
STAFF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: May 3, 2006

SITE PLAN: SP-05-0013

TITLE: Watkins Mill Town Center – Part I

REQUEST: FINAL PLAN APPROVAL
For 436 Residential units and
Urban Core streets only

ZONE: MXD (Mixed Use Development)

APPLICANT/REPRESENTATIVE/ATTORNEY/DEVELOPER: (as applicable)

Applicant/Engineer: Rodgers Consulting, Inc. – Gary Unterberg
Developer: Classic Community Corporation – Steve Eckert
Property Owner: BP Realty Investments

STAFF PERSON: Jacqueline Marsh, Planner
Rob Robinson, Planner

Enclosures:

Staff Comments

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STAFF COMMENTS

Location/Zoning

The subject property is located north of CSX Railroad tracks and Metropolitan Grove Road and south of Interstate 270. To the west of the property is Montgomery County jurisdiction land (known as the McGowan tract) and to the east is City owned parkland and several privately owned properties. The property is zoned MXD (Mixed Use Development).

On November 23, 2005, Rodgers Consulting, on behalf of Classic Community Corporation, submitted application SP-05-0013 for final site plan approval. The plan proposes 436 residential units and only the street layout and paving for the urban core.

Background/Proposed Use

On August 1, 2005, the Mayor and City Council approved Schematic Development Plan SDP-05-002, known as Casey West. The Schematic Development Plan (SDP) was approved with 23 conditions as described in Resolution R-75-05 (Exhibit #6). To date, the applicant has met most of the conditions of the resolution, but there are several that have been carried over from the approved SDP.

The approved SDP included 1,075 dwelling units including single-family detached, single-family attached, two-over-two condominiums, a high-rise condominium tower. The Urban Core section of the plan proposed 259,939 square feet of mixed use commercial space and 936,650 square feet of office space.

The subject site plan, SP-05-0013, is requesting approval for only residential units located outside the urban core and only the streets inside the urban core. The developer will submit separate site plan applications for the remainder of the property at later dates. It is anticipated that the urban core will be brought forward in sections rather than one large site plan.

The residential unit breakdown is as follows:

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

Waiver

The applicant has requested a waiver of Section 24-169 (f) of the City's Zoning Ordinance, which states:

"Prior to final site plan approval, the applicant shall submit, unless waived by the planning commission a final record plat reflecting 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.”

*Section 20 of the City Code is the Subdivision Ordinance. The applicant has submitted a letter explaining the reason for its waiver request (Exhibit #7). There is a condition of approval that states the final record plat must be approved by the Planning Commission prior to the issuance of building permits which is in accordance with Section 20-73 of the Subdivision Ordinance (Condition #26).

Amendment to SDP

The applicant adjusted 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. Later designs of the pond revealed a portion of one of the residential lots was within the influence of the pond dam. The modification of the subject lot line of Lot 46 resulted in three other lot lines to change: Lots 1, 44, and 45. The types of units were not changed and the area still provides space for a turn-around at the end of the alley. The applicant submitted an Amendment to Schematic Development Plan application, known as SDP-06-001.

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 . . .*

Because this application will have a minor effect on the overall community design, staff recommended the Council direct the Planning Commission to make a final decision on the application during the final site plan public hearing. On April 3, 2006, SDP-06-001, was presented as a Courtesy Review before the Council, who recommended that the Planning Commission make the final decision on the lot line modifications at the time of final site plan. By reviewing and approving SP-05-0013, the Planning Commission will acknowledge this change as reflected on the revised site plans.

Architecture/Elevation Breakdown

Classic Communities, Inc. is proposing to develop the residential portion of Watkins Mill Town Center. As previously indicated, there is a variety of housing types and elevations. The denser part of the development, located on the east side of Watkins Mill Road extended, features mainly townhouses and 2-over-2 units, although there are some single family detached homes and cottages integrated throughout this portion of the community as well. Staff feels that the residential lot layout achieves the balance of an urban environment with a focus on transit oriented development. This is demonstrated by placing lot layouts in such a manner in which tighter density is closer

to the Urban Core and proposed transit station. As one moves away from this section, the less the dense the area becomes.

The architecture of Watkins Mill can be described as "classic neo-traditional." A majority of the units feature stone and brick masonry on all four sides. The Key Lot Plan (Exhibit #79) delineates which units will have the four sided architecture. Units that do not have four sided architecture feature masonry on the front facades with a brick or stone water table (the first floor of the structure). All of the two-over-two condominiums have full masonry facades. These particular units are of an innovative design, in that, two units are placed side by side, however one of the units has a reverse front elevation. A "stick" of these condominiums laid out in this manner, as opposed to separating each individual unit, achieves a more urban environment in an area that is closest to the Urban Core. The Matisse/Picasso units have five different elevations (Exhibits #84-91).

There are two different townhouse types, the Vanderbilt (Exhibits #104-110) and the Fairgate. The Vanderbilt has five different elevations and is three stories tall. This type also has three different placements of the first floor on the front elevation, which will provide more variety within the five models. There is a base unit, with the front door level with the ground; a unit with a four foot fill, that has six risers (steps) leading to the front door; an a unit with an eight foot fill, that has thirteen risers leading to the front door. The Vanderbilt units have flat roofs that have rooftop decks and extended parapets acting as lofts.

The Fairgate (Exhibits #92-102) townhouse has four different elevations and this unit has two level units and three level units. The size of the townhouse will depend on the grading of the particular lot location. The developer has assured staff that there will not be continuous sticks of these two-level townhouses, which can appear monotonous and lack architectural variety. Staff has placed a condition that prohibits more than six two-level townhomes in the same stick.

The rear elevations of the townhouses and two-over-two condominiums have atypical architecture for facades that face alleys. In accordance with the Design Guidelines, 60% of the units must feature four-sided architecture. This resulted in an abundance of rear elevations which feature full brick. For most of the units that do not have full brick, they will have a brick water table and the two or three levels above will have a cement-fiber siding material. Cantilevered decks and rooftop terraces for the back of the units also contribute to breaking up the endless views of rear-loaded garage units that are common in alleyways in today's neighborhoods.

There are 94 single family detached units in Watkins Mill Town Center. There are 11 Glenn Arbor-model cottages (Exhibits #111-118) interspersed throughout the neighborhood, but perhaps their most prominent location is around the round-about located in the northern residential portion of the development. This round-about is an important visual point and one of the four Art in Public Places (AIPP) projects will be located in the center. Surrounding this traffic circle are four-single family cottages, all which balance out each the other three. The elevations of the cottages are unique enough to separate the four, but alike to connect them architecturally. All cottages will have four-sided architecture.

The remaining single family detached elevation models are as follows:

- Cape Hatteras Exhibits #119-130 four different elevation types with two different entry levels – all have rear loaded garages
- Michener II Exhibits #131-138 four different elevations – all garages are rear loaded, below grade
- Bartholomew Exhibits #139-151 two different elevations with garages either rear loaded, below grade or located to the side
- Dartmouth Exhibits #152-164 two different elevations with garages either rear loaded, below grade or located to the side
- Abernathy Exhibits #165-170 three different elevations with garages located to the side
- Emory Exhibits #171-176 three different elevations with garages located to the side
- Falston Exhibits #177-181 two different elevations with garages located to the side
- Gibraltar Exhibits #182-186 three different elevations with garages located to the side

Exhibit #80, is the Lot Matrix, which gives a more concrete idea of where the unit types are going to be placed. This exhibit gives the Commission a view as to which type of unit is going to go where; however, the final siting of all house models approved by the Planning Commission will be finalized as minor amendments (Staff Approvals) to the final plan. This is a typical procedure, which began in the Lakelands.

The developers have complied with the Design Guidelines, which were approved by the Planning Commission on January 18, 2006, in most aspects. The applicant has submitted a letter that references which materials do not meet the Design Guidelines and explains the reason for doing so. According to the approved Design Guidelines, the Planning Commission may modify the guidelines at the time of final site plan. Staff believes it is in the City's interest to modify the guidelines because the proposed new materials (decks, columns, and garage doors) are more sustainable and do not detract from the quality of the project.

Amenities

The Watkins Mill Town Center will have approximately 1.34 acres that will be used for the Homeowners Association (HOA) amenities. The central parcel has a clubhouse with a 5,025 square foot footprint, and a swimming pool that is 4,272 square feet that meets the Montgomery County guidelines for the number of residential units that will be using the facilities. The pool area includes a bathhouse as well as a swimming pool

and the smaller wading pool. The HOA area also has multipurpose court that doubles a tennis court. There is tot-lot adjacent to the gated pool area and a large parcel of green space that can be used as passive open space with benches and abundant landscaping.

There are two other tot-lots and large green space areas located in the residential development. One is located in the area west of the Corridor Cities Transitway (CCT) right-of-way that has larger single-family homes. This is also the closest residential section to the 14-acre parkland that is going to be dedicated to the City. This City parkland will remain forested. The third tot-lot/green space area is on the far eastern side of the development, with townhouses on either side of the parcel. These townhouses, which have rear loaded garages, will front and frame the park.

There will be an eight-foot hiker/biker trail circulating throughout the development. The pathway is designed to lead pedestrians and bikers from Watkins Mill Road around the residential portion, and through the Urban Core portion by extending the pathway the length of the road running parallel to the future parking garage. The public streets, to be maintained by the City, will either have five foot sidewalks on each side, or one side will have the larger width for the eight foot hiker/biker trail. There are sidewalks following the stream valley buffer area at the northeast corner of the residential portion of the plan and sidewalks are also found in a majority of the private alley-ways. The sidewalk system was designed to have a sidewalk in the front of every dwelling unit to create a "walkable" community

Engineering

There were number of conditions of SDP-05-005 that required the applicant to receive concept approval for engineering-related plans by the Department of Public Works, Park Maintenance, and Engineering (DPWPM&E) and the Environmental Affairs Division prior to final site plan. Those plans include a concept storm water management plan, a concept stream stabilization plan, and a noise mitigation plan. DPWPM&E has accepted the concept plans and the applicant and staff will continue to meet in order to move forward on the final plans and designs of storm water management plans, retaining wall plans, utility plans, and other engineering plans. The conditions of the site plan, as given below (Conditions #9-#16), list the plans and details that require final approval and signature to be granted by DPWPM&E.

Transportation

The Watkins Mill Town Center development will be served by one current and two future major transportation nodes. There currently exists a Maryland Rail Commuter (MARC) train station at Metropolitan Grove, serving the Brunswick Line. The Applicant will provide a temporary pathway for connection to this station from the residential development of this plan. Permanent connections will be addressed during the site plan submissions for the Urban Core at a later date.

The future proposed CCT is planned to traverse the site along the current CSX alignment and then through the western portion of the proposed residential, towards I-270. A CCT station is to be sited near the existing MARC station. The applicant will hold in reserve, for future dedication, the Right-of-Way (ROW) required for the CCT.

The future Watkins Mill Road Interchange is a SHA project that will link Watkins Mill Road extended with I-270. This interchange will eventually provide a connection from Watkins Mill Town Center to North Frederick Avenue, MD 355. The applicant will hold in reserve for future dedication the necessary ROW needed for the interchange.

Approval of this plan will allow the applicant to proceed with the construction of a four (4) lane bridge across the CSX tracks, connecting to West Watkins Mill Road. This bridge, required at SDP, will be constructed within the CSX ROW to State standards. This bridge will connect to Watkins Mill Road extended.

Watkins Mill Road is to be a multi-lane (6+, including turning lanes) road constructed to Montgomery County and State standards. The Applicant is required to build four (4) of these lanes. The necessary ROW needed for full build out will however be dedicated by the Applicant.

This plan includes the construction of the interior roadway network. The roads, with the exception of Watkins Mill Road., were granted road code waivers (RC-33) by the Mayor and City Council on October 17, 2005 (R-93-05). The majority of the roads, with the exception of sections of street "D" Midtown and street "A" Town Center Blvd. will be City owned. The two aforementioned sections and all alleys (referred to as "Lanes" on the plans) will be owned and maintained by either the HOA or the Urban Core. Final ownership of Watkins Mill Road extended will be determined via a Memorandum of Understanding between the applicant, Montgomery County, and the City.

The alleys, like the roads, are constructed with curb and gutter. The roads built outside of the Urban Core will also include appropriate sidewalk and path construction as part of this submission. The entire roadway network has been reviewed by the City Fire Marshal to ensure adequate access for emergency service vehicles. The applicant and the City continue to work with Montgomery County Department of Public Works and Transportation (MC-DPWT) to determine final site locations for Ride-On bus-stops and shelters.

Environmental Component

An environmental waiver (R-89-05) was approved by the Mayor and City Council on September 19, 2005. This waiver had a number of conditions including the applicant is to; work with staff and other local, state, and federal agencies to minimize the area of disturbance and obtain all necessary permits; and implement a stream restoration plan to stabilize stream banks and restore habitat. The Applicant has submitted a "condition" status summary to the City and continues to work with the Environmental Affairs Division and DPWPM&E, along with other appropriate agencies to fulfill the waiver requirements.

The Final Forest Conservation Plan, PI-V 0500027, was approved by the Planning Commission on January 18, 2005. This approval contains twelve (12) conditions and the applicant is to receive approval from DEA prior to the issuance of the final grading permits. The Wildlife Management Plan was also approved on January 18, 2005 by the Planning Commission. The Applicant has continued to work with City staff and the

Humane Society of the U.S. to implement the measures identified in the approved plan and will continue to do so throughout the various development phases.

The Applicant has submitted a landscape plan. Staff believes that the plan should be further revised to better enhance the aesthetics and identity of the community. Improved planting plans should be provided at development entrances, terminal vistas, between housing and major transportation routes, and in community common areas. Furthermore, the plan should include a site-appropriate diversity of species and resolve any utility/tree conflicts. Therefore, staff recommends that the applicant shall obtain final landscape plan approval from staff prior to the issuance of final grading permits.

Phasing/Future Site Plans

As mentioned previously, this site plan is for the residential portion and the streets in the Urban Core section. As you'll recall, there is a large Urban Core component to Watkins Mill Town Center that was approved at the SDP level. The applicant has indicated that several future site plans will be submitted for different components of the urban core. Exhibit #81 shows a layout of possible future site plans and phasing.

At this time, no architecture has been submitted for the twenty loft townhouses, or mid-town lofts, that line Midtown Street, or Street D. There will also need to be a reexamination of the parking calculations for these units, as staff and the applicant have not reached a consensus on how these units should be parked. There is a condition that requires the mid-town lofts receive Planning Commission approval for its final architecture and parking plan.

There are several conditions of approval from the SDP that relate specifically towards development in the Urban Core, such as the applicant submitting a sign package in conformance with the City Sign Ordinance. Other conditions related to LEED-certified architecture for Urban Core buildings and for the developer to provide safe pedestrian crossings from the proposed parking garage. The conditions of the Sketch Plan (Z-297) and the SDP will always be at the forefront for future development of Watkins Mill Town Center and staff will enforce all prior conditions.

Conclusion

Staff recommends the Planning Commission direct the preparation of a Resolution of approval or denial of the site plan to accompany its findings.

Staff finds SP-05-0013 in conformance with **Section 24-170** of the City Code and recommends approval with the following conditions:

1. Applicant to provide an Art in Public Places (AIPP) phasing and implementation plan to be approved by City staff in consultation with the AIPP committee prior to the issuance of building permits;
2. The applicant shall provide dimensions, total square footage, and bearings and

distances for each block on the final site plan prior to the issuance of final grading permits;

3. Final architecture and parking calculations for the mid-town urban lofts shall be approved by the Planning Commission as a future Amendment to Final Plan;
4. The developer of the residential units shall place fences along the rear property lines for the large single family lots facing the McGowan property, the future City park property, and the Devlin property. Final fence details and locations to be approved by staff. The developer shall provide disclosures mandating the fence not be removed to the future homeowners of said subject lots relating to the maintenance and placement of the fences. These documents shall be reviewed and approved by City staff;
5. The applicant shall place all gas meters in the rear of the single family detached, attached, and two-over-two condominium units; however, meters may be placed in side yards of front-loaded single family units in accordance with the Design Guildelines;
6. The applicant shall provide a list of street names for the community for City and Maryland National Capital Park and Planning Commission review and approval prior to the submission of record plats;
7. Developer shall be required to provide Community Amenities early on in the development of the project, namely the Midtown's park amenities of the Tot-Lot, pool, clubhouse, tennis court, and the adjoining Park along with the path thru the sensitive areas shall be constructed at the time of the issuance of the building permit for the 150th unit. The additional parks and tot-lots and path through the northern park will be built as the surrounding housing is constructed, with all residential amenities completed by the time of issuance of the building permits for the last 50 units.
8. Applicant to work with City staff and Montgomery County Ride-On regarding the review and approval of all bus shelter locations and routes;
9. Applicant must submit a final storm water management plan, including final details for bio-retention ponds, and storm water outfall plans to be reviewed and approved by the Department of Public Works, Park Maintenance, and Engineering (DPWPM&E) prior to issuance of final grading permits;
10. Applicant to provide final stream stabilization plans and stormwater management outfall plans to be approved by DPWPM&E, the U.S. Army Corps of Engineers, and Maryland Department of the Environment prior to the issuance of final grading permits; however, staff may issue a conditional final grading permit prior to MDE approval, if deemed appropriate;
11. Final roundabout designs to be reviewed and approved by DPWPM&E prior to the issuance of Public Works permits;

12. All driveway widths, lengths, and location changes are to be reviewed and approved by DPWPM&E prior to the issuance of Public Works permits;
13. The applicant shall receive final approval letters from appropriate utility agencies including, but not limited to, Washington Gas, PEPCO, Verizon, and WSSC prior to the issuance of Public Works permits for each phase;
14. The final utility plan shall be revised and approved by DPWPM&E prior to the issuance of Public Works permits for each phase;
15. Final retaining wall locations, design, peer review, and plan to be approved by DPWPM&E prior the issuance Public Works permits;
16. Final signing, lane marking, turning radii plans, lighting plans, paving and storm drain plans, grade establishment plans, and details to be reviewed and approved by DPWPM&E prior to the issuance of Public Works permits;
17. The applicant shall place all environmentally sensitive areas, as identified on the forest conservation plan under a permanent conservation easement to be recorded and identified on a plat to be record and submitted to Montgomery County Land Records prior to issuance of building permits. The owner of the Urban Core shall own and be responsible for maintaining all areas within the conservation easement.
18. The Declaration of Covenants and Homeowners Association Documents may provide a shared maintenance agreement between the Urban Core and the HOA to ensure the owners of the Urban Core will have perpetual ownership and maintenance responsibilities as shown on the Plat/Ownership Exhibit (Exhibit #78).
19. The applicant shall dedicate the approximately 14 acres of undisturbed parkland depicted on the western portion of the Casey Property West plan to the City of Gaithersburg to be recorded and submitted to Montgomery County Land Records prior to the issuance of building permits.;
20. The applicant shall dedicate to the appropriate governmental agencies, portions of the property indicated on the schematic development plan required for the construction and completion of: 1) the Watkins Mill Road Interchange with I-270 right-of-way, including associated ramps; 2) Watkins Mill Road extended right-of-way; and 3) Corridor Cities Transitway right-of-way when required by the appropriate local or state agency including the City of Gaithersburg, Montgomery County, the Maryland Transit Administration and State Highway Administration. Associated Declaration of Covenants and Homeowners Association Documents shall be reviewed and approved by the City Attorney prior to the issuance of Public Works permits for each phase;
21. Applicant to fulfill the twelve (12) forest conservation plan conditions and receive approval from Environmental Affairs prior to issuance of final grading permits;

22. Prior to clearing Phase II (i.e., stream valley buffer), the applicant shall receive all necessary approvals and permits from the City, the U.S. Army Corps of Engineers, Washington Suburban Sanitary Commission (WSSC), and Maryland Department of the Environment;
23. The applicant shall obtain final landscape plan approval from staff prior to the issuance of final grading permits;
24. The applicant shall continue to work with staff to develop technically effective, feasible, aesthetic, and reasonable interior and exterior noise abatement measures to prevent unacceptable noise exposures to the future residents of the development. Noise abatement measures should seek to achieve the 65 dBA exterior noise guideline and the 45 dBA interior noise guideline. Prior to approval of building permits, there shall be a certification by a professional engineer with competency in acoustical analysis that the building shell will attenuate exterior noise levels to an interior level not to exceed 45 dBA Ldn. A final noise mitigation plan shall be reviewed and approved by staff prior to the issuance of building permits;
25. Applicant shall continue to work with Staff on interpretive sign program for path system to be reviewed and approved prior to the issuance of building permits;
26. This site plan shall constitute a wavier to be granted by the Planning Commission in accordance with Section 24-169(f) of the City Ordinance, allowing for a later submittal of the final record plats;
27. The applicant shall receive approval of the final record plat from the City Planning Commission and record them in the Land Records of Montgomery County prior to the issuance of building permits;
28. The applicant shall submit a sign package to include, but not limited to, entry feature signage and future Urban Core signage to be approved by the Planning Commission as a future Amendment to Final Plan;
29. The applicant shall complete the construction of all sidewalks/pathways between the following units prior to the issuance of final occupancy permits:
 - Lots 8 and 9, Block I
 - Lots 42 and 43, Block I
 - Lots 29 and 30, Block I
 - Lots 21 and 22, Block I
 - Lots 3 and 4, Block E
 - Lots 6 and 7, Block O
 - Lots 11 and 12, Block O
 - Lots 16 and 17, Block M
30. Applicant to modify Cover Sheet (Exhibit #14) note #9 to state: "*All pedestrian walks, conversation easements and buffers to be maintained by the Urban Core,*

unless otherwise approved by the City."

31. This site plan includes the residential section and only streets in the Urban Core of Watkins Mill Town Center. The applicant shall submit separate site plans for the Urban Core, the hotel located on Watkins Mill Road, the storm water management pond water feature, and the gas station/bank parcel;
32. Prior to clearing Phase III (i.e., area northwest of the Corridor Cities Transitway (CCT)), the City Manager must determine that the applicant has met all legal obligations to the City.