, I think that market remains
14 strong. Some of the other aspects of the overall retail market place
15 are weaker and probably won't come back (inaudible).

16 CHAIR BAUER: okay. Any other questions?

17 COMMISSIONER HOPKINS: We're not discussing tonight...

18 CHAIR BAUER: Right. Just questions on the information
19 that's been presented.

20 COMMISSIONER WINBORNE: I just... I just have one... you
21 spoke about "ancient design," can you expand on that as you come back
22 to us? You mentioned that and I just thought...

23 LEE HENRY: That... that was just in the context of... um...

1 The Spectrum, there everything's built around this village square as
2 opposed to the Urban Core, which is more of a main street concept.

3 COMMISSIONER WINBORNE: Right. I mean as you, you know,
4 develop your plan going forward, if you could talk to that, that would
5 be good to hear about and I did agree with you, but...

6 CHAIR BAUER: Just to be clear, if you want a
7 clarification on the presentation tonight, our record closes on the
8 10th, so now it would be the time to get a clarification otherwise, you
9 won't get...

10 COMMISSIONER WINBORNE: Okay.

11 CHAIR BAUER: You won't hear from the applicant again
12 until...

13 COMMISSIONER WINBORNE: Okay, then...

14 COMMISSIONER HOPKINS: Unless you mean the next phase,
15 though.

16 COMMISSIONER WINBORNE: Yeah, I was asking about the
17 next phase. She just mentioned it as a concept so... I would expect to
18 hear something about that. Okay. And I'm glad that you brought up...
19 because I was very confused about the whole thing, about ADA
20 compliance.

21 COMMISSIONER HOPKINS: There's a long list of stuff that
22 doesn't... just doesn't fly. That thing with ADA, nobody's (inaudible),
23 that's just how you develop the building not, not a condition of...

1 COMMISSIONER WINBORNE: Yeah, I was confused. And if
2 I'm confused, then... I've kind of been here for a long time, I'm sure
3 others who are listening are confused a bit, so I just thought that.. I
4 was glad that you brought that up, and I do think that the whole issue
5 of "walkability," you know, is something that always concerns folks,
6 and that's something that we... we... you know, it was promised so I want
7 to make sure that that is included in whatever comes before us. I was
8 a bit confused about the comparison with Kentlands and maybe you can
9 clarify that too. I mean it seemed very negative and I think that's
10 been very successful. Maybe just to say what doesn't work now, but
11 there are some great things that do work and, you know, if can kind of
12 compare and contrast, that would be a good thing too.

13 LUIS GONZALEZ: One of the main things between the
14 Kentlands and Watkins Mill Town Center is that Watkins Mill Town
15 Center is a Transit Oriented Development project, so the principles
16 and the way it works is different that the way the Kentlands works.
17 So we're trying to reinforce the main street idea and the density
18 (inaudible) as a transit oriented to transit and if you look at the
19 overall plan now and how it works and you compare it to other local
20 and national TOD's, you see that ours is pretty much on par and how
21 that works.

22 COMMISSIONER HOPKINS: I really have to be quiet?

23 CHAIR BAUER: You can ask questions.

1 COMMISSIONER HOPKINS: I don't have any questions
2 (laughter).

3 CHAIR BAUER: And any other questions? No? Okay, I'm not
4 sure if it was clear when we reopened the record, but just to be
5 clear, let me ask for a motion to... um... as staff has recommended to
6 close the record um... at 5 PM on October 10, 2012, in anticipation of
7 our recommendation or discussion and recommendation on October 17.

8 COMMISSIONER WINBORNE: That was a part of the original
9 motion.

10 VICE-CHAIR KAUFMAN: I'd mentioned that in the motion.

11 CHAIR BAUER: I'm just asking for it to be clear that
12 that's what we're doing.

13 COMMISSIONER WINBORNE: Okay.

14 VICE-CHAIR KAUFMAN: Do you want to make the motion?

15 COMMISSIONER WINBORNE: I make the motion that we close
16 the record on ASDP-12-2012 at 5 PM on October 10, 2012.

17 VICE-CHAIR KAUFMAN: Second.

18 CHAIR BAUER: Moved and seconded. All in favor, please
19 say "eye."

20 CHORUS: Eye.

21 CHAIR BAUER: Opposed? (silence) Passes unanimously. So,
22 if anyone has comments on the presentation, now please feel free to
23 email or snail mail those comments and we will enter them into the

1 record and review them when we discuss this on the 17th. Thank you
2 very much for putting that together for us.

3 COMMISSIONER HOPKINS: Thanks, very professional
4 presentation. I appreciate it.

Lauren Pruss

From: Jennifer Wang [iamwang01@msn.com]
Sent: Monday, October 08, 2012 9:02 PM
To: Lauren Pruss
Subject: West Watkins Mill Road - Uptwon Street proposed changes

Dear Lauren: I am an owner and resident of a townhouse at the Parkland new development off the West Watkins Mill Road. My address is 237 Parkview Avenue, Gaithersburg, MD 20878. I am writing to support the proposed change of "Removal of Commercial Portion" of the new residential houses on the Uptown Street.

When I bought my townhouse, I was impressed by the secured and residential focused environment. My townhouse unit is right next to one of the four lots on the Uptown Street. The commercial portion of the townhouses on the Uptown Street will severely impact my privacy as there are not sufficient parking spaces nor appropriate side walk around the Uptown Street and the Parkview Avenue. The four lots that were originally planned for so-called Work-Live style DOES NOT make any sense whatsoever. As there will not be any regulations can be enforced, the area will become a total mess with out-of-control trashes, signage, noise level and no respect for privacy. I am afraid that my privacy and teh security will definitely be impacted as there will be various heavy foot traffic on the side walk outside of my front door, and I have to close the windows and window shades all day and all night.

I am hereby FOR the proposed change to remove the commercial portion, and trust that the county committee will respect my need fully for a clean, secure and quiet residence life.

Thank You.

Stephen & Jennifer Wang
Owner and Resident at 237 Parkview Avenue, Gaithersburg, MD 20878

Lauren Pruss

From: Beth Walton [bwlynn7@aol.com]
Sent: Monday, October 08, 2012 10:52 PM
To: Tony Tomasello; Lauren Pruss; Sidney Katz; CityHall External Mail; Trudy Schwarz; will@delaney2012.com; DDEAL@NVRINC.COM; lkaufman@gaithersburgmd.gov; JCoratola@gaithersburgmd.gov; Mhopkin@gaithersburgmd.gov; dwinborne@gaithersburgmd.gov; Glanier@gaithersburgmd.gov
Cc: Mahesh Goel; Tamara Woolf; Pat Halton; Eric Banks; brenda greenberg; Tony Lipscomb; Catherine Krebs; elena.woolf@gmail.com
Subject: ASDP-0641-2012 - Watkins Mill Town Center -Opposition of Removal of Commercial Component from the Urban Lofts Units

Dear Ms. Pruss:

Please accept the following letter as my written response to the proposed elimination of Live/Work units within Watkins Mill Towncenter. I will follow my email with a written correspondence to the Planning Commission.

Thank you for your attention to this matter.

Date: October 7, 2012

City of Gaithersburg

31 South Summit Avenue

Gaithersburg, MD 20877

Re: ASDP-0641-2012 - Watkins Mill Town Center

MXD Zone

400, 401, 500, 501 Uptown Street

Removal of Commercial Component from the Urban Lofts Units

Dear Ms. Pruss:

I attended the Planning Commission meeting on September 5, 2012 and most of the attendees were extremely disappointed by the proposal to eliminate the Live/Work units from the Watkins Mill Town Center. As I stated during the meeting, I felt this proposal was a "take back" for this community. Most of our residents spent on average of half of million dollars for our homes with the expectation that the Live/Work units would be as a central component of the Watkins Mill Town center. We are extremely disappointed about the possible elimination of commercial space along 400, 401, 500, 501 Uptown Street.

The developer failed to substantiate their claim that Live/Work units would not realize market success within West Gaithersburg area. Currently amenities within this area are sparse and inadequate to serve the *current* residential and business infrastructure. Within the short radius of the proposed site, there are over 10-15 biotech companies, a major government institution (i.e. National Institute of Standards and Technology) and large companies such as IBM, Lockheed Martin and Kaiser Permanente that could benefit from amenities from Live/Work businesses. In turn, businesses will also benefit from increased marketing capability due to close proximity of business and residential customers. The developer's comparisons of the West Gaithersburg area to the Urbana/Clarksburg markets were not supported by studies. The Kentlands and King Farm communities serve as prime examples of how Live/Work units are financially viable components to any town center community.

The loss of Live/Work units will also have a major social impact on the community. Studies of twenty-six urbanist communities showed that walkable communities could foster more socially cohesive and healthier lifestyles within urban environments (Podobnik, 2009). It is clear the Kentlands would be quite a different place without the benefit of Live/Work units. Evidence shows that Live/Work infrastructures create meeting spaces where social interactions can occur.

At the September 5, 2012 Planning Commission meeting, the developer presented residential alternatives to the Live/Work units, which resembled the *same repetitive architecture* that already exists within the Parklands community. Some residents also feel that the proposed larger townhouse

units will now threaten property values for existing townhouses within the area; this poses to be an unexpected financial concern for those who already invested in this community.

The only residents who supported the proposed elimination of Live/Work units, also claimed they were misled by their builder (Ryan Homes). This is the second time during a Planning Commission session that Parkland residents claimed that they received false disclosures by their builders (i.e. Ryan Homes and NV Homes). In my letter to Mr. Schlinking dated on August 14, 2012, we requested the City's assistance to encourage builders to provide complete disclosures at the time of contract. Without proper disclosures, unsuspecting buyers will continue to be misled.

In summary, residents feel that the removal of Live/Work units will limit amenities for the community. The proposed change is a direct contradiction to Smart Growth concepts and we feel this change is not compatible with spirit of the original development plan. The proposed relocation of additional commercial space to the Urban Core, threatens to change the social complexity of the Watkins Mill Town Center. This proposal will also inhibit the proliferation of small businesses that will now have to compete with larger business venues located within the Urban Core.

We encourage the Planning Commission Committee to make a recommendation that serves the best interest for our community on October 17, 2012.

Sincerely,

Beth Walton

342 White Ash Pl

Gaithersburg, MD 20878

240-997-9368

References:

B. Podobnik (July 2009). Assessing the Social and Environmental Achievements of New Urbanism: Evidence from Portland, Oregon, Department of Sociology Lewis and Clark College.



Handwritten signature

DAVIS CARTER SCOTT

CITY OF GAITHERSBURG MAYOR & COUNCIL
 31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877
SCHEMATIC DEVELOPMENT PLAN APPROVAL
 AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND CITY COUNCIL HELD ON AUGUST 1, 2005
 APPLICATION NO. SDP-05-002 WAS GRANTED
 SCHEMATIC DEVELOPMENT PLAN APPROVAL
 BY RESOLUTION R-75-05 WITH 23 CONDITIONS.
 DATE 10/11/05 BY [Signature]
 NOTE: ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE MAYOR & CITY COUNCIL

Planning Commission
 ADSP-0641-2012
 65

SDP-05-002

REVISION	DATE	REVISION	DATE	REVISION	DATE

Owner/Developer:
 BP Realty Investments, LLC
 10000 Falls Road, Suite 100
 Potomac, Maryland 20854
 Ph.: (301) 299-2099
 Fax: (301) 299-2033
 Contact: Mr. Peter J. Henry

CONCEPTUAL LOFT TOWNHOUSE
 ELEVATION

RODGERS CONSULTING
 Enhancing the value of land assets
 Rodgers Consulting, Inc.
 19847 Century Blvd., Suite 200
 Germantown, 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: _____

CASEY PROPERTY WEST METROPOLITAN GROVE
 City of Gaithersburg
 9th election district
 Montgomery County, Maryland

SCALE:
NTS
JOB No:
776A
DATE:
May, 2005
SHEET No:
33 of 36

BP REALTY INVESTMENTS, LLC

To: Lauren Pruss
From: Leigh Henry
Date: October 9, 2012
RE: Supplemental Response -- ASDP-0641-2012

Dear Ms. Pruss:

Thank you and the Planning Commission for the opportunity to present the case for relocating the 10,000 sf of commercial density from the heart of the residential community, where it will be both unsuccessful and create significant and lasting problems for those residents living near the units. We believe the existing approved 220,000 square feet of retail focused along Town Center Boulevard in the Urban Core near the transit, hotels and offices will be the right location to concentrate these uses to assure the success of both the commercial project and the residential community.

I am writing you today because a resident of the Parklands portion of the Watkins Mill Project developed by Classic Corporation has requested additional information on several items from our group, BP Realty, the owner and developer of the Urban Core. We are happy to provide the information requested, in summary:

Please provide further comparisons of the 20 “live-work” townhomes units to the following projects: (1) Kentlands, (2) Rockville Town Center, (3) Reston Town Center, (4) King Farm, (5) “Downtown” Silver Springs, as well as (6) the proposed Downtown Crown, (7) the proposed Shady Grove Crossing, and (8) the Clarksburg Town Center.

We will address each project in the same order:

1. **Kentlands** –

- a. Background on product: As discussed in the presentation, the Kentlands product:
- i. Is a “Flex-Use” based arrangement, where units can be used for all commercial, all residential or a mix of either, based on a pre-ADA model;
 - ii. Adjoins a large commercial shopping center anchored by a supermarket, movie theaters, restaurants, and numerous retailers;
 - iii. Utilizes the immediately adjoining parking lot and its hundreds of spaces to meet their parking needs. (If the parking field is remote, people have been shown to park in the closer parking spaces -typically in the adjoining neighborhood streets- before going to the remote deck);

- iv. Addresses trash, dumpsters, grease traps and loading from the rear of the product, where it will limit its impact on adjoining residential uses.
- b. Analysis: The “Flex-Use” product, as discussed in the presentation, is neither the product type that is approved for the Watkins Mill project nor a product type that is appropriate for a neighborhood such as the Parklands, given the lack of adjoining parking fields and the impact on the adjoining neighbors. Rather, as discussed, the development of the Urban Core’s preferred ‘podium-style’ apartments over retail with separate parking in decks is the appropriate form of development to meet the transit oriented, urban nature of the area.

While the podium product will not feasibly work on these small parcels (which are not sufficient for the required ramp to a parking garage), as also noted, the acquisition of the additional land to the south of BP’s Urban Core will permit the lengthening and strengthening of the “Town Center Boulevard” to effectively the same walkable distance as Reston’s Town Center’s.

2. **King Farm**:

- a. Background on the product:
 - i. King Farm’s mixed-use portion of its Town Center is comprised of “podium-style” multifamily above commercial on the main commercial street within that project, in addition to the several other all-residential apartment projects.
 - ii. The residential-over-retail form used in King Farm is the ‘podium-style’ development, and provides hundreds of separate, dedicated parking spaces in the immediately adjoining rear parking areas;
 - iii. Adjoins a large commercial shopping center anchored by a Safeway supermarket, restaurants and banks.
 - iv. Addresses trash, dumpsters, grease traps and loading separated from the residential uses.
- b. Analysis: The ‘podium-style’ apartment product utilized here (i.e., residential constructed over a concrete podium with an adjoining parking field), while facing rollover, utilizes its “Main Street” location and ample adjoining surface parking fields to concentrate retail energy and to keep this project largely leased.

3. **Rockville Town Center** –

- a. Background on the product:
 - i. Rockville Town Center’s residential portion are made up of the *Fenestra* and *Palladian* -- both large, podium-based multifamily product, with approximately 500 residential units above commercial.
 - ii. The complex provides hundreds of separate, dedicated parking spaces in their integrated adjoining parking decks;

- iii. Adjoins a large commercial shopping center anchored by a movie theater, restaurants, a library and (after 4 years) a supermarket.
 - iv. Address trash, dumpsters, grease traps and loading from the rear of the product and separated from the residential uses by a street.
- b. Analysis: The ‘podium-style’ apartment product (i.e., residential constructed over a concrete podium with an adjoining parking deck) utilized in Rockville Town Center is a very good example of an appropriate mixing of residential and commercial uses.

4. **Reston Town Center** –

a. Background on the product:

- i. The residential portion of Reston Town Center is large project made up primarily of a mixture of podium-based and all-concrete multifamily product with adjoining dedicated parking decks, and several pure apartment projects (no mixed-use, since it was deemed to detract from the Town Center’s Urban Core).

ii. Each complex within Reston Town Center:

- 1. Provides hundreds of separate, dedicated parking spaces in their dedicated integrated and adjoining parking decks.
- 2. Adjoins a large commercial shopping center anchored by a movie theater, restaurants, hotels, and offices.
- 3. Addresses trash, dumpsters, grease traps and loading from the rear of the product and separated from the residential uses by a street.

iii. The multifamily elements are:

- 1. *The Metropolitan* (21 stories, all concrete apartment tower with ground level restaurants and separate parking decks for the commercial);
- 2. *The Savoy* (5 stories, podium-based multifamily project, with separate parking decks);
- 3. *The Carlton House*: (10 story, all concrete apartment project with separate parking deck);
- 4. *The Paramount*: (10 story, all concrete apartment project with separate parking deck);
- 5. *South of Market*: (15 story, all concrete apartment project with separate parking deck);

- b. Analysis: The all concrete high-rises and ‘podium-style’ apartment product that make up Reston Town Center are again an example of an appropriate mixing of residential and commercial uses, and their placement reinforces the activity and use of the “Main Street” of Reston.

c.

5. **“Downtown” Silver Springs (The Ellington)**–

a. Background on the product:

i. “Downtown” Silver Springs is a project developed by Petersen Companies and Foulger-Pratt. *The Ellsworth* is the residential portion of the project, which is 241 rental apartments, which is projected to open in Mid-2013. The project is a ‘podium-style’ stick over concrete podium construction with and immediate adjoining parking deck.

ii. The Ellsworth complex:

1. Will provide hundreds of separate, dedicated parking spaces in its dedicated immediately adjoining parking deck;
2. Will adjoin a large commercial shopping center anchored by a movie theater, health club, restaurants, supermarkets, and other uses;
3. Addresses trash, dumpsters, grease traps and loading from the rear of the product;

b. Analysis: This project is another example of the ‘podium-style’ of residential over retail development, although it appears that the retail has been eliminated from the final approved Ellsworth development due to its weak competitive position vs. the “Main Street” product.

6. **Proposed “Downtown Crown (The Cadence at Crown):**

a. Background on the product:

i. The *Cadence at Crown* is a 500 plus multifamily development commenced in October 2013 and projected to open in Mid-2014. The project is a ‘podium-style’ stick over concrete podium construction with and adjoining parking deck.

ii. The *Cadence* complex:

1. Will provide hundreds of separate, dedicated parking spaces in its dedicated immediately adjoining parking deck;
2. Adjoins a large commercial shopping center anchored by a grocery store, health club, theater, restaurants, and other uses;
3. Addresses trash, dumpsters, grease traps and loading from the rear and base of the product;

Analysis: This Cadence is yet another example of the dominance of the ‘podium-style’ of residential over retail development. The Cadence will be the primarily retail “Main Street” of the Downtown Crown community, and has been physically separated from the adjoining Crown single family community

7. Proposed Shady Grove Crossing:

a. Background on the product:

i. In that *Shady Grove Crossing* is a 62 unit single family home development with no retail to be built by Toll Brothers, we believed the project that is of interest is the larger *Shady Grove Metro Plan* to be ultimately developed by EYA will include a Village Center with a supermarket. This product is again proposed as many as 2,000 multifamily units including 500 multifamily units on a concrete podium development with adjoining parking decks. The ground level for the multifamily units nearest the supermarket are proposed for a limited amount of retail space (40,000 sf of retail vs. the Urban Core's 240,000 plus SF of retail).

ii. The complex:

1. Will provide hundreds of separate, dedicated parking spaces in its dedicated immediately adjoining parking deck;
2. Adjoins a commercial shopping center anchored by a supermarkets, and other uses;
3. Is proposed presently to addresses trash, dumpsters, grease traps and loading from the rear of the product;

Analysis: This project is another example of the 'podium-style' of residential over retail development, with a limited amount of retail space. Like Downtown Crown, the project has physically separated the retail from the single-family home section of the community.

8. Proposed Clarksburg Town Center:

a. Background on the product:

i. Clarksburg Town Center is a proposed supermarket anchored center with 300 multifamily units proposed using a 'podium-style' stick over concrete podium construction with and adjoining parking deck.

ii. Clarksburg Town Center complex:

1. Is master-planned provide hundreds of separate, dedicated parking spaces in its dedicated integrated adjoining parking deck;
2. Will adjoins a commercial shopping center anchored by a grocery store, restaurants, and other uses;
3. Addresses trash, dumpsters, grease traps and loading from the rear and base of the product;

Analysis: While there is not time set for this project, it has been planned with 'podium-style' of residential over retail development with adjoining parking decks. Like Downtown Crown, and the Shady Grove development, Clarksburg has taken efforts to physically separate the retail from the single-family home section of the community.

Ms. Lauren Pruss

October 9, 2012

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Summary: We believe the above projects, as well as those previously cited in the presentation to the Planning Commission, make clear the point that the appropriate configuration for a successful live-work environment is built around a podium-style configuration with an adjoining parking deck. The retail energy of these successful projects is concentrated on the main commercial street of the project to both assure the success of the whole while protecting the residential portion of the adjoining neighborhoods.

We are fully familiar with the overwhelming competitive advantage that a 'podium-style' product delivers, in that we currently have two such building under construction in the City of Gaithersburg. We are equally familiar with projects that were proposed for retail in the City having to later shrink the retail space or convert it from approved retail to residential either before construction (to secure financing) or after the fact (to eliminate the long term vacancies and image of failure).

Relocating the 10,000 sf of commercial density from the heart of the residential community, where it will be both unsuccessful and create significant and lasting problems for those residents living nearby those units, is appropriate and supported. We believe the existing approved 220,000 square feet of retail focused along Town Center Boulevard in the Urban Core near the transit, hotels and offices will be the right location to concentrate these uses to assure the success of both the commercial project and the residential community.

As a final note, we would like to set the record straight that the developer of the Urban Core is BP Realty, not Classic Communities. BP Realty does not have any intention of eliminating the Town Center portion of the Watkins Mill Project, but rather has acquired millions of dollars additional land to permit the extension of Town Center Boulevard and the ultimate increase in density of the project. We look forward to having these neighbors join the Urban Core developer, BP Realty, in supporting this additional density to further support the multi-modal transportation system that is Watkins Mill Town Center.

Best regards,

LEIGH HENRY

Leigh Henry

BP Realty Investments, LLC

BP REALTY INVESTMENTS, LLC

To: Lauren Pruss
From: Leigh Henry
Date: October 9, 2012
RE: Supplemental Response 2-- ASDP-0641-2012

Dear Ms. Pruss:

I am writing you today to address the questions raised by a Parklands resident about the social impact of *relocating* 10,000 SF of commercial density from residential townhouses to podium style live-work units at the Urban Core/ Casey South. The writer raised the concern that requested change would have a *major social impact on the community* by undermining efforts to “*foster more socially cohesive and healthier lifestyles within urban environments*”. The citizen cited a July 2009 study conducted by B. Podobnik, an associate professor of sociology at Lewis & Clark College, who found that inclusion of sidewalks, civic spaces, and a the live-work component contributed to the walkability of the Orenco Station, OR community. There, the mixed use portion is physically separated from the single-family home section of the community.

Orenco Station, Hillsboro, OR

Background: This 209-acre Transit-Oriented Development is located on Portland’s Westside MAX Light Rail and includes more than 1,834 residences. Trains run every 10 minutes into downtown Portland and a new line to the Portland International Airport opened recently. Retail at Orenco Station – both restaurant and neighborhood services – are located in podium-style Live Work development adjacent to a large, traditional grocery store with a field of surface parking. The mixed-use component of Orenco Station is located across from a large formal park surrounded by a grid of walkable streets. Additionally, 28 live/work townhouses have been developed at Orenco Station.

1. Background on the Podium Live-Work product:

- Mixed-use portion of its Town Center is comprised of “podium-style” retail with a hotel above commercial on the main commercial street within that project. This project is supported by hundreds of adjacent parking spaces.
- Orenco Station’s Town Center includes a large full-service grocery store with traditional field of surface parking.
- Mixed-used portion is across from Central Park, a large civic space at the center of the project.
- Addresses trash, dumpsters, grease traps and loading separated from the residential uses.

2. Background on 28 Live-Work Townhouse Units

1. Based on a pre-ADA model
2. Adjacent a large commercial parking field with hundreds of parking spaces
3. Adjacent to a newer Podium-Style mixed use product

Ms. Lauren Pruss

October 9, 2012

Page 2 of 2

4. Controlled by a separate Homeowners Association
5. Only 6 home businesses currently operating. These include:
 - Doctor specializing in alternative health care
 - The Relationship Specialist
 - Food Rehab for You
 - Jeany's Bridal
 - Chiropractic
 - On Course Consulting
6. Provides no neighborhood services or community amenities
7. Businesses are not designed to provide a "third place" or community meeting spot.

Analysis: At Orenco Station, the 'podium-style' product utilizes its "Main Street" location, adjacency to large civic space, Light Rail, and ample adjoining surface parking fields to concentrate retail energy and to keep this project leased. The proposed Parklands live/work townhouses do not have the large adjacent parking field that is available for the live-work townhouses at Orenco Station. The development of Orenco Station supports the position that a successful live-work environment is built around a podium-style configuration with an adjoining parking deck. The transfer of retail density to the additional land to the south of BP's Urban Core will permit the lengthening and strengthening of the "Town Center Boulevard" and will thereby increase walkability and the breadth of retail available to residents at Watkins Mill Town Center.

Sincerely,

Leigh Henry

Leigh Henry
BP Realty Investments, LLC

Watkins Mill Town Center



Planning Commission Recommendation



Wednesday, October 17, 2012

Planning Commission
ADSP-0641-2012
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Watkins Mill Town Center



- Public Hearing held September 5, 2012
- Concerns and questions:
 - Commission requested a Market Analysis
 - Public concerns about erosion of commercial component
- Record closed September 26, 2012
- Record was reopened on October 3, 2012
- Subsequently closed on October 10, 2012
- Currently 73 exhibits in the record

Watkins Mill Town Center

- Applicant submitted a market analysis and statement from Parkwood Homes, an area builder of live/work units
 - The Kentlands and Villages of Urbana both provide live/work units. Although these projects are somewhat successful, they both rely upon grocery-anchored shopping centers with abundant parking and significant vehicular traffic.
 - The live/work units are located on a secondary street which will not see large traffic volumes even after the construction of the Watkins Mill Interchange.
 - There is a lack of available financing and no builder demand for this product type.
 - The small footprint of the retail space (750 square feet) limits the desirability of these units for retail users.
 - There is an abundance of retail vacancies within the surrounding area that are currently available for lower rents. These areas enjoy high visibility and significant vehicular traffic, making them more attractive for potential users.
 - There is a lack of sufficient nearby parking that will negatively impact the adjacent and nearby residential properties. Additionally, the lack of a managed commercial environment will contribute to problems with trash control and signage.
- Applicant has reaffirmed their commitment to building the town center

Watkins Mill Town Center



□ Staff Analysis

- Staff concurs with the response provided by the applicant
- Convinced that no builder market exists today at this location
- From a retail market perspective, units provide undesirable location and size with more suitable, and less expensive opportunities nearby
- If request is not approved, we expect these units would remain undeveloped for many years
- Approved site plan was flawed in the provision of sufficient parking and exterior commercial activities

Watkins Mill Town Center



□ Staff Analysis

- The proposed amendment is more compatible and harmonious with the surrounding residential neighborhoods
- Eliminates the potential for the negative impacts of the previously approved commercial use
- The proposed amendment is in the public interest
- Building townhouses now will provide additional density to support the urban core and improve the city's tax base, while also providing the benefit of a finished residential neighborhood that both the residents and businesses in the urban core will benefit from

Planning Commission Recommendation



- Staff recommends that the Planning Commission recommend approval subject to seven conditions

Lauren Pruss

From: Hsu-Cheng Ou [oukenneth@gmail.com]
Sent: Wednesday, October 10, 2012 3:02 PM
To: Lauren Pruss
Subject: Concern about zoning change: Watkins Mill Town Center

hi Lauren,

As a concerned homeowner, we do **support** BP Realty for requesting a zoning change from a live/work dwelling to a **residential only**. We do concern about **noise, odor, parking, garbage issues, complexity** if keep this area as live/work dwelling. We supports the developer and we do think their future plan will do better to our community. Our property is so closed to these area and the direct impact will be tremendously HUGE. The security issue is another concern if there are work/live units behind our home. Please do consider the environment changes and safety issues for residents live so closed to the area. Please do approve the zoning change to **residential only**. thanks.

--

Hsu-Cheng Ou
Owner of 502 Rudbeckia Pl

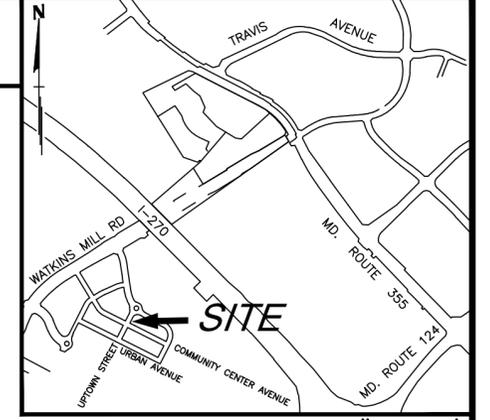
NOTES:

- The property shown hereon is subject to an Integrated Pest Management Program pursuant to the terms and conditions of an agreement recorded in Liber _____ Folio _____.
- This plat is in the Maryland State Plane Coordinate System (NAD83/91), U.S. survey feet, based on GPS and conventional survey observations. Controlling Stations: National Geodetic Survey monument JV4456: N 547736.96, E 1233907.17, WSSC NAD 83 traverse station 15987: N 543863.565, E 1247218.713, average combined scale/elevation factor for site: 0.999947788.

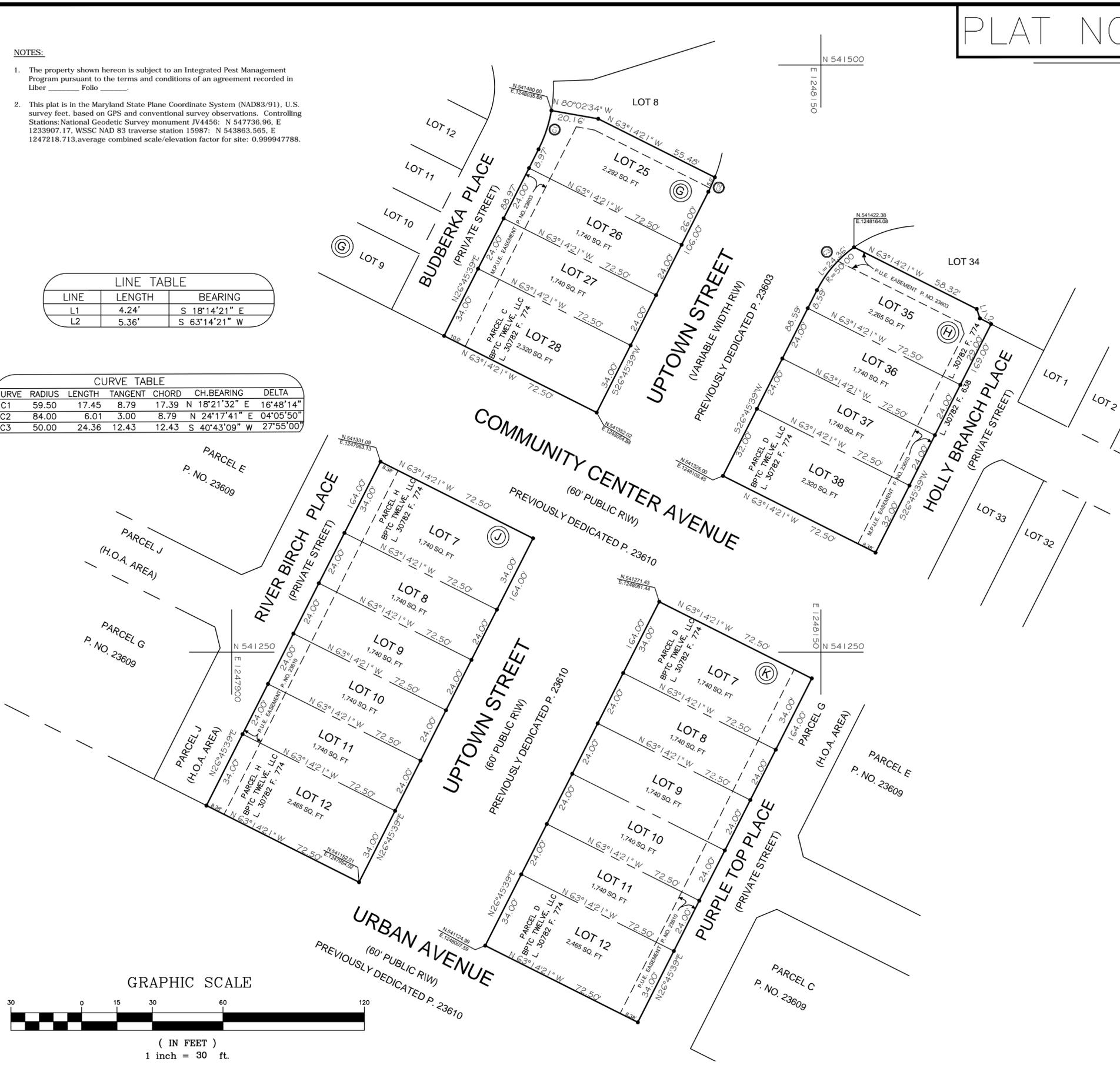
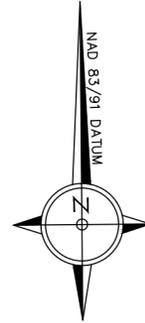
LINE TABLE		
LINE	LENGTH	BEARING
L1	4.24'	S 18°14'21" E
L2	5.36'	S 63°14'21" W

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	CH. BEARING	DELTA
C1	59.50	17.45	8.79	17.39	N 18°21'32" E	16°48'14"
C2	84.00	6.01	3.00	8.79	N 24°17'41" E	04°05'50"
C3	50.00	24.36	12.43	12.43	S 40°43'09" W	27°55'00"

PLAT NO. _____



VICINITY MAP SCALE: 1"=1500'



OWNER'S DEDICATION

We, BPTC TWELVE, LLC, a Maryland limited liability company, a Maryland limited liability company, owners of the property described hereon ("Property"), adopt this plan of subdivision.

As owners of this subdivision, we, our successors and assigns will cause all property corner markers and any other required monuments, to be set by a registered Maryland Land Surveyor, in accordance with Chapter 20, Article III, Section 20-32 and Article VI, Section 20-50 of the Gaithersburg City Code.

Further, we hereby grant to the City of Gaithersburg, Maryland, or other appropriate agency, temporary slope easements to the front building line, adjacent, contiguous and parallel to all public streets, the slope easements shall be extinguished at such time as the public improvements on the abutting right of way have been completed and accepted for maintenance by the City of Gaithersburg, Maryland, or other appropriate agency. Notwithstanding the above, the owner(s) or its assign, contractor, successor or designee may construct within such temporary slope easement area, streets and other areas within the Property pursuant to a permit issued by the City of Gaithersburg.

There are no suits or actions at law, leases, liens, mortgages or trusts affecting the property shown hereon except for a certain deed of trust and the parties in interest thereto have indicated their assent below.

Date: _____ BPTC TWELVE, LLC,
a Maryland limited liability company

Date: _____ BP RESIDENTIAL INVESTMENTS, LLC
a Maryland limited liability company

_____, Witness By: _____

Date: _____ We hereby assent to this plan of
subdivision M&T BANK

_____, Witness _____, Trustee

SURVEYOR'S CERTIFICATE

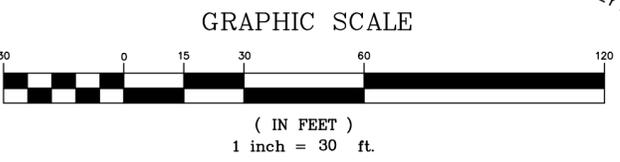
I hereby certify that the data shown hereon is correct: that it is a subdivision of part of the property conveyed as follows:

To BPTC TWELVE, LLC, a Maryland limited liability company, from BETTY BROWN CASEY, SOLE ACTING TRUSTEE of and under that certain TRUST INDENTURE dated September 9, 1981 which created the EUGENE B. CASEY FOUNDATION, as amended, by a deed dated September 8, 2005 and recorded among the Land Records of Montgomery County, Maryland in Liber 30782 at folio 605;

To BP RESIDENTIAL INVESTMENTS, LLC, a Maryland limited liability company, from BETTY BROWN CASEY, SOLE ACTING TRUSTEE of and under that certain TRUST INDENTURE dated September 9, 1981 which created the EUGENE B. CASEY FOUNDATION, as amended, by a deed dated September 8, 2005 and recorded among the Land Records of Montgomery County, Maryland in Liber 30782 at folio 774;

also being more particularly a resubdivision of Parcel C - Block G; Parcel D - Block H; Parcel H - Block J; Parcel D - Block K as shown on a plat of subdivision entitled "WATKINS MILL TOWN CENTER"; as recorded in Plat Numbers 23603, 23609 and 23610, that once engaged as described in the owner's dedication hereon: all property markers and other boundary markers shown thus - - - , & concrete monuments shown thus - - - , will be set as delineated hereon in accordance with Chapter 20, Article III, Section 20-32 and Article VIII, Section 20-62(d) of the Gaithersburg City Code and that the total area included on this plat is 39,927 square feet or 0.91659 acres of land, of which 0 square feet to be dedicated to public use.

Date: _____ Michael S. Edwards
Professional Land Surveyor
Maryland Registration No. 21171



WATKINS MILL TOWN CENTER

- LOTS 25-28 - BLOCK "G"
- LOTS 35-38 - BLOCK "H"
- LOTS 7-12 - BLOCK "J"
- LOTS 7-12 - BLOCK "K"

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A RE-SUBDIVISION OF
PARCEL C - BLOCK G; PARCEL D - BLOCK H
PARCEL H - BLOCK J; PARCEL D - BLOCK K
CITY OF GAITHERSBURG
GAITHERSBURG (9TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 30' SEPTEMBER, 2012

CITY OF GAITHERSBURG PLANNING COMMISSION
MONTGOMERY COUNTY, MARYLAND
Approval Date: _____
Chair _____ Vice Chair _____

AREA TABULATION:	
20 LOTS	39,927 SQ. FT. OR 0.91659 ACRES
DEDICATION	0 SQ. FT.
TOTAL AREA	39,927 SQ.FT. OR 0.91659 ACRES

DRAWN _____ MSE _____
COMPUTED _____ MSE _____
CHECKED _____ MSE _____

RECORDED ON _____
PLAT NO. _____

CORNERSTONE SURVEYING, INC
6024 Clairemont Drive Phone: (410) 286-2577
Owings, Maryland 20736 Fax: (410) 224-7592
Cornerstone Surveying, Inc. www.cornerstonesurveys.com

Zone MXD

Lauren Pruss

From: Jen-Jen Chen [jenjenchen@yahoo.com]
Sent: Wednesday, October 10, 2012 4:55 PM
To: Lauren Pruss
Subject: Re: Fwd: [Parkland] did anyone go to this meeting?

Dear Ms. Pruss,

Since the deadline is extended to until 5 PM on 10/10/2012, I like to address why I like the proposal of elimination of the live/work units as stated on ASDP-0641-2012. I was not informed those 4 lots will be live/retail units before I purchased the house. If I knew, I would purchase other unit instead of on Rudbeckia Place. The reasons are

1. **Safety/Security issues:** The retail units in residential streets will increase the transient people in the residential area. More transient people will cause the traffic jam to the not for commercial use residential streets. Too many cars on the street will increase the car accidents potentially and highly possible. We have young kids in the neighborhood, young kids walking on the street and heavy traffic is not a good idea. More transient people will cause more crime activity. Home is a place for us to relax, to enjoy. Home should not be a place that we need to worry about our safety or your property might be damaged by strangers.
2. **Pollution:** Now we have a clean, quiet and beautiful community. The facility is designed and built for the Parklands residents only, when there are too many transient people, the pollution will be a big issue... the noise, trash, littering, cars, air pollution, even water pollution.
3. **Privacy:** Currently I have all my blinds open during the day. While I enjoy the beautiful and serene environment, I also have my privacy. When there are many transient people/stranger, I lose both my privacy and my enjoyment of the nice environment. I'll lose part of the function of a home.
4. **Parking:** Currently the street parking has already pretty full, because the people in the condominium units park their cars on the street. Since those live/work units do not have designated parking lots, we can foresee the patrons may park at the place they are not supposed to park. They may park on Rudbeckia Place which is our drive way and fire lane. Again this will not cause the inconvenience for the residents live here, it is also a fire hazard concern.

Please approve the proposal to eliminate the live/work units and change to residential unit only. Thank you for your consideration.

Jen-Jen Chen
at
522 Rudbeckia Place
Gaithersburg, MD 20878

From: Lauren Pruss <LPruss@gaitthersburgmd.gov>
To: Jen-Jen Chen <jenjenchen@yahoo.com>
Sent: Monday, October 1, 2012 9:36 AM
Subject: RE: Fwd: [Parkland] did anyone go to this meeting?

Dear Ms. Chen,

Thank you for your comment. Please be advised that at the September 5 public hearing, the Planning Commission voted to close the record regarding this application on September 26 at 5:00 PM. No additional public testimony can be taken after this point. However, the applicant has requested that the record be reopened starting October 3 and staff is recommending that it be reopened for a period of one week until 10/10/12 at 5PM. Should the Planning Commission vote to reopen the record, I will enter your comments in to the official record at that time.

Sincerely,
Lauren Pruss

From: Jen-Jen Chen [mailto:jenjenchen@yahoo.com]
Sent: Wednesday, September 26, 2012 5:42 PM
To: Lauren Pruss
Subject: Fw: Fwd: [Parkland] did anyone go to this meeting?

Dear Ms. Pruss,

I am the home owner of 522 Rudbeckia Place, Gaithersburg, MD 20878. I prefer the proposed change of eliminating the live/work units located at the Rubeckia Place and Community Central since the planned shopping center will be just about two hundred feet away. My neighbors Mr. Liang who resides at 538 Rudbeckia Place wants me also to let you know that he also prefers the proposed change to eliminating the live/work units at the 4 empty lots at and near the Rubeckia Place.

Besides the elimination of the live/work units, many neighbors found the noises generated by the MARC train is very disturbing and we would like the city to install the sound blocking wall around the Parkland community to prevent the noise damage to our health---hearing loss, sleeping disturbance and mental health. Thank you for your consideration and assistance in resolving these problem.

Sincerely Yours,
Jen-Jen Chen
522 Rudbeckia Place
Gaithersburg, MD 20878

(from Parklands-Gaithersburg Maryland & Watkins Mill Towncenter Facebook page)

Proposed Changes to Live/Work Townhouses:

On September 5, 2012, the City of Gaithersburg held Planning Commission Meeting to discuss proposed changes to the Live/Work units within the Watkins Mill Towncenter. These mix-use units combines commercial and residential within structure, similar to the mixed use buildings located in the Kentlands. The developer wants to eliminate these townhouses because they feel it may be difficult for perspective buyers to obtain mortgages for these units in today's current economic environment. Instead the developer proposed to convert Live/Work unit into larger residential townhouses.

Several residents from the Parklands community expressed concerns at this meeting about the elimination of Live/Work units. Major concerns were the loss of a walkable amenities and sense of community that these Live/Work units brings to the town center. Many residents viewed the proposed change as an attempt to diminished the dream that was promised to residents who purchased their homes in the Parklands. The Planning Commission heard perspectives from both sides of this issue. The Commission closed the Public hearing as of today, but they will accept written correspondences from interested parties until September 27th. Please email your concerns to Lauren Pruss, Planning Director (LPruss@gaithersburgmd.gov) if you have an opinion about the possible elimination of Live/Work units. The Planning Commission will vote on this matter in early October and there is not much time for folks to express their opinions. For background materials regarding this material, please refer to the following link:

http://www.facebook.com/l.php?u=http%3A%2F%2Fwww.gaithersburgmd.gov%2FDocuments%2Fpc_12%2F090512%2FASDP_0641_2012_WatkinsMill.pdf&h=WAQGhF_1E&s=1

PARKWOOD HOMES

October 10, 2012

Ms. Lauren Pruss
City of Gaithersburg
31 S. Summit Avenue
Gaithersburg, MD 20877

**Re: Live-Work Townhouses
Urbana, MD**

Dear Ms. Pruss,

I have been asked to provide additional information about the Live-Work Townhouses Parkwood Homes has developed in Urbana, MD and to provide a more detailed explanation about why I do not believe the proposed live-work townhouses at the Parklands will be successful.

Background on Urbana Product Type. The product we developed in Urbana is three levels above ground and a basement that Tenants may use for storage. The product is zoned mixed-use. Ground floors are typically used for retail uses including exercise studios and insurance offices. The second floor is designed for office use and the third floor may be used for either office use or a one-bedroom apartment. The first floor retail use is segregated and a separate staircase provides access to the second and third floors. Each floor is approximately 900 square feet.

Like the Live-Work townhouses we developed in the Kentlands, these are flex-units that were designed and approved to allow for a variety of commercial uses on multiple floors. The units are served by a surface parking lot providing about 45 adjacent parking spaces dedicated to the mixed use product. With landscaping and fencing, Parkwood Homes has taken care to provide separation between this mixed-use product and the adjacent neighborhood.

While sales of the live-work product in Urbana have been slow, the location is excellent. The Parkwood Homes Live-Work units are located in a commercial district directly across from the Giant-anchored Villages at Urbana, which is a regional draw for the community. It is located at the main shopping street in the area. The Villages at Urbana shopping center, which is located at Sugarloaf Parkway and MD Route 355, has a vibrant tenant mix that includes a 56,166 SF Giant, a regional County Library, Urbana Liquor store, Kicks Karate, Chop Stix, a 5,000 SF Atlantic Grill, Pizza Hut as well as other neighborhood services including a dry cleaner, dentist, nail salon, ice cream shop, and physical therapy center. The center provides a very large surface parking lot that was designed to accommodate a future phase that is located directly across the street from the Parkwood Live-Work units. In terms of demographics, there are 1,447 people in the one-mile with an average household income of \$154,527 in this rapidly growing community.

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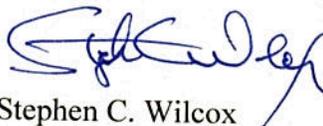


To summarize the differences between the Urbana Product and the proposed Parklands product:

1. **Location:** The Urbana product is located on the main commercial shopping street in Montgomery County, MD Route 355. The Parklands location, even after the interchange is fully functioning, will be a secondary residential street.
2. **Commercial Zone:** Both Urban and Kentlands are located in a commercial zone and benefit from the traffic generated by a grocery store.
3. **Product Type.** The Urbana product, like the Kentlands Live-Work units, were designed to be flexible and to allow for office and other commercial uses on the second floor. The first floor commercial space is separated from the upper floors which are accessed through 2 separate staircases. At the Parklands, the commercial and office density is limited to a total of 10,000 SF. Upper floors are restricted to residential use. There is no physical separation between the floors; second and third floors would be accessed through the staircase located on the first floor.
4. **Design:** The Urbana product has storefront on both sides: front and rear. It is anticipated that most customers will parking in the parking lot behind the units and enter from the rear. The proposed Parklands units are designed for front access only.
5. **Parking:** It is hard to imagine that either the Urbana or Kentlands units could be successful without parking.
6. **Loading:** At Urbana and Kentlands, loading can occur from the rear parking fields.

Live/Works units can be an asset to the community but they require almost all conditions to be optimal to be successful. I do not believe the Parklands location and circumstances allow a chance for success. I believe the product would sit unsold and unbuilt if it were to proceed.

Sincerely,



Stephen C. Wilcox
President