

SITE PLAN APPLICATION

In accordance with Article III, Division 19, Section 24-160 D.9 and Article V of the City Code

Application # SP-05-0013
Date Filed 11-23-05
Total Fee 11,360.00
pd
CK 1002

- CONCEPT
PRELIMINARY
FINAL (MXD FEE APPLIES)
SCHEMATIC DEVELOPMENT

1. SUBJECT PROPERTY

Project Name Watkins Mill Town Center
Street Address Metropolitan Grove Road
Zoning MXD Historic area designation Yes No
Lot Block Subdivision
Tax Identification Number (MUST BE FILLED IN) 09-03501250

2. APPLICANT

Name Rodgers Consulting, Inc.
Street Address 19847 Century Blvd. Suite No. 200
City Germantown State MD Zip Code 20874
Telephones: Work 301-948-4700 Home

3. CITY PROJECT NUMBER

Original Site Plan Number (if applicable) SDP-05-002
Name of previously approved Final Plan (if applicable)

4. ARCHITECT/ENGINEER/DEVELOPER

Architect's Name N/A
Architect's Maryland Registration Number Telephone
Street Address Suite No.
City State Zip Code

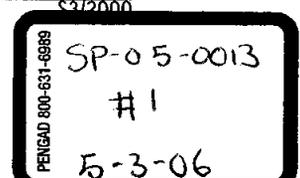
Engineer's Name Rodgers Consulting, Inc.
Engineer's Maryland Registration Number Telephone 301-948-4700
Street Address 19847 Century Blvd. Suite No. 200
City Germantown State MD Zip Code 20874

Developer's Name Classic Community Corporation Telephone 301-913-0404
Street Address 8120 Woodmont Ave. Suite No. 300
City Bethesda State MD Zip Code 20814
Contact Person Steve Eckert

4. PROPERTY OWNER

Name BP Realty Investments, LLC
Street Address 10000 Falls Rd Suite No. 100
City Potomac State MD Zip Code 20854
Telephones: Work 301-299-2099 Home

continued on reverse side



**6. PRIMARY USE**

- Mixed Use                                       Non-Residential                                       Residential

**7. PROPOSED UNIT TYPE**

- Mixed Use                                       Retail/Commercial                                       Other  
 Office/Professional                                       Residential Multi-Family  
 Restaurant                                       Residential Single Family

**8. WORK DESCRIPTION**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**9. PROJECT DETAIL INFORMATION.** Please supply the following information

DEVELOPMENT INFORMATION		REQUIRED	PROVIDED
1. Site (square feet)		—	5,453,712 sf
2. Site Area (acres)		N/A	125.2
3. Total Number of Dwelling Units/Lots		N/A	—
4. Height of Tallest Building		4	4 stories
5. Green Area (square feet)		N/A	2,182,356 sf
6. Number of Dwelling Units/Acre		—	—
7. Lot Coverage (Percent)		N/A	N/A
8. Green Area (Percent)		25/40%	40%
9. Residential			
a. Single Family Detached	# Units	94	94
b. Single Family Attached	# Units TH	180	180
c. Multi-Family Condo	# Units (2+2)	142	142
d. Multi-Family Apartment Condo	# Units loft	20	20
e. Other			
10. Retail/Commercial	Sq. Ft. 10,000	<del>N/A</del> 10,000	10,000
11. Restaurant Class: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C	Sq. Ft.	N/A	—
12. Office/Professional	Sq. Ft.	N/A	—
13. Warehouse/Storage	Sq. Ft.	N/A	—
14. Parking		N/A	—
15. Shared Parking/Waiver		N/A	—
16. Other		N/A	—
17. Total		N/A	—

**SUBMISSION REQUIREMENTS**

1. Set of plans per the respective checklist. Plans must be folded to 8 1/2 x 11."
2. Completion of the table above.
3. Completed checklist.
4. Fee as applicable.

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

Applicant's Name (please print) Gary F. Unterberg

Applicant's Signature Mary J. Unterberg, agent Date 11/23/05  
 Daytime Telephone 301-948-4700 Rodgers Consulting, Inc.



Enhancing the value of land assets

November 23, 2005

Planning and Code Administration  
City of Gaithersburg  
31 South Summit Avenue  
Gaithersburg, MD 20877  
Attn: Ms. Jacqueline Marsh, City Planner

Re: Watkins Mill Town Center  
Residential and Urban Core Streets Only  
Final Site Plan- Part I  
RCI Job No. 1002A

Dear Ms. Marsh,

On behalf of BP Realty, Inc. and Classic Community Corporation, we are submitting Watkins Mill Town Center Residential and Urban Core Streets Only Site Plan for review and approval. The MXD Sketch Plan (Z-297) was approved on April 8, 2005 and the Schematic Development Plan (SDP-05-002) was approved on August 1, 2005. This Site Plan is being submitted for the residential portion (i.e. Midtown and Neo-Traditional neighborhoods) and Urban Core streets only as indicated by shading on the Cover Sheet. The road improvement plans, storm water management pond, detailed recreational center and pool design, signage package, art in public places, and noise mitigation plan will be submitted at a later date. The Final Forest Conservation Plan and Storm Water Management Plan will be submitted under separate cover.

Enclosed are the following:

- Site Plan Application
- Site Plan Checklist
- Vicinity Map
- \$11,360 Application Fee
- 15 folded copies of the Final Site Plan
- 15 folded copies of the Final Landscape and Lighting Plan
- 2 folded copies of building elevations

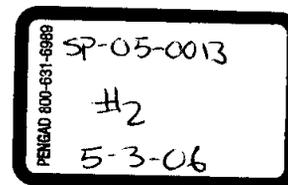
If you have any questions, comments or concerns, please feel free to contact me at 301-948-4700.

Sincerely,  
Rodgers Consulting, Inc.

Gary F. Unterberg  
Vice President

cc: Peter Henry, BR Realty Investments, LLC  
William Gerald, Classic Community Corp  
Steve Eckert, Classic Community Corp  
Dover Hawkins, Classic Community Corp  
Kevin Smith, Classic Community Corp  
Brad Kline, Kline and Associates

File



N:\PROJDOCS\776A\Corresp\111805 WMTC site plan.doc

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation  
**MONTGOMERY COUNTY**  
 Real Property Data Search

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\*\* DELETED 10/17/2005 \*\*

STR

**Account Identifier:** District - 09 Account Number - 03436251

**Owner Information**

**Owner Name:** CASEY, BETTY B ET AL TR **Use:** AGRICULTURAL  
**Principal Residence:** NO  
**Mailing Address:** 800 S FREDERICK AVE STE 100 **Deed Reference:** 1) /13830/ 424  
 GAITHERSBURG MD 20877 2)

**Location & Structure Information**

**Premises Address** FREDERICK RD **Legal Description** MT CONWAY & ROCK HEA  
 D ETC 1125-61

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
FT23		P910		201				3	

Special Tax Areas	Town Ad Valorem Tax Class	GAITHERSBURG
	49	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		100.97 AC	818

Stories	Basement	Type	Exterior

**Value Information**

	Base Value	Value As Of	Phase-in Assessments As Of	As Of	
Land:	18,300	01/01/2003	07/01/2005	07/01/2006	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Improvements:	0	18,300			
Total:	18,300	18,300	18,300	NOT AVAIL	
Preferential Land:	18,300	18,300	18,300	NOT AVAIL	

**Transfer Information**

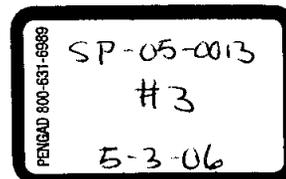
**Seller:** CASEY, BETTY B ET AL TR **Date:** 03/04/2004 **Price:** \$0  
**Type:** MULT ACCTS ARMS-LENGTH **Deed1:** /13830/ 424 **Deed2:**  
**Seller:** **Date:** **Price:**  
**Type:** **Deed1:** **Deed2:**  
**Seller:** **Date:** **Price:**  
**Type:** **Deed1:** **Deed2:**

**Exemption Information**

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

**Tax Exempt:** NO  
**Exempt Class:**

**Special Tax Recapture:**  
 AGRICULTURAL TRANSFER TAX



N  
SCALE: 1" = 1,000'

TRAVIS AVENUE

MON

I-270

MD.

ROUTE 355

MD. ROUTE 1

SITE

I.B.M. SUBDIVISION

I-270

CSX

LONGCRAFT

TRANSPORTATION

METROPOLITAN

CLOPPER

MD. ROUTE 117

CSX

QUINCE ORCHARD CLUSTERS

TRANSPORTATION

SP-05-0013  
#4  
5-3-06  
PENGAD 800-631-6889



SP-05-0013  
#5  
5-3-06

PENNSAID 800-631-6888

RESOLUTION NO. R-75-05

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

SDP-05-002

OPINION

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

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

OPERATIVE FACTS

A. Background

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

PENGAD 800-631-6889

SP-05-0013

# 6

5-3-06

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

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

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

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

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

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

**B. Current Application:**

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

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

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

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

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

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

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

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

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

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

- c) The Design Guidelines should make reference to a wide variety of house elevations and types. Broader language should also be added when describing residential housing elevations; and
  - d) The Design Guidelines should give more flexibility for the development of the Urban Core. The guidelines should allow for the development to be created over an unlimited amount time and should not be limited in terms of design approach.
12. Applicant is to provide additional landscaping and decorative walls along Watkins Mill Road extended, where appropriate, to be reviewed and approved during the final site plan stage.
  13. Applicant must obtain environmental waivers, as recommended by City staff, from the Mayor and City Council during the final site plan stage.
  14. Applicant must obtain road code waivers, as recommended by City staff, from the Mayor and City Council during the final site plan stage.
  15. Applicant to submit a noise study as part of the final site plan application.

### C. Evaluation and Findings

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

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

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

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

hundred-year floodplains; other natural features; utility easements, if any; g) all landscaped areas, proposed conceptual screen planting, open spaces, plazas, malls, courts, community identification signage, recreation and amenity areas; h) proposed phasing or staging plan of development and information relating to such plan's consistency with the provision of public facilities; i) demonstration of general compliance with any Master Plan recommendations for the property, including any special conditions or requirements related to the property set forth in the Master Plan; and j) a proposed covenant or other form of agreement indicating how the area will be included in any homeowners association or other organization, and how any open space, community space or amenities located within the area subject to review will be perpetually maintained;

- 3) the schematic development plan is in substantial compliance with the approved sketch plan;
- 4) the schematic development plan contains in excess of the minimum of two hundred (200) dwelling units and/or one hundred thousand (100,000) square feet of proposed retail/office development, or a comparable equivalent mix;
- 5) the City Council and City Planning Commission have conducted a joint public hearing(s) on the application subject to the notification procedures in section 24-196 of this Code.
- 6) the Planning Commission has delivered its recommendation to the City Council within thirty (30) days of the close of the commission's hearing record.
- 7) the Council is taking action on the application within ninety (90) days after the close of the Council's hearing record on July 27, 2005; and
- 8) the approval of this schematic development plan with its degree of detail shall substitute for preliminary site plan approval.
- 9) the schematic development plan demonstrates compliance with Master Plan recommendations for the property, including any special conditions or requirements related to the property set forth in the master plan for among other reasons, the nature, and density, and mix of uses posed, future accessibility to public transportation improvements, retention of forested areas, and interrelationship and compatibility of uses.

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

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

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

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

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

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

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

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

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

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

Year Four - 97 Residential Units outside the urban core.

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

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

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

Hotel located along Watkins Mill Road.

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

Three office buildings within the urban core.

One retail anchor within the urban core.

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

The remaining office building.

The second condominium building.

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

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

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

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

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

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

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

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

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

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

### SCHEMATIC DEVELOPMENT PLAN SDP-05-002

#### RESOLUTION

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

1. The project shall be phased as follows:

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

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

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

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

Year Four - 97 Residential Units outside the urban core.

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

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

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

Hotel located along Watkins Mill Road.  
Three commercial pad sites between Watkins Mill Road and the urban core.  
Three office buildings within the urban core.  
One retail anchor within the urban core.

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

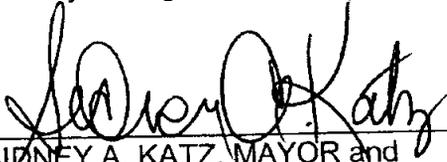
The remaining office building.  
The second condominium building.

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

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

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

ADOPTED by the City Council this 1<sup>st</sup> day of August, 2005.

  
\_\_\_\_\_  
SIDNEY A. KATZ, MAYOR and  
President of the Council

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

  
\_\_\_\_\_  
David B. Humpton, City Manager

**RODGERS**  
CONSULTING

Enhancing the value of land assets

April 21, 2006

City of Gaithersburg  
Planning Commission  
31 South Summit Avenue  
Gaithersburg, MD 20877

Attention: Mr. John Bauer  
Chairman, Planning Commission

Re: Watkins Mill Town Center  
Site Plan (SP-05-0013)

Dear Chairman Bauer

One behalf of BP Residential Investments, LLC and Classic Group, LLC we request a waiver of Section 24-169 (f) of the City ordinance requiring a final plat to be submitted prior to final site plan approval. Section 24-169(f) reads that 'prior to final site plan approval, the applicant shall submit, unless waived by the planning commission, a final record plat.' A copy of the section is attached.

The waiver is for the submission requirement of the plat prior to the site plan approval. The plat submission to the City will follow shortly as plans are approved and as the development moves forward. We are currently working on several record plats for the first phase. The City park dedication is the first plat as required by the schematic development plan. The planning commission must approve the record plats prior to issuance of building permits. Since the Watkins Mill Town Center is a phased development there will be multiple site plans as the development progresses with multiple record plat submissions.

If you have any questions or need additional information please give me a call.

Sincerely

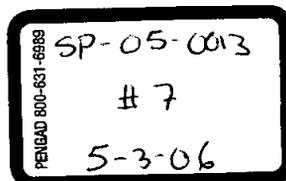


Gary F. Unterberg, RLA  
Vice President

Cc: P. Henry BP Realty  
B. Kline BP Realty  
J. Kline, MMC  
S. Eckert, Classic  
B. Gerald, Classic

F. Felton, City  
G. Ossont, PCA  
J. Marsh, PCA

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**Sec. 24-169. Submission; fee; requirements of plan.**

Each proposed site development plan shall be submitted in duplicate to the city planning commission on forms provided by the city and shall be accompanied by such fee as shall be hereafter determined by the city council by resolution. A proposed site development plan shall include the following:

- (a) One or more drawings at fifty (50) feet or larger scale, clearly showing the following:
  - (1) Location and dimensions of existing and proposed buildings, structures, curb cuts, driveways, off-street parking and loading areas, signs, walls, fences, screen planting, pedestrian walks, open space and recreational areas for use by employees, residents, tenants or the general public.
  - (2) Existing and proposed topography of the site and the surrounding area at two-foot contour intervals showing the location of existing woodland streams and other significant features of the land.
  - (3) Proposed traffic circulation system where any part of the land is to be used by motor vehicles.
  - (4) The location of all existing and proposed power lines, telephone lines, gas lines, sewer lines and water lines, and the location of any easements to be granted for these utilities.
- (b) Drawings showing the proposed appearance of the buildings, structures and grounds after the completion of all buildings and structures and the establishment of the uses proposed on the land.
- (c) A statement of the amount of area of land involved in the site, the percentage of the site proposed to be covered by buildings, the total number of dwelling units proposed, the number of dwelling units proposed per acre, the area proposed to be devoted to open space, the area proposed to be paved for parking, driveways, loading space and sidewalks, the total number of parking spaces required by this chapter for the uses proposed, the number of employees expected per shift, the total floor area of proposed commercial uses and the proposed manner of illumination of signs.
- (d) A storm drainage study certified by a licensed surveyor or professional engineer and a proposed storm drainage plan.
- (e) Such other additional information as may be reasonably required by the planning commission to accomplish the purposes of the site development plan regulations.
- (f) Prior to final site plan approval, the applicant shall submit, unless waived by the planning commission, a final record plat reflecting the information required under sections 20-37 through 20-43. Such final plat must be approved by the planning commission prior to issuance of a building permit.
- (g) An approved forest stand delineation and forest conservation plan, if required pursuant to Chapter 22 of the City Code.
- (h) A Natural Resources Inventory (NRI) in substantial compliance with environmental guidelines adopted pursuant to and referenced in section 20-9 of the City Code and any amendments thereto.

(Res. No. R-19-66; Ord. No. O-8-81; Ord. No. O-22-92, 12-7-92; Ord. No. O-22-95, 9-18-95; Ord. No. O-13-00, 8-23-00)

**Editor's note:** A checklist may be obtained from the planning department along with a feeschedule

### SITE PLAN APPLICATION

In accordance with Article III, Division 19, Section 24-160 D.9 and Article V of the City Code

Application #	<u>SDP-06-001</u>
Date Filed	<u>3-29-06</u>
Total Fee	<u>N/A</u>

- CONCEPT
- PRELIMINARY
- FINAL (MXD FEE APPLIES)
- SCHEMATIC DEVELOPMENT- Amendment

#### 1. SUBJECT PROPERTY

Project Name Casey Property West Metropolitan Grove  
 Street Address Metropolitan Grove Road  
 Zoning MXD Historic area designation  Yes  No  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Tax Identification Number (MUST BE FILLED IN) 09-03501250 (3936251)

#### 2. APPLICANT

Name Rodgers Consulting Inc.  
 Street Address 19847 Century Blvd. Suite No. #200  
 City Germantown State MD Zip Code 20874  
 Telephones: Work 301-948-4700 Home \_\_\_\_\_

#### 3. CITY PROJECT NUMBER

Original Site Plan Number (if applicable) SDP-05-002  
 Name of previously approved Final Plan (if applicable) \_\_\_\_\_

#### 4. ARCHITECT/ENGINEER/DEVELOPER

Architect's Name N/A  
 Architect's Maryland Registration Number \_\_\_\_\_ Telephone \_\_\_\_\_  
 Street Address \_\_\_\_\_ Suite No. \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Engineer's Name Rodgers Consulting, Inc.  
 Engineer's Maryland Registration Number \_\_\_\_\_ Telephone 301-948-4700  
 Street Address 19847 Century Blvd. Suite No. #200  
 City Germantown State MD Zip Code 20874

Developer's Name Classic Community Corporation Telephone 301-913-0404  
 Street Address 8120 Woodmont Ave Suite No. #300  
 City Germantown State MD Zip Code 20814  
 Contact Person Steve Eckert

#### 5. PROPERTY OWNER

Name BP Realty Investments, LLC  
 Street Address 10000 Falls Rd Suite No. #100  
 City Potomac State MD Zip Code 20854  
 Telephones: Work 301-299-2099 Home \_\_\_\_\_

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5/1/2006

PENGAD 800-631-6989  
 SP-05-0013  
 #8  
 5-3-06

PENGAD 800-631-6989  
 SDP-06-001  
 #1



**RODGERS**  
CONSULTING

Enhancing the value of land assets

March 28, 2006

City of Gaithersburg  
Planning and Code Administration  
31 South Summit Avenue  
Gaithersburg, MD 20877

Attention: Ms Jackie Marsh

Re: Casey Property West, Metropolitan Grove  
SDP -05-002

Dear Jackie

Per our discussions we are submitting the enclosed Schematic Development Plan layout change for Mayor and Council review to determine that the adjustment to four lots in block "E" is not a material change to the SDP. Subject to the Council courtesy review the revision will be finalized at the time of final site plan to be approved by the Planning Commission. The proposed revision is due to final design of the stormwater management pond. Lot 46, block E was moved away from Watkins Mill Road since a portion of the lot was within the influence of the pond dam. Lots 1, 44, 45, and 46, block E have been rearranged to work with the final engineering. The use, number of lots, unit types and general location of the lots has not changed.

Enclosed are two copies of approved SDP sheet 2 of 36 and two copies of the proposed layout revised sheet 2 of 36. Also enclosed is an 11 x 17 copy of each sheet and an application for the Council review.

If you have any questions or need additional information please give me a call.

Sincerely



Gary F. Unterberg, RLA  
Vice President

Cc: P. Henry BP Realty  
J. Kline, MMC  
S. Eckert, Classic  
B. Gerald, Classic  
F. Felton, Gaithersburg  
G. Ossont, Gaithersburg

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SP-05-0013  
#9  
5-3-06

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SDP-06-001  
#2

- (3) The location of points of access to the site.
- (4) The location of parking areas.
- (5) Existing topography, including:
  - a. Contour intervals of not more than five (5) feet;
  - b. An approved forest stand delineation and forest conservation plan, as defined in Chapter 22 and required by section 22-7 of this Code;
  - c. One hundred-year floodplains;
  - d. Other natural features, such as rock outcroppings and scenic views; and
  - e. Utility easements, if any.

(b) All applications filed under the optional method of application for local map amendment shall also include a proposed covenant, suitable for filing in the land records of the county, which shall indicate in specific language that the property which is the subject of the application is restricted in its use and/or development standards to the schematic development plan and any accompanying or qualifying text material submitted with such plan, as such plan may be approved or modified by the planning commission at the time of final site plan review. The covenant to be filed in the land records shall also indicate that such restrictions shall be in effect until such time as the property may be rezoned, at which time such restrictions shall be removed.

Upon approval of such application, the covenant shall be immediately recorded and certification thereof shall be submitted to the planning commission at the time of submission for final site plan review.

→ (c) The schematic development plan may be amended:

- (1) At any time before review and recommendation by the planning commission;
- (2) At any time after planning commission review and prior to council action by resubmission to the planning commission for further review and recommendation;
- (3) Subsequent to council action to approve as follows:
  - a. *Change in use involved.* By either the filing of a new application or resubmission to the planning commission for further evaluation, public hearing and recommendation to the council. The council shall approve or disapprove the recommendation of the planning commission, without the necessity of a public hearing, no later than forty-five (45) days after receipt of the commission's recommendation or may, on its own motion, extend such time limit.
  - b. *No change in use involved.* By submission to the planning commission for evaluation and approval in accordance with Article V of this chapter.

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 #10  
 5-3-06  
PENGAD 800-631-6989

SDP-06-001  
 #3  
PENGAD 800-631-6989

- c. *Changes other than to use.* By either the filing of a new application or resubmission to the planning commission for further evaluation, public hearing and recommendation to the council when the change is to proposed new development or modification to existing development which:
- (i) Increases the height of building or signage by ten (10) feet or more, or
  - (ii) Materially changes the orientation or siting of buildings, parking accessory uses, or
  - (iii) Increases nonresidential building floor area by more than ten (10) percent or five thousand (5,000) square feet whichever is greater, or
  - (iv) Increases by more than ten (10) percent or five (5) units the number of residential dwelling units whichever is greater, or
  - (v) Removes more than five (5) percent of area designated for conservation or other environmental preservation purposes.

The council shall hold only a courtesy review of the application, presented by the city planning staff, prior to action by the planning commission. The council shall either:

- (1) Find that the application has a minor effect and thereby direct the planning commission to make a final decision on the amendment in accordance with the procedure set forth above in subsection 24-198(3)b.; or
- (2) Direct that the amendment be referred to the planning commission for further evaluation, public hearing and recommendation. The council shall thereafter approve or disapprove the recommendation of the planning commission without the necessity of public hearing, no later than forty-five (45) days after receipt of the commission's recommendation or may on its own motion, extend such time limit.

(d) The final site plan as required by Article V of this chapter must be in conformance with the schematic development plan as approved by the council, with the exception of amendments or modifications not involving a change in use requested pursuant to subsection (c)(3) of this section.

(Ord. No. O-31-80; Ord. No. O-7-82; Ord. No. O-22-84, 11-19-84; Ord. No. O-19-90, 9-17-90; Ord. No. O-15-91, 7-1-91; Ord. No. O-23-92, 12-7-92; Ord. No. O-5-01, 3-19-01)

#### **Sec. 24-199. Appeals.**

Any person or persons aggrieved by any zoning action of the city council shall have the right of appeal, exercisable within thirty (30) days from the date of the decision or action, to the Circuit Court for Montgomery County, Maryland, and thereafter to the appellate courts of the state, in accordance with the Maryland Rules of Procedure governing administrative appeals. The filing of any appeal shall not stay the zoning action of the city council or authorize the issuance of any permit pending final resolution of the appeal.

(Ord. No. O-21-93, 12-20-93)

**Editor's note**—Ord. No. O-21-93, adopted Dec. 20, 1993, added a new § 24-199. Formerly, such section had been repealed by Ord. No. O-13-78.

# MAYOR & COUNCIL AGENDA COVER SHEET

**MEETING DATE:**

April 3, 2006

**CALL TO PODIUM:**

**Jacqueline Marsh**

**RESPONSIBLE STAFF:**

**Jacqueline Marsh,  
Planner**

**AGENDA ITEM:**

(please check one)

<b>X</b>	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
	Historic District
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
	Work Session Discussion Item
	Other:

**PUBLIC HEARING HISTORY:**

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

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

**TITLE: Courtesy Review**

SDP-06-001 – Casey Property West Metropolitan Grove  
Proposal to adjust lot lines of four lots in Block E, in the north corner of the residential portion

**SUPPORTING BACKGROUND:**

The Planning and Code Administration has received a request from Rodgers Consulting, on behalf of Classic Communities, Inc. to amended schematic development plan SDP-05-002, Casey West. The applicant is proposing to adjust the lot lines of four lots in Block E, to accommodate the final design of the storm water management pond to be constructed near Watkins Mill Road.

Section 24-198(c) of the City Code states that in the case of changes other than use of a schematic development plan, such as a material change of the orientation of or siting of buildings, the city council shall hold only a courtesy review of the application. Upon this review, the council shall either:

- (1) Find that the application has a minor effect and thereby direct the planning commission to make a final decision on the amendment in accordance with the procedure set forth in 24-198(3)b; or
- (2) Direct that the amendment be referred to the planning commission for further evaluation, public hearing and recommendation.

At this time, the associated site plan with the approved SDP, known as SP-05-0013, Watkins Mill Town Center Part I, has not gone before the Planning Commission in the public capacity. Because this application will have a minor effect on the overall community design, staff is recommending the Council direct the Planning Commission to make a final decision on the application during the final site plan public hearing.

**DESIRED OUTCOME:**

**Direct planning commission to make a final decision as a part of the final site plan review.**

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 #11  
 5-3-06  
PENGAD 800-631-6989

Finance, or elect to stand trial in District Court. A warning notice may be issued instead of a citation. He further gave information on the Motor Vehicle Administration involvement.

The Bill requires the jurisdiction to use revenues from automated speed enforcement to increase local expenditures for public safety, beginning in fiscal year 2006 and every subsequent year. Related public safety expenditures must be used to supplement and may not supplant existing local expenditures for the same purpose. He concluded by stating that the Montgomery County Council must report to the general assembly on the effectiveness of speed monitoring systems by December 31, 2009.

**VIII. COURTESY REVIEW**

**SDP-06-001, Casey Property West Metropolitan Grove Proposal to Adjust Lot Lines of Four Lots in Block E, in the North Corner of the Residential Portion**

Planner Marsh oriented the Mayor and City Council with the site showing the roadways and the CTX railroad in location to the site. She stated that the applicant is requesting an amendment to SDP-05-002, Casey West which was approved in August 2005. The applicant is proposing to adjust the lot lines of four lots in Block E, to accommodate the final design of the stormwater management pond to be constructed near Watkins Mill Road. Planner Marsh reviewed the new lot lines. She responded to a question and stated that the total number of units and unit types are the same, only reconfigured.

Motion was made by Council Member Marraffa, seconded by Council Member Alster, directing the Planning Commission to make a final decision on the application as part of the final site plan review of SDP-06-001.

Vote: 5-0

**IX. PUBLIC APPEARANCES**

1. *Richard Arkin, 121 Selby Street*, referred to the MTA presentation on the Corridor Cities Transitway. Stated that he supports a lightrail syst for Gaithersburg. He expressed concern with MTA's cost benefit analysis, stating it is based on faulty assumptions. He urged the City Council to make the decision on the alignment of the Corridor Cities Transitway and that it be people oriented.
2. *Demos Chrisos*, expressed concern with the process appointing a Planning Commission. Asked that the desired outcome or

PENGAD-Bayonne, N. J.  
 SP-05-0013  
 #12  
 5-3-06



Enhancing the value of land assets

April 25, 2006

City of Gaithersburg  
Planning and Code  
31 South Summit Avenue  
Gaithersburg, MD 20877

Attention: Ms. Jacqueline Marsh  
  
Re: Watkins Mill Town Center Architecture  
Site Plan (SP-05-0013)

Dear Ms. Marsh

The architecture plans submitted with the site plan meet the standards established in the Watkins Mill Town Center Design Guidelines. The following list is a clarification of building materials and how they meet the intent of the guidelines. Several materials noted on the architectural plans are not specifically mentioned in the design guidelines. The materials are as follow.

Roofing

The 'Certainteed Residential Shake TL' (or equivalent) roof is a dimensional composite shingle per the guidelines.

Architectural Details, trim, window surrounds

Synboard and painted urethane are simulated wood, composite materials used for detail trim, cornices, pediments, surrounds, etc.

Doors, Garage Doors

Doors and garage doors on the plans are noted to be metal and, or fiberglass. Steel is specifically mentioned in the guidelines, metal is not. The doors are made of aluminum or other metals. The intent was that metal is preferred vs. steel specifically.

Decks

The balcony and deck floor material noted is a composite material which is permitted in the guidelines (p43, composite wood may be used for walking surfaces)

If you have any questions or need additional information please give me a call.

Sincerely

Gary F. Unterberg, RLA  
Vice President

- |     |                    |                    |
|-----|--------------------|--------------------|
| Cc: | P. Henry BP Realty | F. Felton, City    |
|     | B. Kline BP Realty | G. Ossont, PCA     |
|     | J. Kline, MMC      | P. Robertson, Ryan |
|     | S. Eckert, Classic | D. Hurst, NV       |
|     | B. Gerald, Classic |                    |

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SP-05-0013  
# 13  
5-3-06

SP-05-0013

Watkins Mill TC 1

ANTONIUS H & J DASSEN  
11610 GAME PRESERVE RD  
GAITHERSBURG MD 20878

ARE-2 WEST WATKINS LLC  
C/O STE 250  
135 NORTH LOS ROBLES AVE  
PASADENA CA 91101

ARE-30 WEST WATKINS LLC  
C/O STE 250  
135 N LOS ROBLES AVE STE 250  
PASADENA CA 91101

ARE-50 W WATKINS MILL LLC  
C/O DELOITTE & TOUCHE LLP  
2235 FARADAY AVE #O  
CARLSBAD CA 92008

ARE-METROPOLITAN GROVE I LLC  
C/O DELOITTE & TOUCHE LLP  
2235 FARADAY AVE #O  
CARLSBAD CA 92008

AUGUSTA B MCGOWN  
4890 CHEVY CHASE BLVD  
CHEVY CHASE MD 20815

BENNINGTON URBAN GROWTH  
COMMITTEE  
BENNINGTON COMMUNITY ASSOCIATION  
29 GOODPORT LN  
GAITHERSBURG MD 20878

BETTY BTRUST CASEY  
800 S FREDERICK AVE STE 100  
GAITHERSBURG MD 20877

CONRAD L & I A MILLS  
14430 DUFIEF MILL RD  
GAITHERSBURG MD 20878

CSXTRUSTANSPORTATION INC  
500 WATER ST  
JACKSONVILLE FL 32202

DANIEL DANIEL & DANIEL  
5500 MACARTHUR BLVD N W  
WASHINGTON DC 20016

DARRYL G & C R HAGANS  
10900 ATWELL AVE  
BOWIE MD 20720

DOUGLAS CARTER  
DAVIS CARTER SCOTT ARCHS  
1676 INTERNATIONAL DR #500  
MCLEAN VA 22102

ESPERANCE HOMES INC  
610 E DIAMOND AVE # 100  
GAITHERSBURG MD 20877

FIRST FEDERAL CORPORATION  
75 W WATKINS MILL RD  
GAITHERSBURG MD 20878

GARY UNTERBERG  
RODGERS CONSULTING INC  
19847 CENTURY BLVD SUITE 200  
GERMANTOWN MD 20874

GENE LOGIC INC  
50 W WATKINS MILL RD  
GAITHERSBURG MD 20878

GEORGE & L STEVENSON  
8114 BRINK RD  
GAITHERSBURG MD 20882

HALCYON ASSOCIATES  
5500 MACARTHUR BLVD NW  
WASHINGTON DC 20016

INC RSI LEASING  
1 METROPOLITAN GROVE RD  
GAITHERSBURG MD 20878

JILL C HUDSON  
14440 DUFIEF MILL RD  
GAITHERSBURG MD 20878

JOSEPH A WOLFORD  
5708 STILLWELL RD  
ROCKVILLE MD 20851

KEVIN HOWARD  
7510 BRINK RD  
GAITHERSBURG MD 20882

MICHAEL BERCELI  
11510 GAME PRESERVE RD  
GAITHERSBURG MD 20878

MONTGOMERY COUNTY  
EOB 101 MONROE ST  
ROCKVILLE MD 20850

MOR BEN LLC  
7061 COLUMBIA GATEWAY DR  
COLUMBIA MD 21046

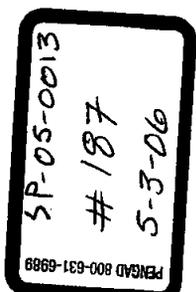
NATIONSBANK  
C/O EDWARDS L BURNS RES  
PO BOX 267  
WASHINGTON DC 20044

NEAL & BETTY B HAMBLETON  
34 SUSSEX LN  
HILTON HEAD ISLAND SC 29926

OCCUPANT  
60 OAK SHADE RD  
GAITHERSBURG MD 20878

OCCUPANT  
35 HONEY BROOK LA  
GAITHERSBURG MD 20878

Tentative Agenda for 3-May-06 PC Mtg.



OCCUPANT  
37 HONEY BROOK LA  
GAITHERSBURG MD 20878

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17 HONEY BROOK LA  
GAITHERSBURG MD 20878

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14 GOODPORT LANE  
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5-1 METROPOLITAN CT  
GAITHERSBURG MD 20878

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580 METROPOLITAN GROVE RD  
GAITHERSBURG MD 20878

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7-7 METROPOLITAN CT  
GAITHERSBURG MD 20878

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75 W WATKINS MILL RD  
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1201 CLOPPER RD  
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13 HONEY BROOK CIR  
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400 LONGDRAFT RD  
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502 QUINCE ORCHARD RD  
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GAITHERSBURG MD 20878

PETER HENRY  
BP REALTY INVESTMENTS LLC  
10000 FALLS RD #100  
POTOMAC MD 20854

ROBERT F SILVERBERG  
3904 CALVERTON DR  
HYATTSVILLE MD 20782

ROBERT ROSENTHAL  
1100 S GLEBE RD  
ARLINGTON VA 22204

RONALD F & S J BOSCO  
PO BOX 449  
VIENNA VA 22183

ST OF MARYLAND M V A  
PLAN & FACILITIES DEV DIV  
6601 RITCHIE HWY #224 NE  
GLEN BURNIE MD 21062

ST OF MD DEPT OF FORESTS  
PARKS  
TAWES STATE OFF BLDG  
ANNAPOLIS MD 21401

STATE OF MARYLAND  
DEPT OF NATURAL RESOURCES  
TAWES STATE OFFICE BLDG  
ANNAPOLIS MD 21401

VACANT  
4 GOODPORT CT  
GAITHERSBURG MD 20878

VACANT  
8 HONEY BROOK LA  
GAITHERSBURG MD 20878

WILLIAM J BUSCHE  
C/O MICHAEL D RUBIN  
5454 WISCONSIN AVE  
CHEVY CHASE MD 20815

WM O & H E LEE  
C/O ASBY G STEWART  
705 DOUGLAS AVE  
ROCKVILLE MD 20850

